

2009 HOUSE APPROPRIATIONS

HB 1019

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1019

House Appropriations Committee
Education and Environment Division

☐ Check here for Conference Committee

Hearing Date: January 13, 2009

Recorder Job Number: 6862

Committee Clerk Signature

Shirley Branning

Minutes:

Chairman Skarphol: Called the meeting to order on HB 1019, Parks and Recreation Department Budget by taking roll call and introducing **Mr. Doug Prchal, Director of North Dakota Parks and Recreation.**

Prchal: Provided written testimony, see Attachment #1. He also referred to the newsletter, Attachment #1a and supplements with budget pie charts and graphs, see Supplements #1-3. He stated that the Peace Garden is also a line item in this budget. Three priorities included in this budget are staff equity, enhanced park operations funding and capital funding needs, plus IT budget appropriations.

Rep. Klein: I'm looking for the federal funds; did you not apply for some of those? You've just got the recreation for the new year but it looks like in the past you had several other groups that you got funds out of. What happened? Looking at the pie chart. Supplement #1.

Prchal: A number of those, Mr. Chairman and Rep. Klein that Federal funding that comes in is a projection of what we anticipate has been used. That can change from year to year depending on what comes through Washington. A number are distributed through our department to the State of North Dakota. That Federal number is an estimate.

Continuing with bar graphs supplement #2.

Staff average tenure is about 14 years; we have lost 6 staff this past year

Park operations, another priority, we had a funding switch there, basically to put revenues in our department dedicated to take care of park operations.

Water fees are increasing, inflation, by restructuring the funding; we can operate those parks as we have been.

Capital equipment and repairs, priority # 3. There are no new construction projects, its roads and equipment replacement. We have IT requests. We have connectivity issues, to make sure staff have connectivity.

Section 6 has the community grants. This budget amends the grants program. The Community Grants Program has not been funded. The graphs on supplement # 3 show the funding progress.

Staffing, see P.3 of Attachment # 1, is a major challenge. It is difficult to keep pace.

The permanent staffing request is asking for 11/2 FTE's.

Continuing with written testimony regarding parks usage P.4 and conclusion

Rep. Onstad: You talk about the economic impact and such, that doesn't include city parks, county parks and the other recreational sites that attract people that are either local or county systems.

Prchal: That is absolutely correct. It is department only. The whole sector, wild life community, all of that. They have their own numbers.

Rep. Onstad: Their tourism dollars are not necessarily reflected here.

Prchal: No, these numbers are solely reflected in the data we've collected. We take a deduct, we calculate roughly 80%. We track only those out a 50 mile radius in those numbers.

Rep. Onstad: If I may continue, the staffing end of it, your seasonal workers, are we dealing mostly with college kids or do you have people who are retired who just like to work outside. What's the average age?

Prchal: Only about 20% are college age. We are trying to get older folks and high school students. We get those who are pursuing parks and recreation careers.

Rep. Klein: It seems that last time we funded a building that had burned down with some equipment and we had some questions on the insurance. Was that building back up and replaced and did you adequately do the insurance part now?

Prchal: Yes, Their calculations were based on a steel building.

Rep. Klein: What was the total cost of that project?

Prchal: I think this project was close to \$200,000.

Rep. Klein: What part came from insurance?

Prchal: I believe it was 50-50. We were basically half insured and then we graciously amended the budget to add the other.

Rep. Klein: There was also some trouble with equipment that was inside that wasn't insured. Was that, ah taken care of in your system?

Prchal: That was a DOT truck that was parked in there, and I don't really know how they came out on that. Our equipment that was in that building, that part was OK with our insurance claim,

Rep. Klein: And that building, where is that constructed at?

Prchal: Lake Metigoshe.

Rep. Wald: What was the net effect of the cost of your insurance after updating your coverage?

Prchal: I will get to that.

Chairman Skarphol: Any questions?

Rep. Wald: Did you get an analysis of your insurance because we changed the law that allowed people like you to get blanket coverage so that your contents are covered whether they are in that building or any other building in the State?

Prchal: We're still working with the insurance department to fix that in our facilities management data base.

Rep. Wald: On your buildings, are you doing the appraisals yourself or are you getting outside appraisers?

Prchal: We are working with the Insurance Department and they have been very good to work with us to provide that expertise.

Rep. Wald: So the fire and tornado fund is...

Prchal: They are working with us, and they're working together to show us examples. They have been pretty close on those numbers. Reads article from the Cavalier Chronicle signed by Ken Adams, Cattaraugus, NY. We get visitors from every state.

Chairman Skarphol: You have a bond payment of \$56,000. Can you give the committee a little information of what that is?

Prchal: I'll refer that to **Joe Morrisette, OMB Analyst**. That project is complete. That was 2 bienniums ago for the Turtle River Project. I believe it's a ten year bond, right?

Morrisette: Yes, that's right.

Chairman Skarphol: And also you have that \$30,000 IT project I see in your optional requests you'd asked for \$700,000. And that was not added to the budget? Was that equity dollars

added in lieu of that? What was the logic in not continuing the on-line service for the balance, because I understand it was for two parks only, correct?

Prchal: Yes.

Chairman Skarphol: You did not fund any additional money to expand that.

Morrisette: Talking about two different things. Are you talking about the online reservation system? That is to utilize the ...parks. It is a fully functional system now. We had included from their optional package, as far as IT, to provide some better access in two of the parks.

Chairman Skarphol: But the investment, according to this, this biennium was \$660,000

Prchal: Mr. Chairman, \$160,000 was the IT request to do the online system.

Chairman Skarphol: This biennium, the upcoming.

Prchal: \$160,000 was the IT request, for the upcoming, I believe the request \$270,000.

Chairman Skarphol: On the Bill line, 23, Section 2, it indicates an online reservation system equivalent replacement in this biennia at a cost of \$660,000.

Morrisette: That was a combination of, ah, the online reservation system was \$160,000 and there was \$500,000 supplement on the base. A onetime adjustment for equipment. So those two things combined are the \$660,000.

Chairman Skarphol: Details on this bill is not the same as most agencies. Do you have a more detailed report?

Morrisette: I can get you that, program wise detail.

Chairman Skarphol: Would all members like to see that detail?

Deferred Maintenance, it appears like you put \$835,400 in here for preferred maintenance.

Line 19 in front of the bill. How much deferred maintenance in total does the Parks and Rec.

have. What is the percentage of deferred maintenance accumulation that is taken care of by the \$835,000?

Prchal: That number was arrived at over time. We submit our budget, it's a onetime expenditure. In the past six years, those coming forward. In a general sense, there's about \$4m out there, it's about 20% of what we need to keep working out there to get us back on track, cyclable projects that reoccur to replace singles, stuff like that. We're behind....

Chairman Skarphol: Typically an agency preferred maintenance request of 2%....

Morrisette: Well, Mr. Chairman, the formula carries the 2% figure. Their request may be more or less than that.

Chairman Skarphol: Then to get to the equity bill, that's simply for full time staff.

Prchal: That's exactly right

Chairman Skarphol: Was there anything in your budget to allow you to pay higher wages to your part-time staff in order to compete?

Prchal: If you approve this budget with that funding switch, we will use some supplemental fees with staffing change where the staff that is funded from revenue is. Then the revenues will allow us freedom to pay more money through the revenues for our seasonal employees.

Rep. Hawken: Can you help me understand why you didn't have that ...money before this?

Prchal: We did but it came through the pool and it gets the in formula and we weren't able to get the formula that we needed.

Rep. Hawken: You didn't have....

Prchal: We have the pool funding, as I mentioned. It just didn't reach.

Rep. Klein: Green sheet, there is a question about salary increases for temporary employees. You have on a \$132,000 in this.

Prchal: It is the part that would be paid from revenues, so if you approve this budget that brings those dollars up for us, too.

Rep. Klein: Community grant program, can you show me how that works

Prchal: That \$700,000, if you approve it, would be appropriated we would request from communities through the process. The same procedure is used with federal money. They would request projects. There's currently about \$4M.

Rep. Klein: That's in the pipeline already?

Prchal: Yes, we would select a community and they would have to match dollar for dollar. Those grants, they construct that project and then they show us that whole expenditure and we reimburse them half the money. I believe that there is a carry forward formula in there because if you approve that we would need to carry that money into the next year.

Chairman Skarphol: I assume you have carried forward for the obligated funds. How much for the unobligated?

Prchal: I believe, it would be the obligated.

Morrisette: Mr. Chairman, the section that's in the bill, section 5 in the bill, it would give.... There's \$700,000 in this budget proposal. This would give an exemption for up to that \$700,000. Whatever they haven't expended, they could carry that forward to the next biennium.

Prchal: We would obligate those dollars.

Rep. Wald: Section 4 of the bill, P.3 talks about a transfer from Game and Fish for \$220,000. With the dry years we've had out west, what kind of a problem are we looking at in terms of docks being out of the water? I don't know how many docks you've got in the park system.

Prchal: That funding, the \$200,000 matches the 2.4 for general fund capital. It deals with replacement of fishing docks. There is no boat ramp construction expected. It is those ancillary related to fishing that the 200,000 would assist us.

Do you know, Joe, where exactly those dollars were tied to? I think the majority of it is improving fishing docks, courtesy docks.

Morrisette: I think the \$122,000 would be the ongoing operation. The \$222,000 is in the \$100,000 is dedicated to Lewis and Clark for ramp improvements and courtesy dock

Rep. Wald: Could we get a list of those parks where you have a dock?

Prchal: Sure. The fish cleaning stations I can tell you right here are for three parks on Lake Sakakawea and we also assist at Indian Hills. So, there are really five parks that Joe talks about that assist us. Beyond that there are boat ramps.

Rep. Klein: You had an audit by the auditor, what have you done about that?

Prchal: Primarily that audit requires doing a risk assessment. There was also an issue with regard to the purchasing and the staff that were affiliated with that and we had a structure, we were doing it right but we had to fix our flow chart and we have accomplished that. The last one has to do with printing a permit for every fee we have. That will be a real problem. When we do a permit right now, it requires 1 piece of paper for the length of the stay; this would require a separate permit for every day of the stay. People will ask for the old system.

Chairman Skarphol: Joe, did you have a question?

Morrisette: You asked me a couple of questions about extraordinary repairs, you asked about the formula amount. You asked about the formula amount, the 2%, that would generate \$4.4M in funding for parks. Their request is \$2m for extraordinary repairs, and what they got

funded was \$1.2M and about \$800,000 of that was for deferred maintenance and \$400,000 would go for their ongoing repair needs.

Chairman Skarphol: So the \$1.2M includes the \$854,000 that I referenced earlier.

Rep. Martinson: I would like to ask you about your relationship with the Lewis and Clark Interpretive Center. Explain that and what the liabilities are and if there would be any ramifications if we would deed our ownership interest over to them.

Prchal: A decade ago we worked collaboratively with them. There was interest in Washburn. DOT worked with us collaboratively to build, oversee and operate it. And the community said if you build this we will take care of it. Then we signed an agreement with the Mandan Foundation for 50 years. The State of North Dakota is the owner of the facility, and there is a trust, I believe \$4m.

Rep. Martinson: Over the weekend, I had a friend tell me that they want another \$650,000. The comment was that you own it so you should take care of it. It's your building.

Chairman Skarphol: Are there legal ramifications with the federal government with regard to this transferring....

Prchal: We followed through with that request from Department of Transportation and that building can be transferred.

Chairman Skarphol: Now I know why Department of Transportation equipment is in the parking lot.

Prchal: Department of Transportation also matched the construction of the side that is the rest area. They clean the grass area.

Rep. Onstad: On the community grant program, last biennium, what was your dollar amount that was set aside for that? Is it possible we can get a list of all the recipients of that grant?

Prchal: The \$400,000 was the amount that we got from the Federal Money. You want a list of the unfunded projects or a combination of both?

Rep. Onstad: A combination of both.

Prchal: We can get you that list.

Chairman Skarphol: Are there federal dollars available for this program?

Prchal: The \$400,000 is what we anticipated, but there is no guarantee.

Chairman Skarphol: How much did you request?

Prchal: \$4M.

Chairman Skarphol: We'd like to see the list of what was requested and what was granted, just out of curiosity.

Chairman Skarphol: Who is up next?

Randy Bina, North Dakota Recreation and Park Association (NDRPA) member and assistant director of the Bismarck Parks and Recreation District: He testified in support of HB 1019. See Attachment #2.

Rep. Williams: I am curious, the parks community grant program has been reduced from \$369M to \$28M what has happened to the revenue?

I'm just curious.

Bina: Those are national figures; it's due to cuts on the federal level.

Chairman Skarphol: Further questions? Is there anyone here to testify on the Peace Garden? Please sign the registration form. The Clerk asks that you write legibly, print. You don't necessarily have to leave your signature.

Doug Hevenor, CEO International Peace Garden: Testified in favor of HB 1019, for the Peace Garden portion, see Attachment #3. Refers to typo, we said our operational grant is \$736M rather than \$736,000.

Chairman Skarphol: You are currently doing an audit. You are potentially going to get \$290,000 in HUD money and they are requiring you to do a \$90,000 audit? So the net is about \$200,000. In the event you spent the 90 and don't get the 200, you are out the 90. There is no way you are going to get compensated for whatever audit you do.

Hevenor: We are quite confident we will be able to offset the necessity for the audit. Manitoba responded with a \$974,000 account for deferred maintenance which will complete 24 projects in 2009. They also increased the operating budget by \$200,000 annually. We proposed the idea of borrowing money, to the US Department of Rural Development to acquire an 80% guaranteed loan. We have borrowed \$1.85M from Security State Bank in Bottineau, State Bank of North Dakota and US Department of Rural Development. The deferment of that loan will come from the Canadian government, allocating \$156,000 annually to the deferment of that debt. On the Canadian side the operating cost is significantly less. We would like the legislature to consider granting the \$1.9M to eliminate this debt. That project will be complete in Sept. of 2009. We've completed the environmental audit. Weather patterns have been very difficult. The design, drainage and all was done by ND contractors. The challenge that the Peace Garden faces is that strong capital support has not been received from the federal delegation. We've exhausted almost all of the avenues. On the 75th anniversary, in one day we had representation from every state and province..In one day. We are a destination. Contributions in plants from Cashman nursery have enhancement our garden.

Rep. Wald: Are you a US citizen?

Hevenor: I am a Canadian citizen but am a resident of the United States. I can't vote for you guys.

Rep. Wald: Where is that conflict resolution?

Hevenor: \$7.4M of this and then the conflict resolution center for \$12M, and the accommodation center is the rest of the \$58M. Manitoba funds about 50% of that.

Rep. Wald: The Canadian government is supporting this?

Hevenor: Yes

Chairman Skarphol: Will it be built on the Canadian side?

Hevenor: Yes, Canadian side. I would say that 99% of the contracts will be American contractors.

You will not need a passport to enter the garden.

Chairman Skarphol: What's your annual budget?

Hevenor: We have in total dollars, approximately \$1.2M, jointly. My salary is all expense on the Canadian budget. We convert dollars to the Canadian side and convert dollars to the US side.

Rep. Williams: Sir, I don't know what your job is but you are very passionate about the Peace Garden. What is your greatest frustration?

Hevenor: My frustration is the Peace Garden is the bastard child of everyone. We need strong support from both North Dakota and Manitoba. Staff and board members have contributed out of their own pockets,

Rep. Williams: I assumed that is your frustration, but I wanted to give you a chance to say it.

Chairman Skarphol: It is refreshing to hear your passion.

Hevenor: I am very passionate; the garden that sits in North Dakota and Manitoba is a treasure. There is no place closer on earth to God and we have a beautiful garden.

Dana Bohn, Lobbyist: I represent North Dakota Tourism Alliance Partnership. Supports growth of infrastructure for the growth of tourism.

Thank you for your support

Chairman Skarphol: The hearing on HB 1019 closed at 10:29. No committee meetings.

The Committee took up amendment .0101 to HB 1016 which removes four sections relating to increasing the hazardous chemical fee, extending the veterans' bonus program and expanding eligibility for the veterans' bonus program to include multiple deployments.

Rep. Delzer moved the adoption of amendment .0101 to HB 1016. Rep. Kerzman seconded the motion. The motion carried by a roll call vote of 18 ayes, 0 nays and 7 absent and not voting and the amendment was adopted.

The Committee took up amendment .0102 to HB 1018 which removes the funding for the Heritage Center and removes Section 5 relating to construction authorization and borrowing authority for the addition.

Rep. Wald moved to adopt amendment .0102 to HB 1018. Rep. Pollert seconded the motion. The motion carried by a roll call vote of 18 ayes, 0 nays and 7 absent and not voting and the amendment was adopted.

The Committee took up amendment .0102 to HB 1019 which removes Section 6 relating to the leadership and facilities grant program in Parks and Rec.

Rep. Wald moved to adopt amendment .0102 to HB 1019. Rep. Wieland seconded the motion. The motion carried by a roll call vote of 17 ayes, 1 nay and 7 absent and not voting and the amendment was adopted.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1019

House Appropriations Committee
Education and Environment Division

☐ Check here for Conference Committee

Hearing Date: January 26, 2009

Recorder Job Number: 7766

Committee Clerk Signature

Shirley Branning

Minutes:

Chm. Skarphol called the meeting of the Education and Environment section to order.

Rep. Monson, District 10, approached the podium and distributed Attachments A and B. He is asking the Section to adopt an amendment he has drafted. The spillway in the park no longer meets code. The local people need to provide a match. There is a disagreement between Pembina and Cavalier counties as to how much each county owes. This is in court now. If this project is going to be done in a timely manner, the money needs to be raised and they are not being successful now. If that is not accomplished, the federal money may not come or the project may be delayed which means it will cost more later.

The total amendment is for \$120,000 -- \$20 K of that is for signage.

Chm. Skarphol: There is \$97,000 in the budget and you're asking for an additional \$100,000?

Rep. Monson: I'm not sure what's in the budget for the dam project.

Doug Prchal, Director, Parks and Recreation: There is no money for the dam rehab. Those state dollars are allocated through the State Water Commission budget.

Rep. Williams: This is an enhancement since it is not in the Governor's budget.

Mr. Prchal: That is correct.

Chm. Skarphol: Addressing Joe Morrisette, is there any money in the budget?

Joe Morrisette, Office of Management and Budget: I will find out.

Rep. Monson: This would be money to help out the local match. I was under the impression there is no money in the Parks and Rec's budget on this project.

Chm. Skarphol: You have no problem where we put it?

Rep. Monson: I have no problem where you put it. They can't raise the money fast enough and I'm afraid it's not gonna get done this summer.

Chm. Skarphol: You are for the local match, plus the money for signage. You believe there's like \$400,000 in the budget somewhere.

Rep. Monson: I know there is money for the state match, but it's not in this budget. If you look at Attachment A, on the right side, the state cost share is \$1,378,190 is probably in the Water Commission Budget. The final dam is Renwick Dam is being repaired. This is the key repair that needs to be made. This is an integral part of the park so we thought it is a good

Rep. Kroeber: What is the timeline on the federal dollars?

Rep. Monson: Once it's been appropriated, I believe it's safe, but with the budget shortfalls, who knows? There is a chance there may be more federal money, but at this time we have no idea.

Rep. Kroeber: Has this budget been started?

Rep. Monson: No it has not.

Rep. Kroeber: It's 65% Federal cost share, February 2008.

Rep. Monson: That's when the money was actually allocated and put in the budget. The road at the top of the dam. When they start fixing the dam, Parks and Recreation will need another access road. This is a big money maker for the state. It is

Rep. Wald: You're going to raise the top of the dam 5.4"?

Rep. Monson: That's what they said. The top of the dam to meet code needs to be raised.

Rep. Wald: Is there another spillway?

Rep. Monson: To meet code, more needs to be added to the top and it needs to be concrete.

Chm. Skarphol: We'll look into it. If you'll check on the \$497,000.

Rep. Monson: The local people have to raise \$497,000. We are trying to get that down to \$397,000.

Chm. Skarphol: You'll need to see if the \$1.3 million is incorporated somewhere.

Rep. Monson: I think that was the date the Water Commission committed to that.

Rep. Wald: Is this covered in two different counties?

Rep. Monson: The dam is in Pembina County. The water that drains comes from two counties.

Rep. Wald: Is there a local mill levy?

Rep. Monson: There is a local mill levy that each county would be responsible for.

Rep. Wald: So it wouldn't be a problem to raise the \$397,000?

Rep. Monson: Cavalier County is saying that they are being charged too much, so the project is just sitting there. It's going to cost the state in lost revenue if we don't get to it in a timely manner.

Chm. Skarphol: In looking at the green sheet. The first one is the equity, the \$512,000 plus the \$25,000. Have you gotten to the point in your Department to tell anyone what their equity payment would be?

Doug Prchal: No.

Chm. Skarphol: this is just a gross number that you would apply at some time in the future.

Mr. Prchal: When we did our budget testimony, this spreadsheet was developed in concert with Central Personnel using their formulas. Mr. Prchal distributed Attachment C.

Chm. Skarphol: Is the one-time funding delineated in your testimony?

Mr. Prchal: I don't believe I gave you specifics,

Chm. Skarphol: Item 6 for example, is \$2.6M total?

Mr. Prchal: I did not give you a detailed list of that. I went through the overview of the types of things. That is not difficult to get that list.

Rep. Klein: One-time funding, what projects are you planning on (#7 on green sheet).

Mr. Prchal: We can provide you with that information.

Chm. Skarphol: 8, 9, and 10 – could you break it down so we know what the one-time funding is?

Mr. Prchal: I can give you that in the morning.

Chm. Skarphol: #5, is that part of your new reservations program?

Mr. Prchal: It is connected to that in the respect that there is poor intermittent connections. We have worked with IT staff. And other services and staff interaction from the field back to the department..

Rep. Wald:the Water Commission budget?

Mr. Prchal: That's the agency probably we could funnel that money through . . They do have that money committed. They will bid this project in the summer of 2009 and start construction in 2010. It would be appropriate to put the money in the Water Commission.

Rep. Wald: Rep. Monson kept saying it's a moneymaker.

Mr. Prchal: Delaying the project may redirect people elsewhere. Icelandic State Park ranks 4th in our system in our revenue pool. It has an impact on our agency.

Rep. Klein: Looking at the numbers for your equity and the number of people you have. How did we get behind \$10,000 for each employee?

Mr. Prchal: We have received pool equity dollars. When you go into a pool, that information those dollars are allocated equally whether they requested a payment or not. After midpoint, it's up to the agencies and equity money doesn't come, those upper level employees have not been afforded those pay raises. It continued to pass over those longer term employees. The longer term employees are below or at midpoint. We have not had the opportunity to roll up dollars like some of the other agencies to adjust pay.

Chm. Skarphol: Do you have any vacant FTEs?

Mr. Prchal: We have one vacant FTE. We have an ad out to refill that position.

Rep. Kroeber: Will the equity dollars in here now be addressed by Attachment C?

Mr. Prchal: It will take us past midpoint and work towards the graph I showed you and get us past the midpoint. It will not take any employee to the top pay scale.

Chm. Skarphol: That is pretty good equity for employees to get \$512,000. Joe, would you like to comment?

Joe Morrisette: Re: \$10,000 per employee. If you divide that by the 24 months over the biennium, then multiply that by like 80% because that includes fringe benefits, you get down to \$333.00 per month. If you look at an average, if you divide it out as what it is as a salary increase, it would be less.

Chm. Skarphol: How many agencies are treated better?

Mr. Morrisette: Parks and Rec on a per employee bases, they receive about the most per employee

Chm. Skarphol: No state employee gets more than \$600 per month in equity. Is there much of that?

Mr. Morrisette: That's not the norm.

Chm. Skarphol: The music camp took a reduction in general funds?

Joe Morrisette: That was from the Permanent Oil Trust Fund.

Mr. Prchal: That was a transfer to them after they showed us they got the other half... That zeroed out. They have not otherwise requested any appropriation.

Chm. Skarphol: Joe, on the bill, Natural Resources: That doesn't seem to be reflected on the green sheet. Is that just salary?

Joe Morrisette: The \$3M. You asked last week for an analysis by account code for variances. That is mostly complete. I had to send that to the account analyst. In the next day or two I should have that information.

Chm. Skarphol: The total enhancement is \$5.2 million plus. It isn't explained on the green sheet.

Morrisette: A lot of that \$5.2 million would fall under the Natural Resources line in the agency. So most of that is ...when you get Doug's breakdown in the extraordinary, that will explain most of it.

Mr. Prchal: I can break that \$5.2 million down for you.

Chm. Skarphol: We'll let you know when you can come back and fill us in.

Rep. Wald: Section 6 in the bill is what we're going to hear tomorrow in another bill.

Mr. Prchal: Yes.

Rep. Kroeber: Should that be listed under Major related legislation on the Green Sheet?

Chm. Skarphol: With regard to the transferred to Game and Fish, that's not a major issue?

Mr. Prchal: The one part has been a continuing appropriation for more than a decade for the maintenance. Of those five parks, \$100,000 is for ramp work, dock work and those types of things.

Rep. Wald: RE: coyotes and beavers. Do you have a problem with either of those at any of your parks?

Mr. Prchal: That problem rectified itself. There is no issue.

Chm. Skarphol: Tomorrow you'll have a hearing regarding the grants portion of this bill in my absence.

Rep. Kroeber: What bill is that going to be tomorrow?

Mr. Prchal: HB 1479.

Chm. Skarphol: We have to start wrapping these things together. We'll stand at ease until 3:30.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1019

House Appropriations Committee
Education and Environment Division

☐ Check here for Conference Committee

Hearing Date: February 4, 2009

Recorder Job Number: 8575

Committee Clerk Signature

Shirley Branning

Minutes:

Chairman Skarphol: Called the meeting to order to discuss, HB 1019, Parks and Recreation by introducing an amendment and a handout from Rep. Monson and one from Joe Morrisette, OMB Analyst. .

Morrisette: These are the changes you asked for, see attachment # 1, and going through the Parks Budget Recommendations item by item.

Chairman Skarphol: With the general fund dollars in item # 2, had they not been put in, there would have been a reduction in some of the things listed in 3, item # 6.

Morrisette: That is correct, inflationary increases, some of their equipment and some of their extraordinary repairs purchases. All of the 558 was used for inflationary increases and park operations.

Chairman Skarphol: On the green sheet, it reflects a \$2M decrease in total dollars. Give us background to what that resulted in that decrease.

Rep. Klein: This salary funding switch from the special funds and the general funds, that was not in the Governor's recommendation, was it?

Morrisette: All included in the Executive budget.

Chairman Skarphol: Are there any other optional requests that were included?

Morrisette: Everything is from their optional package.

Chairman Skarphol: How would they have been used if they had not been designated the way they have in their optional requests?

Morrisette: The pay plan would have continued to have been used. And they would have asked for General Fund money for these inflationary increases.

Chairman Skarphol: The General Fund Money is \$550,000, if you add up the \$558, the \$530, the \$482 that you are reflecting here is a lot more than that. How would the additional dollars over and above the \$550,000 have been utilized if you had not given them the optional request?

Morrisette: If they didn't have the spending authority for those special funds they would have just stayed in the fund and carried over to the next biennium.

Rep. Kroeber: Mr. Prchal, you have some people who are basically working full time for a number of years and are listed as part time. Will any of these dollars help correct that situation?

Doug Prchal, Director Parks and Recreation: By law they are not eligible for benefit packages, it would address their hourly pay rates to encourage us to retain them, from a benefit standpoint we will not be able to retain them.

Rep. Kroeber: Do you have temporary workers who are working 40 hours a week?

Prchal: Yes, funded through special funds from the Federal Grants program. They are not classified FTEs. If funding goes away, they lose their jobs.

Rep. Kroeber: We have many employees that are paid by special funds, that receive benefits and are full time.

Prchal: We have not approached that request over the years.

Chairman Skarphol: What is the number of people that aren't....

Prchal: The grants position for Land and Water and two people in the recreation program.

Rep. Klein: These two people, how long have you had them on continuously and they're not getting retirement benefits?

Prchal: The grants program would be approaching about 8 years, the trails program is approaching 3 years.

Rep. Klein: These three people have been employed for all these years without benefits.

Prchal: The conditions of employment that we laid forth in those grant programs to the extent that they're available as we set forth. A request had been made to switch these to FTE and we were not authorized to switch those to full time.

Rep. Kroeber: If they are working 40 hours a week, they get about 17-18% for benefits .
If we increase that would it pay for full time benefits?

Prchal: Absolutely.

Chairman Skarphol: The 2 were are talking about that are not receiving benefits have been working for you for 8 years, roughly 40 hours a week, 50 weeks out of the year?

Rep. Wald: Item 8 on attachment #1, You're asking for 2 ½ FTE. How are those places staffed now.

Prchal: There is a park manager that is a permanent position maintenance people are on site 3-8 months, or full time. This maintains that continuity.

Rep. Wald: You have a full time position at Beaver Park and you are asking for another one.

Prchal: Yes, the maintenance position that would support the care and maintenance position.

Rep. Wald: What would they be doing this time of year?

Prchal: they are doing basically maintenance, clearing roads, hiring new staff for the upcoming season.

Rep. Wald: You have been functioning without them until now.

Prchal: We've had the part-time maintenance positions.

Chairman Skarphol: No one there in the winter.

Rep. Wald: They live there, housing is approved.

Chairman Skarphol: Refers to handouts, onetime things. Not sure we should put money into it at this time. What kind of repair are we talking about?

Prchal: We are talking about asphalt, asphalt overlay, they are on a maintenance data base. Department of Transportation gives us those schedules.

Chairman Skarphol: On a biannual basis you do a couple of these?

Prchal: You may see a couple of projects scheduled but not necessarily in every biennium. We try to spread those costs over time. So we don't get behind when the price starts to increase.

Chairman Skarphol: Fort Stevenson and Turtle River infrastructure upgrades for the next two on that list, is it a practice to do them on a rotating basis?

Prchal: We are replacing 20-25 year old infrastructure. Electrical and water upgrades.

Chairman Skarphol: Land acquisition at Fort Ransom?

Prchal: A local landowner had approached us to....

Chairman Skarphol: Comfort station for \$160,000 at Fort Sully

Prchal: That has been on the list for some time, that also includes a sewer dump station for the self contained vehicles. We now have rural water..

Rep. Klein: One time funding, item # 6 on the green sheet where are they coming from?

Prchal: The other funds, part are Game and Fish funds.

Morrisette: This is the \$250 that would be for the Turtle Mountain Trails. \$50 would be, 25 from the ATV fund and \$25 from the Snowmobile fund.

Prchal: We have a grant from Department of Transportation for that project

Rep. Onstad: You mentioned the road going into Fort Stevenson State Park, is there a safety issue because of the people who walk, there is no shoulder, it is very narrow. Are there any funds to address that?

Prchal: It does not include the access road from the city of Garrison into the park, only inside the boundaries. Right of way for bike trails is not permitted.

Chairman Skarphol: On the green sheet, extraordinary repairs, is that a number that has been typical or is it a dramatic increase in what's been done in the past?

Morrisette: The base funding of 753 is the same as in the current biennium for the base budget level.

Chairman Skarphol: Do we have a sheet that reflects the \$753,400, do you have one that reflects the...

Prchal: Refers to handout # 2, on the optional list there's \$382,000. OMB with the additional list just increased that number to \$400,000.

Morrisette: If you combine \$382,000 is broken out on here, #6 the \$382,000 is shown in one lump but the \$80,000 is that mount that comes from Game and Fish., that gets you the \$482,000.

Chairman Skarphol: How does that compare to what they had in the past?

Prchal: Our number ranges around \$1.3M.

Chairman Skarphol: That's about a 25% bump.

Rep. Wald: The park north of Killdeer is a primitive park without comfort stations or showers.

Prchal: It's Little Missouri State Park, primitive. There is one being requested. Access to water is a limiting factor. Project could happen in 2009.

Rep. Wald: Has there ever been a well there. There is money to connect to rural water.

Prchal: There is a well, it costs about \$28,000 to drill that well and to burden it with shower facilities is testing the capability of that well.

Rep. Wald: Water would be used for what?

Prchal: Drinking water and watering horses. Water now available would not be adequate for showers.

Rep. Onstad: Section 8 of attachment # 2. Why would we keep full time and add on?

Prchal: We could at some time add to the permanent FTE. The prioritization that we have taken is an incremental step.

Rep. Kroeber: On the same issue, proposed amendment 98019.0101 explains that \$10,522 would take care of the benefits.

Becky Keller, Legislative Council Staff: This would be for long term secretary at Lake Metigoshe and the increased funding was provided by Lake Metigoshe personnel.

Chairman Skarphol: Would the amendment move some money from Grant dollars to the salary line, how do we accomplish that?

Morrisette: they have a program line for human resources.

Chairman Skarphol: FTE count would change and the salary and benefit line would change. Is this dollar amount sufficient to make that happen?

Morrisette: : Adjustments can be made. (Inaudible)

Chairman Skarphol: This is different than the employees you were talking about earlier.

Prchal: Yes, this is an administrative position. Funded totally from park revenues.

Chairman Skarphol: Not full time, works 40 hours a week?

Prchal: Works 40 hours a week but for 7-8 months a year, so that classifies as temporary.

Chairman Skarphol: Check with human resources and how they view that.

Rep. Martinson: Some of our departments are not honest, receive no benefits as full time temporaries. It hurts the person doing the work and receiving less money than the person sitting next to them.

Chairman Skarphol: I think we want to see a spread sheet for every agency. Is the report prepared on vacant positions?

Rep. Martinson: I feel the same way about agencies that hire for 35 hrs a week.

If the idea is not to increase FTEs, move them from agency to agency.

Chairman Skarphol: A pool of vacant positions can be created and agencies can access that pool and make those transfers.

Prchal: With respect to the salary, we do take consideration for that. The salary calculations, put them at par with other retirement benefits.

Chairman Skarphol: There is no match in a 401 K.

Rep. Wald: Position at Metegoshi state park is there housing for that person.

Prchal: No.

Rep. Wald: How many have permanent housing?

Prchal: About 12.

Fifteen minute break

Chairman Skarphol: Are there vacant positions?

Prchal: Lewis and Clark State Park position is vacant but in the process of filling.

Chairman Skarphol: Referring to the green sheet he asks about the one-time items that have been removed.

Morrisette: Yes, some grants, extraordinary repairs. Item # 2 that is being removed from the Peace Garden and not going back in anywhere.

Chairman Skarphol: When do we quit calling it onetime funding?

Morrisette: There is a buildup of onetime moneys. That is above and beyond the typical base has been.

Chairman Skarphol: What is the typical base? Can you give me that kind of history.

Morrisette: The base amount is above and beyond ,

Chairman Skarphol: address the question of temporary and FTE and asks Mr. Purdy to come to the lectern. We've had this discussion with Parks and Rec and they have a number of 40 hour a week employees but they are not FTEs. How prevalent is that type of practice?

Ken Purdy, Classification and Compensation Manager for Human Resources: This happened a few years ago, we did a review of the temporary employees. There are a number of temps who are long term, but work very little time.

Chairman Skarphol: How do you manage the situation where someone works full time but is not an FTE?

Purdy: In most cases there is a rational for the need to hire, based on the need to get work done.

Rep. Klein: How many hours do you have to work before you get credit?

Purdy: The statutes for the PERS benefits, its 20 hours per week threshold, and occupy a regular funded position.

Chairman Skarphol: If not FTE, how do you justify not providing benefits for the same amount of work time?

Purdy: I can't, it comes down to limiting the time. Replacements, etc.

Chairman Skarphol: Could you supply us of a list of personnel who are documented by the agency reflecting positions that are not FTEs.

Purdy: It would take a few days.

Chairman Skarphol: I suggest you start digging.

Rep. Martinson: We could ask each agency.

Rep. Kroeber: Is there an avenue that they can get health benefits if they are not FTE?

Purdy: Last session there was a change in the eligibility requirements for health benefits.

Rep. Kroeber: He doesn't have to be designated as a FTE.

Morrisette: Corrections has made use of that, moved temp into a regular FTE slot because they have such tremendous turn over.

Chairman Skarphol: We'll ask you to come down and explain it at another time.

We will wait a little bit before we take action. Want to make sure we take care of the part time before we add 2 FTE. Adjourn and take this up until we get more information.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1019

House Appropriations Committee
Education and Environment Division

☐ Check here for Conference Committee

Hearing Date: February 6, 2009

Recorder Job Number: 8897

Committee Clerk Signature

Shirley Branning

Minutes:

Chairman Skarphol: Called the Subsection together to review HB 1019, Parks and Recreation. We need to make sure we've covered all the issues on the budgets in preparation of getting the amendments done. We are going to wait until the Forecast on Monday to move these budgets and take final action on 'em.

Rep. Wald: The only agency that is exempt from the Administrative Agencies Practices Act is Parks and Rec. I'm wondering why they would be excluded.

Sheila Peterson, OMB Staff: Perhaps they don't have anything that they do that requires rules.

Chairman Skarphol: I suggest that if they decide to change the charges for entering the park that they would have the authority to do that without going through administrative rules process.

Peterson: Park fees are in statute, so you would change them.

Rep. Kroeber: On Vision Services, which is a part of HB 1013, we really made no changes from the Governor's budget.

Chairman Skarphol: On the State Library, Rep. Martinson, do you see any changes there?

Rep. Martinson: The budget increases are for salary, and \$120,000 for two internet services.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1019

House Appropriations Committee
Education and Environment Division

☐ Check here for Conference Committee

Hearing Date: February 9, 2009

Recorder Job Number: 9017

Committee Clerk Signature

Shirley Branning

Minutes:

Chairman Skarphol: Brought the Committee to order to discuss HB 1019, Parks and Recreation by distributing Amendment 98019.0104, drafted by Rep. Monson for signage on Icelandic State Park. This is for \$20,000 and provides funding for developing and approving signage and maps for Icelandic State Park and for Trails and attractions for Northeastern North Dakota.

Rep. Klein: So 104 replaced 103 that we already had acted on?

Chairman Skarphol: The \$100,000 on Rep Monson's amendment went to 1305 for the local match.

Rep. Klein: What about amendment 0101 that Rep. Hunskor, District 6 presented?

Chairman Skarphol: That was the FTE.

Rep. Kroeber: Referring to **Joe Morrisette, OMB Analyst**, was it that simple or more complicated than we thought as far as just being able to pay for the benefits? Referring to **Becky Keller, Legislative Council.**

Keller: The person at Lake Metigoshi indicated he wanted her salary to remain as it was and he thought the \$10,000 we add would cover her benefits. Then Mr. Prchal contacted me later and he wants to run it by Dorothy to be sure that's an adequate amount.

Chairman Skarphol: It was also one of 4 ½ positions that they did have in their budget request?

Morrisette: Doug did send an email that based on the work that the fiscal person for the Agency, Dorothy did, they would need \$28,938 for a complete benefit package for that position.

Rep. Kroeber: Wasn't that the sticking point that we weren't trying to convert it to a full time FTE, other agencies actually do pay benefits to full part-time people. I don't think we were trying to gain status of a full-time FTE.

Rep. Wald: The issue was fringe benefits, health insurance and retirement.

Chairman Skarphol: We need Mr. Prchal to talk to us again with regard to FTE.

Rep. Kroeber: The 2 full-time positions are would now go under general fund and at this point they're being paid out of special funds which are really fees that are paid to get into the park.

Morrisette: The 2 ½ positions that were added in the Executive budget were for maintenance staff and those that are funded from temporary salaries are funded from park fees.

Rep. Kroeber: I am talking about the one that was in the optional package that was not funded by the Governor is where the one we're talking about are included.

Chairman Skarphol: Why does he pay those full time temporaries out of park fees out of special funds and make them time, other than the fact that he hasn't been authorized to. What would be the additional cost?

Morrisette: Doug would say that it is about \$28,000 that would be the added cost of the benefits. Just the health insurance along would be \$20,000 per biennium.

Rep. Onstad: If you look at the second page of the amendment, it talks about this amendment converts a long time FTE and the amount shown is a net of a reduction of \$52,000 in temporary salaries.

Chairman Skarphol: That is for the secretaries, the full-time temporaries, that's a different situation.

Morrisette: the situation in the parks is that they are paying the secretaries with temporary dollars. Their optional request in this amendment deal with converting those temporaries to full-time FTE status.

Chairman Skarphol: It has nothing to do with the 2 full-time temporaries, that number would be very different.

Morrisette: They have some positions that are funded with Federal funds, like the Grant administrator, that is an FTE.

Chairman Skarphol: That is an FTE in my mind, when you have someone who works 40 hrs a week, 50 weeks out of the year. If we want to move that to FTE what is the additional cost incurred? Right now they are paying them contract wages and not paying any benefits. There has to be a cost associated with moving them to full time and then we make a decision whether or not we want to pay that out of the general funds or special funds. I am not excited about giving them more FTEs until we take care of the ones he does have.

Rep. Kroeber: We are not trying to get rid of people.

Morrisette: In regards to the grant position, that would cost \$31,758. That would be federal funds because it is a federally funded position. He is asking for the authority for the FTE and increase in his other fund spending authority.

Chairman Skarphol: For the grant position, it is not on the green sheet.

Morrisette: Correct, it is not in the Governor's budget.

Chairman Skarphol: In order to move that to FTE we would need \$31,758 in addition to what he is currently paying for that and he has spending authority for the major portion, it's just the additional \$31,000 that he would need. How about the one that was a 3 year, recreation or something?

Rep. Klein: I don't want to give this individual any more FTE, he's doing a poor job of managing what he's got.

Chairman Skarphol: I don't disagree with that assessment, but I disagree with someone working full time and not giving 'em benefits.

Morrisette: The \$55,000 for the Peace Garden is in the executive budget. He asked for \$1.9M to pay off the debt to match the Canadian funds for the Interpretive Center construction and \$312,000 that would make the debt service payments on their loan.

Chairman Skarphol: \$106,000 per year.

Morrisette: They chose not to request an FTE as an optional request for the person that administers their highway vehicle and snowmobile safety program that's funded from a federal highway grant, because they wanted to see if it would be granted.

Chairman Skarphol: We will deal with this tomorrow. We will deal with Ag and Game and Fish tomorrow. We'll ask Mr. Prchal to be here at 9:00 tomorrow.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1019

House Appropriations Committee
Education and Environment Division

☐ Check here for Conference Committee

Hearing Date: February 10, 2009

Recorder Job Number: 9061

Committee Clerk Signature

Shirley Branning

Minutes:

Chairman Skarphol: Called the Committee to order to discuss HB 1019, Parks and Recreation

By calling on **Doug Prchal, Director**. We have some concerns about some of the dollar amounts for equipment listed, see attachment # 1, P. 2. We find some of the things in here a little bit unusual in their costs, such as shop vac for \$1500 and other items on that list.

Prchal: I can't answer your question specifically and will follow up on that. There is a shop vac at Lake Sakakawea for \$800. There are portable units they use, wall mounted ones. It could be that kind of equipment.

Chairman Skarphol: The walk-behind snow blower for \$2500. Seems kinda pricy, they can be bought for half that. Portable grill – I don't know how you could move a grill if it cost \$4000, it would be larger than portable.

Prchal: I will follow-up on the snow blower. We do have larger grills for family reunions, group picnics, for corporate picnics. It has a tow hitch and wheels on it because there are multiple places at Lake Metigoshe to do exactly what you're talking about. The group camp at Lake Metigoshe also will use that, it has multiple uses.

Rep. Wald: On P. 1 you show two rescue boats at \$62,000 each. What kind of craft are we talking about?

Prchal: Those are rescue boats, a Boston Whaler boat that is of the type and style, with the wave action on the lake, it is a safe boat for rescue.

Rep. Wald: Is this a replacement?

Prchal: Yes, it is a replacement. Those boats on the lake are 25 or more years old. This is a scheduled replacement.

Rep. Klein: You've got brush mowers for all of the areas, you've got projectors, and skid steer loaders. What have you got in place now? Are you mass replacing everything?

Prchal: These are replacement schedules. Unfortunately, it is grouped here. Some of these pieces of equipment are really beyond replacement. Some are cycled in and so this budget request brings us up to speed with those pieces.

Rep. Klein: Are you trading in those pieces, you must have equipment in place?

Prchal: To the extent we can trade in and those dealers will take it back, absolutely we do that.

Chairman Skarphol: What happens if they don't take it back, it goes to surplus?

Prchal: Then we send it down to surplus property.

Chairman Skarphol: It is a substantial list. You've got ATVs in two different places, some of them \$4000, some \$8000. ATV weed sprayer, \$4000 a piece. If that's just the sprayer, I would think \$4000 would buy you three weed sprayers. For \$1000 I can buy a nice tow behind Balloon sprayer with balloon tires made out of stainless steel. On P. 3 you have snow blowers, four ATVs at \$8000 apiece. That is a pretty nice ATV.

Prchal: They have multiple uses and are more of a utility vehicle than what otherwise you would see for sport use or farm use.

Chairman Skarphol: the next item down is utility tractor and you have seven parks listed for utility tractors at \$25,000 a piece. Obviously you must have something in place, in seven out of 12 parks they need to be replaced.

Prchal: That is exactly right. With the replacement schedule, some are far past replacement. In this budget, we did get an enhancement on time to catch up with that back log of replacements and this is a continuation of that.

Chairman Skarphol: What do you use a plasma Cutter for? Most of the time they are designed for precision cutting and you could probably have a contract job done.

Peace Garden, they had a fairly substantial optional request.

Prchal: I believe their optional request was \$55,000 for a Bobcat.

Chairman Skarphol: Also, the interest to make their annual payments on their mortgage.

Prchal: That was not included in the executive recommendation, requesting your consideration for that loan and or funding to what is coming from the Canadian government.

The funding that they have coming from the Canadian Government is a time sensitive. He has tried to search out matching funds and has received the USDA guaranteed loan program. The Bank of North Dakota (BND) is assisting.

Chairman Skarphol: Addressing **Joe Morrisette, OMB Staff**, do you have any information?

Morrisette: Back a session, they got \$1.5M from the state which was to match Canadian Federal and funds from the Manitoba government to build their interpretive center. At that time there could also be \$1.5M coming from our US Federal government and there'd be players in that construction. That money never became available to them. They were under some time

issues there so they were connected with the USDA to provide a matching guarantee and they went to a local lender. In their budget request they asked for \$1.9M to pay that loan and the fees incurred. They were able to go to the lender, the grant went up to \$350,000 in the 07-09 bienniums and uses that as fall back. It was an informal request to assist them with their debt payment.

Rep. Wald: I have a note, \$156,000 annual loan payment. We're talking a little better than \$312,000.

Chairman Skarphol: They were able to match the Canadian ...

Morrisette: they were, they've proceeded with ground breaking, ready for construction to begin. They've matched the Canadian funds and they have the loan and the guarantee through the USDA.

Rep. Wald: If you total up the equipment replacement, it's \$1.345M. If we left a million for equipment replacement and took \$345,000 or whatever it takes to pay that loan, it would be a good swap and keep the budget at the present level in terms of net dollars.

Chairman Skarphol: what you're suggesting is to reduce the equipment budget, and repay the Peace Garden?

Prchal: If you reduce the equipment budget, this one time expenditure, \$530,000 comes from park revenues. We would then be putting park revenues into the Peace Garden. We have \$450,000 in our base budget that's there, then the \$530,000 is park revenues.

Rep. Wald: Just swap the general dollars.

Chairman Skarphol: there's a substantial amount of one-time funding in here. There's \$2.375M, \$450,000, etc. All general fund, all listed as one-time. That's the way it is reflected on the green sheet.

Prchal: That would be the Capital budget, overall for extraordinary repairs.

Rep. Klein: I'm looking at an item on your equipment list, what are you using a manure spreader and where are you getting the material?

Prchal: That is in Little Missouri State Park, Horse Park. We have relied on a farmer to take care of that. There is quite an accumulation from the volume of horses.

Rep. Klein: You have these groomers for the snowmobile trails. What special funds are those?

Prchal: Revenues from the snowmobile trail fund.

Rep. Klein: There must be several because you're spending \$200,000.

Prchal: I believe that is two units, they roughly run \$90,000-100,000 and we reindexed that. They are snowtrack machines that are replacement.

Rep. Wald: I think we've been tight fisted with the Peace Garden budget over the years. I would like to see this committee pick up that interest cost and swap that onetime equipment request.

Rep. Klein: What number are you looking at to take out of the equipment budget?

Rep. Wald: \$156,000 annually.

Morrisette: In their equipment budget overall, \$450,000 is from the general fund. And the balance would come from park fees they would spend only if they had the revenues. The \$350,000 would be a substantial part of the general....

Chairman Skarphol: I'm not in disagreement with Rep. Wald, giving the Peace Garden some assistance. There is a lot of onetime money in here. We ought to look at taking a little more than just that interest money for the time being.

Prchal: the three page list is the working list. When we talk about equipment, the only items that remain are those utility tractors and the ATVs, the replacement of the boats, etc.

Rep. Klein: The capital projects of \$2.359M, instead of taking it all out of the equipment, we could take some out there.

Rep. Wald: I am saying, we should help the Peace Garden and maybe take some from Capital projects and some from.....It should be a management decision as they think their greatest needs are and adjust accordingly.

Rep. Klein: There's a lot of road projects in there, and if the stimulus package and Department of Transportation being behind, you're going to have problems getting contractors to do all the road projects, and that might be delayed.

Chairman Skarphol: The stimulus package is a dilemma, we could hope it could be defined to take care of projects like the Turtle River State Park. How do we do that?

Prchal: The Senate has an amendment that passed that says "Parks are not eligible, across the country, for stimulus money".

Rep. Klein: What's on the list at Department of Transportation and all the roads we have to repair out in the oil field area, the contractors are not going to get to these small projects.

Chairman Skarphol: I want a little more time looking through these lists. We will look for places to provide a little more money for the park. We won't take any action on this right now.

Rep. Wald: Would you be amenable to have him come back with a \$312,000 deduction, and you pick where you think you want to grab the \$300,000?

Chairman Skarphol: Give it some thought and email us.

Prchal: I like what Rep. Wald said and we can make that management decision. I will get some answers and email a follow up.

Page 7
House Appropriations Committee
Education and Environment Division
Bill/Resolution No. 1019
Hearing Date: February 10, 2009

Chairman Skarphol: Any further questions of Mr. Prchal? If not, thank you.

Discussion adjourned.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1019

House Appropriations Committee
Education and Environment Division

☐ Check here for Conference Committee

Hearing Date: February 10, 2009

Recorder Job Number: 9129

Committee Clerk Signature

Shirley Branning

Minutes:

Chairman Skarphol: called the hearing to order on HB 1019, Parks and Recreation by calling on **Rep. Monson, District 10** to explain his proposal to the bill.

Rep. Monson: Discussed the proposal to provide funding to improve Icelandic State Park called Rendejvous Region and Pembina Gorge, see attachment # 1.

Chairman Skarphol: Thank you, Rep. Monson. If there are no further questions we will move on to the next item.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1019

House Appropriations Committee
Education and Environment Division

☐ Check here for Conference Committee

Hearing Date: February 10, 2009

Recorder Job Number: 9134

Committee Clerk Signature

Shirley Branning

Minutes:

Chairman Skarphol: There is going to be some discussion in Full committee to pay up our loan that was taken unbeknownst us. Do they have authority to do that?

Joe Morrisette, OMB Staff: They do, as a private nonprofit, they can operate as a corporation would.

Chairman Skarphol: Is there a limit on their ability to borrow? What do they use as collateral to borrow this money?

Morrisette: They don't have the ability to obligate the land in mortgage because it's not their land, it's owned by the State. It is the good faith of the entity, such as collateral value in the buildings built on top of the land. Mostly it's their future operating revenues that are.....

Chairman Skarphol: Did they borrow from a local financial institution?

Morrisette: Yes.

Chairman Skarphol: With regard to the Peace Garden issue, what are the Committee's wishes? We talked somewhat casually about whether they are in the right place, within the environment of State Government, whether they should be in OMB or somewhere else.

Morrisette: In searching the Code, statutorily they are under the Parks Department, so if you were to move the funding you may want consider a statutory change. I can provide that section of the Code.

Chairman Skarphol: What are the Committee's wishes?

Rep. Martinson: I like Rep. Wald's idea of shifting some of the money and paying down that debt.

Chairman Skarphol: \$312,000 for the biennium. On the top of the Capital and Equipment list they provided us, the road repair at Turtle River State Park for \$820,000 and road repair at Fort Stevenson for \$592,000. In their Capital projects line, do they have the flexibility to do whatever there?

Morrisette: They have program lines so if you were to take money from their recreational line they could determine administratively how that would affect road or equipment purchases.

Chairman Skarphol: The appropriate motion would be to move \$312,000 from their recreation line.

Rep. Wald: Move to appropriate \$312,000 to the Peace Gardens for the payment of their note as due and to move a like amount from the Recreation line.

Rep. Klein: Second.

Rep. Kroeber: Addressing Morrisette, the Recreation line, is that a combination of general funds and their park fees or.....We aren't taking Park fees and giving to the Peace Garden.

Chairman Skarphol: They should have in excess of \$2.3/4M in general fund.

Rep. Kroeber: My question is, is it in that line?

Morrisette: They do have general fund authority on that.

Chairman Skarphol: The capital projects is \$2.359M and the equipment is \$645,000.

Morrisette: Their Capital projects are in the Natural Resources line. That line has General fund authority in it for salaries, operating and projects at like \$10M.

Roll Call Vote: Yes 8, No 0, Absent 0. Motion Carries.

Chairman Skarphol: To the employees, On the green sheet they have they have 2 ½ maintenance positions. Mr. Prchal has full time temporaries and I'd like to have him make some kind of recommendation with regard to that. How does the Committee feel?

Rep. Martinson: I move we delete those 2 ½ time positions.

Rep. Klein: Second.

Rep. Kroeber: These are maintenance positions at the parks, so it makes sense to leave 'em.

Chairman Skarphol: To leave em'? He said delete 'em.

Rep. Kroeber: I thought he said "leave 'em".

Rep. Wald: Second.

Chairman Skarphol: That's \$251,000+.

Roll Call Vote: Yes 6, No 2, Absent 0. Motion Carries.

Chairman Skarphol: Number 9 on the green sheet is a onetime funding for community grant program, \$700,000. In the past it had been a federally funded \$400,000. What are the Committee's thoughts on that?

Rep. Onstad: It's not real clear. The application is to get more federal dollars, this would be on top of anything that's received.

Chairman Skarphol: I am assuming the committee wants to leave that as is.

Rep. Klein: I'm wondering what it was in the past and if we should.....Wasn't there a number of \$400,000 in there? Why don't we reduce that to \$400,000? That's a motion.

Rep. Wald: Second.

Rep. Kroeber: Could we have Joe review what that \$300,000 reduction does?

Morrisette: This is a new grant program by the department. the \$400,000 in Federal authority that you're talking about, they passed that through to local entities for local facility improvements. The \$700,000 that they asked for would go to help a small community under 13,000 people hire a parks professional, the balance to cost share for facilities. The \$300,000 reduction would just be that much less they could pass through in grants.

Chairman Skarphol: Have they ever had more than the \$400,000?

Morrisette: It has gone up and down.

Chairman Skarphol: It did fluctuate. I've seen a list of grantees.

Rep. Klein: This was the program where they started this professional and hoped that the community would pick him up and continue it. Success in some of the communities.

Morrisette: There was a declining percentage, where the community would pay 75% the first year, 50% the second, etc. and after that the community would fund the position.

Chairman Skarphol: Any further discussion on the motion to reduce it to \$400,000? If not we'll vote.

Roll Call Vote: Yes 6, No 2, Absent 0. Motion Carries

Rep. Martinson: I move the amendment.

Rep. Klein: Second.

Chairman Skarphol: Discussion on adding Rep. Monson's amendment?

Roll Call Vote: Yes 8, No 0, Absent 0. Motion Carries.

Rep. Wald: Find a new home for the Peace Garden (budget). Maybe an interim study on the Peace Garden.

Chairman Skarphol: How do we accomplish that? Who do you want to do it?

Rep. Martinson: We have time to think about that.

Rep. Klein: Move a DO Pass as Amended.

Rep. Wald: Second

Roll Call Vote: Yes 8, No 0, Absent 0. Motion Carries. Carrier: Rep. Hawken

Meeting adjourned.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1019

House Appropriations Committee
Education and Environment Division

☐ Check here for Conference Committee

Hearing Date: February 13, 2009

Recorder Job Number: 9430

Committee Clerk Signature

Shirley Branning

Minutes:

Chairman Skarphol: Brought the committee to discussion on HB 1019, Parks and Recreation to review **Amendment 98019.0105**, and to discuss the Peace Garden funding by calling on **Sheila Sandness, Legislative Council Staff.**

Sandness: Reviewing with the Committee, the Sections and the Statement of Purpose. See attachment.

Rep. Wald: Did you ever call the bank and verify that amount? The gentleman from the Peace Garden said it was \$312,000 a biennium.

Sandness: I will make a note to check with Becky to make sure she verified that.

Rep. Hawken: I know we took the money away but why did we take out....we don't ever want them to do grants?

Chairman Skarphol: They had \$400,000 in Federal grants last time. This was appropriated at \$700,000 in general fund and we reduced it back to the \$400,000 they had initially.

Rep. Hawken: But it says we're removing the section....

Chairman Skarphol: Remember, the section was removed by leadership. We had a separate bill, so it will get back in.

Rep. Martinson: It is a chairman's call whether you want to correct the language or not in the full committee, we did amend back that bill into 1019. But that is not in here.

Chairman Skarphol: Sheila, can you make not of that?

Sandness: Section 6?

Chairman Skarphol: Rep. Hawken, if we move forward with this, makes sure you mention that.

Rep. Martinson: I think we can move forward with it. Maybe these amendments are the other section. It gets confusing what we do here and what we do over there.

Rep. Wald: I suspect that Section 3 should relate to the entire Missouri River System from Williston to the South Dakota line, not just Bismarck and Mandan.

Chairman Skarphol: We are still talking about Parks and Recreation. Basically the \$200,000 in general funds in this budget is a pass-through to Game and Fish.

Moving on to discuss HB 1013.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1019

House Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: February 17, 2009

Recorder Job Number: 9618

Committee Clerk Signature

Minutes:

Job 7

Rep. Hawken distributed and explained amendment .0106 (Attachment A). The one amendment reduces the one time funding for community grants from \$700,000 adding an executive recommendation to a total of \$400,000. Let me explain that. That would be if there are federal funds available so it is no state money and originally it was. Another amendment adds one time funding for the development and improving of signage in Icelandic State Park. We also have an amendment that reduces one time funding for capital projects by \$349,254. We have removed 2.5 FTE part maintenance positions that were added in the executive recommendation. We have also put in money for International Peace Garden to pay their bonding payment, which is \$349,254. I would vote those amendments.

(Moved by Rep. Hawken, seconded by Rep. Skarphol to adopt amendment .0106.)

Chairman Svedjan: Where is the bond payment?

Rep. Hawken: On the back page. Because the Peace Garden is a piece of this, but it is separated out so it is on the back under house actions.

Rep. Delzer: What did the Peace Garden put up to get that loan? The whole garden?

Rep. Hawken: We were matching money from Canada. It was a timeline thing and so they borrowed the money and this is the bond payment.

Rep. Delzer: Is that stuff that we had before us and did not pass two years ago or is that a different issue?

Rep. Hawken: That is for a different issue.

Chm. Svedjan: But you don't know for sure what these bond payments are for?

Rep. Hawken: Yes. It is the money they borrowed to match the Canadian money.

Rep. Wald: The letter that was handed out by the gentleman said it is a loan at the Security State Bank in Dunseith. The loan payment is \$156,000 annually so it a payment to the bank of a loan they made to match Canadian funds.

Rep. Delzer: How did they plan to make these if they didn't get the money from us? This wasn't part of the Governor's recommendation.

Rep. Hawken: It wasn't. It was the feeling of the committee after listening to the gentleman who was the head of the International Peace Garden that this was something we should do. We have not done a lot for the Peace Garden over the years. It is an international attraction and we thought it was important to do as a committee.

Rep. Wald: It's a loan backed by the BND. It's an 80% guaranteed loan by the USDA Rural Development Fund. It is a biannual loan payment to the Bank in Dunseith, which is a USDA rural development type loan. It is an 80% guarantee.

Rep. Delzer: Did they have permission through the legislature before they did this? If they didn't, are we going to see this action happening from a lot of other people who come in and we have to come up with money to make the payment?

Rep. Hawken: They actually don't have to go through us to do this. This is something we felt we should do as a committee to lower the interest cost. Do we have to do this? No. We felt, after listening to the discussion, that this was an intelligent thing to do.

Rep. Delzer: Is this the whole payment for the biennium?

Rep. Hawken: Yes, it is.

Rep. Delzer: How many more bienniums will we have to do this?

Rep. Hawken: I don't know that we have to do it any more bienniums.

Rep. Dosch: What is the balance? Does this pay this off? Where are we at with this?

Rep. Skarphol: The payments would have been paid from the fees collected by the park had we not appropriated dollars for it. Because of the incidents that have happened at the park and the costs they have incurred due to the flooding they had last summer, we thought this was an appropriate thing for us to do in this biennium to cover these cost. The next legislative assembly could make a decision about whether or not to do it again. I assume most of you will recall the flooding that they had and the disaster that happened to them last summer. It was just one of those things that after some consideration that we thought was appropriate. The committee gave some thought and some discussion as to whether or not it was appropriate to have the Peace Garden in the parks budget. We have not come forward with a solution to that problem, but it does seem to be a unique entity that often gets ignored that is a real asset to the state of ND.

Rep. Kempenich: What is the balance?

Rep. Hawken: I don't believe we know. Very honestly, we were trying to be nice. This was something we could do. They are an orphan. We don't have the answer to that question but we certainly could get it from you.

Rep. Kempenich: That's not the point. You read something earlier from the bank in Dunseith.

Rep. Wald: Mr. Chairman, this is his testimony (**Testimony 1**). He is a Canadian; his name is D. Hevenor. He is the CEO of International Peace Gardens. (Read from page 2 of testimony (08:59-09:39) That basically addresses the loan. The annual payment is \$156,000 on the interest and principal of that loan. The initial loan was \$1,850,000.

Rep. Kroeber: For the completion of the center, this money would be used to retire the USDA loan and remove considerable financial burden. So it says in here that these dollars would retire the loan.

Chm. Svedjan: That helps. We still don't know what the amount was, but at least we know.

Rep. Hawken: \$1.8 million.

Chm. Svedjan: Any other discussion? We have the motion to amend. If no further discussion, we will take a voice vote on the motion to adopt amendment .0106 to HB 1019. Those amendments are adopted.

Rep. Hawken: I would move a "do pass".

Rep. Klein: Second.

Chm. Svedjan: Any further discussion? A roll call vote on a "do pass as amended" to HB 1019 resulted in 24 ayes, 0 nays, 1 absent/not voting. Motion carries. Representative Hawken will carry the bill.

98019.0101
Title.
Fiscal No. 1

Prepared by the Legislative Council staff for
Representative Hunsakor
January 12, 2009

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1019

Page 1, line 17, replace "3,202,777" with "3,213,299" and replace "14,101,638" with "14,112,160"

Page 1, line 20, replace "\$3,807,514" with "\$3,818,036" and replace "\$25,292,068" with "\$25,302,590"

Page 1, line 21, replace "(1,480,063)" with "(1,469,541)" and replace "11,868,054" with "11,878,576"

Page 1, line 23, replace "2.50" with "3.50" and replace "53.00" with "54.00"

Page 2, line 15, replace "(1,680,063)" with "(1,669,541)" and replace "11,868,054" with "11,878,576"

Page 2, line 16, replace "3,462,514" with "3,473,036" and replace "26,083,922" with "26,094,444"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1019 - Summary of House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Parks and Recreation Department			
Total all funds	\$25,292,068	\$10,522	\$25,302,590
Less estimated income	11,868,054	10,522	11,878,576
General fund	\$13,424,014	\$0	\$13,424,014
International Peace Garden			
Total all funds	\$791,854	\$0	\$791,854
Less estimated income			
General fund	\$791,854	\$0	\$791,854
Bill Total			
Total all funds	\$26,083,922	\$10,522	\$26,094,444
Less estimated income	11,868,054	10,522	11,878,576
General fund	\$14,215,868	\$0	\$14,215,868

House Bill No. 1019 - Parks and Recreation Department - House Action

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Administration	\$2,241,921		\$2,241,921
Natural resources	14,101,638	\$10,522	14,112,160
Recreation	8,113,109		8,113,109
Deferred maintenance	835,400		835,400
Total all funds	\$25,292,068	\$10,522	\$25,302,590
Less estimated income	11,868,054	10,522	11,878,576
General fund	\$13,424,014	\$0	\$13,424,014
FTE	53.00	1.00	54.00

Dept. 750 - Parks and Recreation Department - Detail of House Changes

	CONVERTS TEMPORARY POSITION TO FTE POSITION	TOTAL HOUSE CHANGES
Administration		
Natural resources	\$10,522	\$10,522
Recreation		
Deferred maintenance		
Total all funds	\$10,522	\$10,522
Less estimated income	<u>10,522</u>	<u>10,522</u>
General fund	\$0	\$0
FTE	1.00	1.00

¹ This amendment converts a long-time temporary secretary position to a FTE position at Lake Metigoshe State Park. The amount shown is net of a reduction in temporary salaries of \$52,618.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1019

Page 1, line 2, after the first semicolon insert "and" and remove "; and to"

Page 1, remove line 3

Page 1, line 4, remove "recreational grants"

Page 3, remove lines 19 through 31

Page 4, remove lines 1 through 11

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment removes Section 6 relating to the leadership and facilities grant program.

98019.0103
Title.
Fiscal No. 2

Prepared by the Legislative Council staff for
Representative Monson
January 24, 2009

Attachment B-2
1-26-09
Parho +
Roe.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1019

Page 1, line 17, replace "3,202,777" with "3,302,777" and replace "14,101,638" with "14,201,638"

Page 1, line 18, replace "(523,415)" with "(503,415)" and replace "8,113,109" with "8,133,109"

Page 1, line 20, replace "3,807,514" with "3,927,514" and replace "25,292,068" with "25,412,068"

Page 1, line 22, replace "5,287,577" with "5,407,577" and replace "13,424,014" with "13,544,014"

Page 2, line 14, replace "5,142,577" with "5,262,577" and replace "14,215,868" with "14,335,868"

Page 2, line 16, replace "3,462,514" with "3,582,514" and replace "26,083,922" with "26,203,922"

Renumber accordingly

A copy of the statement of purpose of amendment is attached.

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1019 - Summary of House Action**

	Executive Budget	House Changes	House Version
Parks and Recreation Department			
Total all funds	\$25,292,068	\$120,000	\$25,412,068
Less estimated income	11,868,054	0	11,868,054
General fund	\$13,424,014	\$120,000	\$13,544,014
International Peace Garden			
Total all funds	\$791,854	\$0	\$791,854
Less estimated income	0	0	0
General fund	\$791,854	\$0	\$791,854
Bill total			
Total all funds	\$26,083,922	\$120,000	\$26,203,922
Less estimated income	11,868,054	0	11,868,054
General fund	\$14,215,868	\$120,000	\$14,335,868

House Bill No. 1019 - Parks and Recreation Department - House Action

	Executive Budget	House Changes	House Version
Administration	\$2,241,921		\$2,241,921
Natural resources	14,101,638	100,000	14,201,638
Recreation	8,113,109	20,000	8,133,109
Deferred maintenance	835,400		835,400
Total all funds	\$25,292,068	\$120,000	\$25,412,068
Less estimated income	11,868,054	0	11,868,054
General fund	\$13,424,014	\$120,000	\$13,544,014
FTE	53.00	0.00	53.00

Department No. 750 - Parks and Recreation Department - Detail of House Changes

	Provides Funding for Renwick Dam Repairs¹	Provides Funding for Signage and Maps²	Total House Changes
Administration			
Natural resources	100,000		100,000
Recreation		20,000	20,000
Deferred maintenance			
Total all funds	\$100,000	\$20,000	\$120,000
Less estimated income	0	0	0
General fund	\$100,000	\$20,000	\$120,000
FTE	0.00	0.00	0.00

¹ This amendment provides funding for repairs at Renwick Dam.

² This amendment provides funding for developing and improving signage and maps for Icelandic State Park and for trails and attractions in northeastern North Dakota.

Date: Feb 16, 2009
Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

House House Appropriations Education and Environment Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number amended to be drafted

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended

Motion Made By Rep. Wald Seconded By Rep. Klein

Representatives	Yes	No	Representatives	Yes	No
Bob Skarphol - Chairman	✓		Joe Kroeber	✓	
Francis Wald - Vice Chairman	✓		Kenton Onstad	✓	
Kathy Hawken	✓		Clark Williams	✓	
Matthew M. Klein	✓				
Bob Martinson	✓				

Total Yes 8 No 0

Absent _____

Bill Carrier _____

If the vote is on an amendment, briefly indicate intent:

Remove 312,000 from ^{Natural Resources} Recreation line
add 312,000 to Peace Garden

Date: Feb. 10, 2009
Roll Call Vote #: 2

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

House House Appropriations Education and Environment Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Amendment to be drafted

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended

Motion Made By Rep. Martinson Seconded By Rep. Wald

Representatives	Yes	No	Representatives	Yes	No
Bob Skarphol - Chairman	✓		Joe Kroeber		✓
Francis Wald - Vice Chairman	✓		Kenton Onstad		✓
Kathy Hawken	✓		Clark Williams		✓
Matthew M. Klein	✓				
Bob Martinson	✓				

Total Yes 5 No 0

Absent _____

Bill Carrier _____

If the vote is on an amendment, briefly indicate intent:

Delete 2 1/2 FTE green shut.

Date: Feb. 10, 2009
Roll Call Vote #: 3

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

House House Appropriations Education and Environment Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Amendment to be drafted

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended

Motion Made By Rep. Klein Seconded By Rep. Wald

Representatives	Yes	No	Representatives	Yes	No
Bob Skarphol - Chairman	✓		Joe Kroeber	✓	
Francis Wald - Vice Chairman	✓		Kenton Onstad		✓
Kathy Hawken	✓		Clark Williams		✓
Matthew M. Klein	✓				
Bob Martinson	✓				

Total Yes 6 No 2

Absent 0

Bill Carrier _____

If the vote is on an amendment, briefly indicate intent:

Reduce by \$100,000

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1019

Page 1, line 18, replace "(523,415)" with "(503,415)" and replace "8,113,109" with "8,133,109"

Page 1, line 20, replace "3,807,514" with "3,827,514" and replace "25,292,068" with
"25,312,068"

Page 1, line 22, replace "5,287,577" with "5,307,577" and replace "13,424,014" with
"13,444,014"

Page 2, line 14, replace "5,142,577" with "5,162,577" and replace "14,215,868" with
"14,235,868"

Page 2, line 16, replace "3,462,514" with "3,482,514" and replace "26,083,922" with
"26,103,922"

Renumber accordingly

A copy of the statement of purpose of amendment is attached.

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1019 - Summary of House Action**

	Executive Budget	House Changes	House Version
Parks and Recreation Department			
Total all funds	\$25,292,068	\$20,000	\$25,312,068
Less estimated income	11,868,054	0	11,868,054
General fund	\$13,424,014	\$20,000	\$13,444,014
International Peace Garden			
Total all funds	\$791,854	\$0	\$791,854
Less estimated income	0	0	0
General fund	\$791,854	\$0	\$791,854
Bill total			
Total all funds	\$26,083,922	\$20,000	\$26,103,922
Less estimated income	11,868,054	0	11,868,054
General fund	\$14,215,868	\$20,000	\$14,235,868

House Bill No. 1019 - Parks and Recreation Department - House Action

	Executive Budget	House Changes	House Version
Administration	\$2,241,921		\$2,241,921
Natural resources	14,101,638		14,101,638
Recreation	8,113,109	20,000	8,133,109
Deferred maintenance	835,400		835,400
Total all funds	\$25,292,068	\$20,000	\$25,312,068
Less estimated income	11,868,054	0	11,868,054
General fund	\$13,424,014	\$20,000	\$13,444,014
FTE	53.00	0.00	53.00

Department No. 750 - Parks and Recreation Department - Detail of House Changes

	Provides Funding for Signage and Maps¹	Total House Changes
Administration		
Natural resources		
Recreation	20,000	20,000
Deferred maintenance		
Total all funds	\$20,000	\$20,000
Less estimated income	0	0
General fund	\$20,000	\$20,000
FTE	0.00	0.00

¹ This amendment provides funding for developing and improving signage and maps for Icelandic State Park and for trails and attractions in northeastern North Dakota.

Date: Feb 10, 2009
Roll Call Vote #: 4

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

House House Appropriations Education and Environment Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 0104

Action Taken ☒ Do Pass ☐ Do Not Pass ☒ Amended

Motion Made By Rep. Martinson Seconded By Rep Klein

Representatives	Yes	No	Representatives	Yes	No
Bob Skarphol – Chairman	✓		Joe Kroeber	✓	
Francis Wald – Vice Chairman	✓		Kenton Onstad	✓	
Kathy Hawken	✓		Clark Williams	✓	
Matthew M. Klein	✓				
Bob Martinson	✓				

Total Yes 8 No 0

Absent 0

Bill Carrier _____

If the vote is on an amendment, briefly indicate intent:

amend 0104

Date: Feb. 10, 2009
Roll Call Vote #: 5

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

House House Appropriations Education and Environment Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number amendments being drafted

Action Taken ☒ Do Pass ☐ Do Not Pass ☒ Amended

Motion Made By Rep. Klein Seconded By Rep. Wald

Representatives	Yes	No	Representatives	Yes	No
Bob Skarphol - Chairman	✓		Joe Kroeber	✓	
Francis Wald - Vice Chairman	✓		Kenton Onstad	✓	
Kathy Hawken	✓		Clark Williams	✓	
Matthew M. Klein	✓				
Bob Martinson	✓				

Total Yes 8 No 0

Absent 0

Bill Carrier Rep. Hawken

If the vote is on an amendment, briefly indicate intent:

February 12, 2009

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1019

Page 1, line 2, after the first semicolon insert "and" and remove "; and to"

Page 1, remove lines 3 and 4

Page 1, line 17, replace "3,202,777" with "2,659,090" and replace "14,101,638" with
"13,557,951"

Page 1, line 18, replace "(523,415)" with "(823,415)" and replace "8,113,109" with "7,813,109"

Page 1, line 20, replace "3,807,514" with "2,963,827" and replace "25,292,068" with
"24,448,381"

Page 1, line 22, replace "5,287,577" with "4,443,890" and replace "13,424,014" with
"12,580,327"

Page 1, line 23, replace "2.50" with "0" and replace "53.00" with "50.50"

Page 2, line 4, replace "55,000" with "367,000" and replace "791,854" with "1,103,854"

Page 2, line 7, replace "(\$345,000)" with "(\$33,000)" and replace "791,854" with "1,103,854"

Page 2, line 9, replace "(\$145,000)" with "167,000" and replace "791,854" with "1,103,854"

Page 2, line 14, replace "5,142,577" with "4,610,890" and replace "14,215,868" with
"13,684,181"

Page 2, line 16, replace "3,462,514" with "2,930,827" and replace "26,083,922" with
"25,552,235"

Page 2, line 22, replace "2,359,768" with "2,047,768"

Page 2, after line 22, insert:

"Park signage and maps	0	20,000"
------------------------	---	---------

Page 2, line 26, replace "700,000" with "400,000"

Page 2, line 28, replace "3,114,768" with "2,522,768"

Page 3, line 15, replace "\$700,000" with "\$400,000"

Page 3, remove lines 19 through 31

Page 4, remove lines 1 through 11

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98019.0105 FN 4

A copy of the statement of purpose of amendment is attached.

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1019 - Summary of House Action**

	Executive Budget	House Changes	House Version
Parks and Recreation Department			
Total all funds	\$25,292,068	(\$843,687)	\$24,448,381
Less estimated income	11,868,054	0	11,868,054
General fund	\$13,424,014	(\$843,687)	\$12,580,327
International Peace Garden			
Total all funds	\$791,854	\$312,000	\$1,103,854
Less estimated income	0	0	0
General fund	\$791,854	\$312,000	\$1,103,854
Bill total			
Total all funds	\$26,083,922	(\$531,687)	\$25,552,235
Less estimated income	11,868,054	0	11,868,054
General fund	\$14,215,868	(\$531,687)	\$13,684,181

House Bill No. 1019 - Parks and Recreation Department - House Action

	Executive Budget	House Changes	House Version
Administration	\$2,241,921		\$2,241,921
Natural resources	14,101,638	(543,687)	13,557,951
Recreation	8,113,109	(300,000)	7,813,109
Deferred maintenance	835,400		835,400
Total all funds	\$25,292,068	(\$843,687)	\$24,448,381
Less estimated income	11,868,054	0	11,868,054
General fund	\$13,424,014	(\$843,687)	\$12,580,327
FTE	53.00	(2.50)	50.50

Department No. 750 - Parks and Recreation Department - Detail of House Changes

	Removes Maintenance Positions¹	Reduces Funding for Community Grants²	Adds Funding for Signage and Maps³	Reduces Funding for Capital Projects⁴	Total House Changes
Administration					
Natural resources	(251,687)		20,000	(312,000)	(543,687)
Recreation		(300,000)			(300,000)
Deferred maintenance					
Total all funds	(\$251,687)	(\$300,000)	\$20,000	(\$312,000)	(\$843,687)
Less estimated income	0	0	0	0	0
General fund	(\$251,687)	(\$300,000)	\$20,000	(\$312,000)	(\$843,687)
FTE	(2.50)	0.00	0.00	0.00	(2.50)

¹ This amendment removes 2.5 FTE park maintenance positions added in the executive recommendation.

² This amendment reduces one-time funding for community grants from the \$700,000 added in the executive recommendation to a total of \$400,000.

³ One-time funding is added for developing and improving signage and maps for Icelandic State Park and for trails and attractions in northeastern North Dakota.

⁴ One-time funding for capital projects is reduced by \$312,000 from the general fund.

This amendment removes Section 6 relating to the leadership and facilities grant program.

House Bill No. 1019 - International Peace Garden - House Action

	Executive Budget	House Changes	House Version
International Peace Garden	\$791,854	\$312,000	\$1,103,854
Total all funds	\$791,854	\$312,000	\$1,103,854
Less estimated income	0	0	0
General fund	\$791,854	\$312,000	\$1,103,854
FTE	0.00	0.00	0.00

Department No. 751 - International Peace Garden - Detail of House Changes

	Adds Funding for Loan Payment ¹	Total House Changes
International Peace Garden	\$312,000	\$312,000
Total all funds	\$312,000	\$312,000
Less estimated income	0	0
General fund	\$312,000	\$312,000
FTE	0.00	0.00

¹ This amendment adds funding for annual loan payments for an interpretive center/conservatory. The loan was used to obtain matching funds from the Canadian government.

98019.0106
Title.
Fiscal No. 5

Attachment A
2/17/09
Prepared by the Legislative Council staff for
House Appropriations - Education and
Environment

February 13, 2009

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1019

Page 1, line 17, replace "3,202,777" with "2,621,836" and replace "14,101,638" with
"13,520,697"

Page 1, line 18, replace "(523,415)" with "(823,415)" and replace "8,113,109" with "7,813,109"

Page 1, line 20, replace "3,807,514" with "2,926,573" and replace "25,292,068" with
"24,411,127"

Page 1, line 22, replace "5,287,577" with "4,406,636" and replace "13,424,014" with
"12,543,073"

Page 1, line 23, replace "2.50" with "0" and replace "53.00" with "50.50"

Page 2, line 4, replace "55,000" with "404,254" and replace "791,854" with "1,141,108"

Page 2, line 7, replace "(345,000)" with "4,254" and replace "791,854" with "1,141,108"

Page 2, line 9, replace "(145,000)" with "204,254" and replace "791,854" with "1,141,108"

Page 2, line 14, replace "5,142,577" with "4,610,890" and replace "14,215,868" with
"13,684,181"

Page 2, line 16, replace "3,462,514" with "2,930,827" and replace "26,083,922" with
"25,552,235"

Page 2, line 22, replace "2,359,768" with "2,010,514"

Page 2, after line 22, insert:

"Park signage and maps	0	20,000"
------------------------	---	---------

Page 2, line 26, replace "700,000" with "400,000"

Page 2, line 28, replace "3,114,768" with "2,485,514"

Page 3, line 15, replace "\$700,000" with "\$400,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98019.0106 FN 5

A copy of the statement of purpose of amendment is attached.

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1019 - Summary of House Action**

	Executive Budget	House Changes	House Version
Parks and Recreation Department			
Total all funds	\$25,292,068	(\$880,941)	\$24,411,127
Less estimated income	11,868,054	0	11,868,054
General fund	\$13,424,014	(\$880,941)	\$12,543,073
International Peace Garden			
Total all funds	\$791,854	\$349,254	\$1,141,108
Less estimated income	0	0	0
General fund	\$791,854	\$349,254	\$1,141,108
Bill total			
Total all funds	\$26,083,922	(\$531,687)	\$25,552,235
Less estimated income	11,868,054	0	11,868,054
General fund	\$14,215,868	(\$531,687)	\$13,684,181

House Bill No. 1019 - Parks and Recreation Department - House Action

	Executive Budget	House Changes	House Version
Administration	\$2,241,921		\$2,241,921
Natural resources	14,101,638	(\$80,941)	13,520,697
Recreation	8,113,109	(300,000)	7,813,109
Deferred maintenance	835,400		835,400
Total all funds	\$25,292,068	(\$880,941)	\$24,411,127
Less estimated income	11,868,054	0	11,868,054
General fund	\$13,424,014	(\$880,941)	\$12,543,073
FTE	53.00	(2.50)	50.50

Department No. 750 - Parks and Recreation Department - Detail of House Changes

	Removes Maintenance Positions ¹	Reduces Funding for Community Grants ²	Adds Funding for Signage and Maps ³	Reduces Funding for Capital Projects ⁴	Total House Changes
Administration					
Natural resources	(251,687)		20,000	(349,254)	(\$80,941)
Recreation		(300,000)			(300,000)
Deferred maintenance					
Total all funds	(\$251,687)	(\$300,000)	\$20,000	(\$349,254)	(\$880,941)
Less estimated income	0	0	0	0	0
General fund	(\$251,687)	(\$300,000)	\$20,000	(\$349,254)	(\$880,941)
FTE	(2.50)	0.00	0.00	0.00	(2.50)

¹ This amendment removes 2.5 FTE park maintenance positions added in the executive recommendation.

² This amendment reduces one-time funding for community grants from the \$700,000 added in the executive recommendation to a total of \$400,000.

³ This amendment adds one-time funding for developing and improving signage and maps for Icelandic State Park and for trails and attractions in northeastern North Dakota.

⁴ This amendment reduces one-time funding for capital projects by \$349,254 from the general fund.

House Bill No. 1019 - International Peace Garden - House Action

	Executive Budget	House Changes	House Version
International Peace Garden	\$791,854	\$349,254	\$1,141,108
Total all funds	\$791,854	\$349,254	\$1,141,108
Less estimated income	0	0	0
General fund	\$791,854	\$349,254	\$1,141,108
FTE	0.00	0.00	0.00

Department No. 751 - International Peace Garden - Detail of House Changes

	Adds Funding for Loan Payment ¹	Total House Changes
International Peace Garden	\$349,254	\$349,254
Total all funds	\$349,254	\$349,254
Less estimated income	0	0
General fund	\$349,254	\$349,254
FTE	0.00	0.00

¹ This amendment adds funding for annual loan payments for an interpretive center/conservatory. The loan was used to obtain matching funds from the Canadian government.

Date: 1/17/09
Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

May 31

Full House Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 98019.0106

Action Taken Adopt Amendment - 0106

Motion Made By Hawker Seconded By Skarphol

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan					
Vice Chairman Kempenich					
Rep. Skarphol			Rep. Kroeber		
Rep. Wald			Rep. Onstad		
Rep. Hawken			Rep. Williams		
Rep. Klein					
Rep. Martinson					
Rep. Delzer			Rep. Glassheim		
Rep. Thoreson			Rep. Kaldor		
Rep. Berg			Rep. Meyer		
Rep. Dosch					
Rep. Pollert			Rep. Ekstrom		
Rep. Bellew			Rep. Kerzman		
Rep. Kreidt			Rep. Metcalf		
Rep. Nelson					
Rep. Wieland					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Voices Vote - Carries

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1019

Page 1, line 16, replace "292,752" with "233,516" and replace "2,241,921" with "2,182,685"

Page 1, line 17, replace "3,202,777" with "2,013,331" and replace "14,101,638" with "12,912,192"

Page 1, line 18, replace "(523,415)" with "(855,725)" and replace "8,113,109" with "7,780,799"

Page 1, line 20, replace "3,807,514" with "2,226,522" and replace "25,292,068" with "23,711,076"

Page 1, line 21, replace "(1,480,063)" with "(1,504,114)" and replace "11,868,054" with "11,844,003"

Page 1, line 22, replace "5,287,577" with "3,730,636" and replace "13,424,014" with "11,867,073"

Page 1, line 23, replace "2.50" with "0" and replace "53.00" with "50.50"

Page 2, line 4, replace "55,000" with "404,254" and replace "791,854" with "1,141,108"

Page 2, line 7, replace "(\$345,000)" with "4,254" and replace "791,854" with "1,141,108"

Page 2, line 9, replace "\$145,000)" with "\$204,254" and replace "791,854" with "1,141,108"

Page 2, line 14, replace "5,142,577" with "3,934,890" and replace "14,215,868" with "13,008,181"

Page 2, line 15, replace "1,680,063" with "1,704,114" and replace "11,868,054" with "11,844,003"

Page 2, line 16, replace "3,462,514" with "2,230,776" and replace "26,083,922" with "24,852,184"

Page 2, line 22, replace "2,359,768" with "2,010,514"

Page 2, after line 22, insert:

"Park signage and maps"	0	20,000"
-------------------------	---	---------

Page 2, line 26, replace "700,000" with "400,000"

Page 2, line 28, replace "3,114,768" with "2,485,514"

Page 3, line 15, replace "\$700,000" with "\$400,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98019.0107 FN 6

A copy of the statement of purpose of amendment is attached.

2 of 5

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1019 - Summary of House Action**

	Executive Budget	House Changes	House Version
Parks and Recreation Department			
Total all funds	\$25,292,068	(\$1,580,992)	\$23,711,076
Less estimated income	11,868,054	(24,051)	11,844,003
General fund	\$13,424,014	(\$1,556,941)	\$11,867,073
International Peace Garden			
Total all funds	\$791,854	\$349,254	\$1,141,108
Less estimated income	0	0	0
General fund	\$791,854	\$349,254	\$1,141,108
Bill total			
Total all funds	\$26,083,922	(\$1,231,738)	\$24,852,184
Less estimated income	11,868,054	(24,051)	11,844,003
General fund	\$14,215,868	(\$1,207,687)	\$13,008,181

House Bill No. 1019 - Parks and Recreation Department - House Action

	Executive Budget	House Changes	House Version
Administration	\$2,241,921	(\$59,236)	\$2,182,685
Natural resources	14,101,638	(1,189,446)	12,912,192
Recreation	8,113,109	(332,310)	7,780,799
Deferred maintenance	835,400		835,400
Total all funds	\$25,292,068	(\$1,580,992)	\$23,711,076
Less estimated income	11,868,054	(24,051)	11,844,003
General fund	\$13,424,014	(\$1,556,941)	\$11,867,073
FTE	53.00	(2.50)	50.50

Department No. 750 - Parks and Recreation Department - Detail of House Changes

	Removes Maintenance Positions ¹	Reduces Funding for Community Grants ²	Adds Funding for Signage and Maps ³	Reduces Funding for Capital Projects ⁴	Removes Salary Equity Funding ⁵	Reduces Funding for Anticipated Salary Savings ⁶
Administration					(\$59,236)	
Natural resources	(251,687)		20,000	(349,254)	(446,963)	(161,542)
Recreation		(300,000)			(32,310)	
Deferred maintenance						
Total all funds	(\$251,687)	(\$300,000)	\$20,000	(\$349,254)	(\$538,509)	(\$161,542)
Less estimated income	0	0	0	0	0	(24,051)
General fund	(\$251,687)	(\$300,000)	\$20,000	(\$349,254)	(\$538,509)	(\$137,491)
FTE	(2.50)	0.00	0.00	0.00	0.00	0.00

	Total House Changes
Administration	(\$59,236)
Natural resources	(1,189,446)
Recreation	(332,310)
Deferred maintenance	
Total all funds	(\$1,580,992)
Less estimated income	(24,051)
General fund	(\$1,556,941)
FTE	(2.50)

¹ This amendment removes 2.5 FTE park maintenance positions added in the executive recommendation.

² This amendment reduces one-time funding for community grants from the \$700,000 added in the executive recommendation to a total of \$400,000.

³ This amendment adds one-time funding for developing and improving signage and maps for Icelandic State Park and for trails and attractions in northeastern North Dakota.

⁴ This amendment reduces one-time funding for capital projects by \$349,254 from the general fund.

⁵ This amendment removes funding added in the executive budget for state employee salary equity adjustments.

⁶ This amendment reduces salaries and wages funding to recognize anticipated savings from vacant positions and employee turnover.

House Bill No. 1019 - International Peace Garden - House Action

	Executive Budget	House Changes	House Version
International Peace Garden	\$791,854	\$349,254	\$1,141,108
Total all funds	\$791,854	\$349,254	\$1,141,108
Less estimated income	0	0	0
General fund	\$791,854	\$349,254	\$1,141,108
FTE	0.00	0.00	0.00

Department No. 751 - International Peace Garden - Detail of House Changes

	Adds Funding for Loan Payment ¹	Total House Changes
International Peace Garden	\$349,254	\$349,254
Total all funds	\$349,254	\$349,254
Less estimated income	0	0
General fund	\$349,254	\$349,254
FTE	0.00	0.00

¹ This amendment adds funding for annual loan payments for an interpretive center/conservatory. The loan was used to obtain matching funds from the Canadian government.

Date: 2/17/09
Roll Call Vote #: 2

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

Full House Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

0106

Action Taken

No Pass is Amended .0106

Motion Made By

Harber

Seconded By

Klein

Representatives	Yes	No	Representatives	Yes	No
Chairman Svedjan	✓				
Vice Chairman Kempenich	✓				
Rep. Skarphol	✓		Rep. Kroeber	✓	
Rep. Wald	✓		Rep. Onstad	✓	
Rep. Hawken	✓		Rep. Williams	✓	
Rep. Klein	✓				
Rep. Martinson	✓				
Rep. Delzer	✓		Rep. Glassheim	✓	
Rep. Thoreson	✓		Rep. Kaldor	✓	
Rep. Berg	✓		Rep. Meyer	✓	
Rep. Dosch	✓				
Rep. Pollert	✓		Rep. Ekstrom	✓	
Rep. Bellew	✓		Rep. Kerzman	✓	
Rep. Kreidt	✓		Rep. Metcalf	✓	
Rep. Nelson	✓				
Rep. Wieland	✓				

Total (Yes) 24 No 0

Absent 1

Floor Assignment Harber

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1019: Appropriations Committee (Rep. Svedjan, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (24 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1019 was placed on the Sixth order on the calendar.

Page 1, line 16, replace "292,752" with "233,516" and replace "2,241,921" with "2,182,685"

Page 1, line 17, replace "3,202,777" with "2,013,331" and replace "14,101,638" with "12,912,192"

Page 1, line 18, replace "(523,415)" with "(855,725)" and replace "8,113,109" with "7,780,799"

Page 1, line 20, replace "3,807,514" with "2,226,522" and replace "25,292,068" with "23,711,076"

Page 1, line 21, replace "(1,480,063)" with "(1,504,114)" and replace "11,868,054" with "11,844,003"

Page 1, line 22, replace "5,287,577" with "3,730,636" and replace "13,424,014" with "11,867,073"

Page 1, line 23, replace "2.50" with "0" and replace "53.00" with "50.50"

Page 2, line 4, replace "55,000" with "404,254" and replace "791,854" with "1,141,108"

Page 2, line 7, replace "(\$345,000)" with "4,254" and replace "791,854" with "1,141,108"

Page 2, line 9, replace "(\$145,000)" with "\$204,254" and replace "791,854" with "1,141,108"

Page 2, line 14, replace "5,142,577" with "3,934,890" and replace "14,215,868" with "13,008,181"

Page 2, line 15, replace "(1,680,063)" with "(1,704,114)" and replace "11,868,054" with "11,844,003"

Page 2, line 16, replace "3,462,514" with "2,230,776" and replace "26,083,922" with "24,852,184"

Page 2, line 22, replace "2,359,768" with "2,010,514"

Page 2, after line 22, insert:
"Park signage and maps" 0 20,000"

Page 2, line 26, replace "700,000" with "400,000"

Page 2, line 28, replace "3,114,768" with "2,485,514"

Page 3, line 15, replace "\$700,000" with "\$400,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98019.0107 FN 6

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

2009 SENATE APPROPRIATIONS

HB 1019

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1019

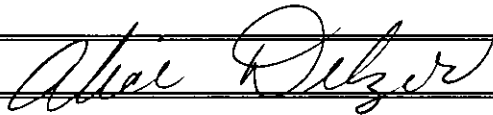
Senate Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: 03-09-09

Recorder Job Number: 10442

Committee Clerk Signature



Minutes:

Chairman Holmberg Called the committee back to order in reference to HB 1019 in regards to an Act to provide an appropriation for defraying the expenses of the parks and recreation department and the International Peace Garden; to provide a transfer; and to amend and reenact NDCC, relating to recreational grants.

Doug Prchal Director of ND Parks and Recreation Department. Testified in favor of HB 1019.

See attachment #1.

Senator Wardner On the FTE, what kind of positions are we talking about?

Doug Prchal Basically those are maintenance positions in the park.

Discussion about a funny incident with Prchal and Senator Fischer

Chairman Holmberg The subcommittee members are Senator Krebsbach, Senator Bowman and Senator Seymour.

D. Hevenor CEO International Peace Garden, (IPG) testified in favor of HB 1019. See attachment # 2.

Senator Krauter What happened to your predecessor?

Hevenor Steve Loch is in Florida—a warmer climate. I came on board the same time as Steve.

Tyler Jacobson President, ND Parks and Recreation and Director of Valley City Parks and Rec. Testified in favor of HB 1019. See attachment #3.

Senator Mathern Do the park organizations of cities and counties advertise each other's facilities?

Jacobson Yes, we give tourists info about our parks and nearby areas.

Senator Mathern Do you have a brochure that highlights other parks?

Jacobson We have the ND tourism guide.

Senator Mathern That would be helpful. The other question relates to the IPG, what is the view from other parks of the IPG?

Jacobson My feeling it is a great thing to have. It's a great thing for the state.

Senator Mathern Do you have a brochure in the Valley City park office?

Jacobson Yes

Senator Lindaas What is the makeup of your organization?

Jacobson It is comprised of park districts from cities and state parks. There are no private parks.

Senator Robinson He heads up a very aggressive program in our community. There is something going on constantly year around. We want to go to VC because of the parks. Good work.

Doug Prchel I just want to add to what Mr. Jacobson with regard to the grant. Spoke about the importance of the leadership program for small communities

Dana Bohn Provided written testimony #4 but did not testify.

Chairman Holmberg closed the hearing on HB 1019

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1019 subcommittee hearing

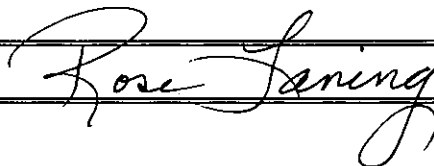
Senate Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: March 18, 2009

Recorder Job Number: 11213

Committee Clerk Signature



Minutes:

Senator Krebsbach called the subcommittee hearing to order on HB 1019 which is to study the parks and recreation department and the International Peace Gardens. The subcommittee members are: **Senator Krebsbach**, **Senator Bowman** and **Senator Seymour**. Also present were: **Doug Prchal**, Director of State Parks and **Dorothy Streyle**, Business Manager.

V. Chair Bowman moved to restore salary equity issues \$538,509 (green sheet)

There was a second but it is unclear by whom.

Senator Krebsbach: Summarized the issue—Moneys were removed from budget and put in to International Peace Garden for loan repayment. Once they finalize that loan, then those are the projected payments.

V. Chair Bowman: They were taken off your operating line?

Doug Prchal: (inaudible)

Senator Krebsbach: We know that when the International Peace Gardens were put under the umbrella of Parks and Rec. it was to be done at no loss of revenue to Parks and Rec.

V. Chair Bowman: This onetime funding for developing and improving signage and maps in the state park and trails and attractions in Northeastern North Dakota, what was the appropriation on that?

Doug Prchal: That was request of the House Speaker Representative Monson. It was not in the Governor's recommendation and they honored his request to include that in our budget.

V. Chair Bowman: Did he do this on his own?

Doug Prchal: Representative Monson brought that in as an amendment from I believe the community of Walhalla. It was probably from working with his constituents up there.

Senator Krebsbach: What was that dollar amount?

Doug Prchal: \$20,000.

Senator Krebsbach: That was added in their budget by the House?

Doug Prchal: Right.

V. Chair Bowman: After crossover, the info shows what they did here in the Red Book. The information we can gather from this pretty much tells what they removed. They removed 2.5 FTEs. These were new FTEs that you asked for or were these ones you had and they took them out?

Doug Prchal: Those folks are long term temporary committee members. They are there but in seasonal capacity and what we are trying to do is get that maintenance side of the park some stability and maintain a better continuity with the repair and maintenance of those facilities because those people come and go. They are there but they are not FTE.

V. Chair Bowman: When they were hired, were they hired with the understanding that they would have the temporaries and they could come and go. So you are going to pay them so much an hour to do that and that was fine with them, and now you want to try to employ them as fulltime FTEs?

Doug Prchal: That is correct.

Dorothy Streyle: And we are putting them on as permanents.

V. Chair Bowman: And that is an additional cost to your budget?

Dorothy Streyle: It does for the benefit package mainly because we already have the temporary salary in there.

Senator Krebsbach: That's in your operation?

V. Chair Bowman: What do they do in the off season?

Dorothy Streyle: Our season is really never over. We are open 12 months. They help paint and they help do stuff during the winter months and help with equipment repairs and those kinds of things.

Senator Krebsbach: So you are saying they are they fulltime temporary?

Doug Prchal: No, they are seven month really; the other duties that fall by the wayside and wait until the next season, that one person that is off and does other things. This is also retention ability because we have had turnover. It's predominantly the benefits package.

V. Chair Bowman: If you hired one full time, would that be the equivalent to the two that don't work full season?

Doug Prchal: Yes, except these are at three different locations. These are a Ft Ransom and ½ time at Williston, and the other would be Lewis & Clark.

V. Chair Bowman: How many years have you had this arrangement?

Doug Prchal: We have been working on that for four bienniums now. It was part of our strategic plan for parks.

V. Chair Bowman: I have noticed in other departments where they are trying to get part time equivalents into fulltime employees, and I am not sure – this is a two sided issue. Are they really a part time employee, which you may not want them to be because of paying benefits etc. and that was not the intent?

Doug Prchal: If I could speak to that. Really, the heart of the season is from mid-May to September, and those employees are temporary and they leave at the end, but these other

folks are community members and it stabilizes that workforce and enables us to do a better job at serving customers.

V. Chair Bowman: What was the reason the House took them out?

Doug Prchal: I think they just took them out, I don't know that there is a rational.

Senator Krebsbach: For my information, are you looking for fulltime at Lewis and Clark?

Doug Prchal: I believe the Lewis and Clark was the ½ time and I am trying to think where the third one was.

V. Chair Bowman: What did the \$300,000 do for you budget that they took out of the community grants?

Doug Prchal: That was an (inaudible) recommendation. A \$700,000 number and they reduced that by \$300,000. That program really replaces the federal program through the national park service that has managed (inaudible), so really we would realize out around the state equivalent to \$1.4 million minimum. (Inaudible)

V. Chair Bowman: Is this general fund grants now that used to be federal grants.

Doug Prchal: Yes and it is proposed as a one time (inaudible).

Senator Krebsbach: These community grants, the \$700,000 that was added in the executive budget, what is it to be used for?

Doug Prchal: Up to 25% could be used for leadership if a community did not have a recreational (inaudible) that would apply, and then the 75% would go to grants could enhance areas that were needed like playgrounds, pools, etc. the way we restructured the legislation that we have is to allow that 25% leadership grant also be used for facilities if nobody applied for that because otherwise the way the statute says we would accumulate that money and it would go to no use. We know that there is over \$10 million in backlog in communities. In this

fund, in looking at the data, the historic federal funding we'd be getting and then add this, we'd still be \$250,000 short. They took \$300,000 and left \$400,000.

Discussion: A discussion occurred among the members regarding the International Peace Gardens and the funds involved with that.

V. Chair Bowman: The general fund capital projects, is that money that was put in just for this, or is it something they have to budget every biennium?

Doug Prchal: The \$2.3 million was reduced by \$350,000. They left all the projects in there at my request because if they were to take a project off and make a decision right then that how do you pick a project that maybe in a year you should do. Each has their own priorities.

(Gave list of capital projects included in the \$2.3 million)

V. Chair Bowman: What utility tractor do you pay \$175,000 for?

Doug Prchal: That is \$25,000 at each of those parks for the collective total.

V. Chair Bowman: Did you have a building that burned down?

Doug Prchal: Yes, the maintenance shop at Metigoshe. (Looking at pictures of new maintenance building)

Senator Krebsbach: Is there anything else that needs to be addressed from the House side?

Doug Prchal: I think reinstating that 349 and then as well we have that salary roll-up of that 2% that does have an impact.

Senator Seymour: How much is that again?

Doug Prchal: That number was \$161,542, and \$137,000 is from general funds. We do have some federal and some other funding as well. I did talk to Chairman Holmberg about a glitch in our statute related to the contracts in session. There's an anomaly in the way they reads that is a little conflicting. Generally what our attorney said is the broad authority that I have is conflicted with the concession statute also. You can only write a contract for 8 years. That

does not work for. The Director can write contracts for up to 20 years. That is a change that Senator Holmberg suggested.

Senator Krebsbach: What you are talking about is contract lengths on vendors?

Doug Prchal: Yes.

Senator Krebsbach: Presently it's limited to 8 years.

Doug Prchal: Yes. It appears that I have the ability to do that but this other statute relating to concessions limits it to 8. In this new marina agreement we are working on, that is where it came to light, we are suggesting a minimum of 10 and it was said that we can't do any more than 8 by state law but he suggested because of session being in and to try and fix it here. But that amendment is done in draft form by **Joe Morrisette** of the Legislative Council.

Senator Krebsbach: Asks a question on the green sheet.

Discussion: A discussion occurred among the members regarding the numbers on the green sheet.

V. Chair Bowman: If we restored everything in your budget and reduced that by \$80,000, where you would be able make the cuts and continue your programs, so that if we find that there is another need in this budget, we could add that to that budget without increasing it over the Governor's budget. That is what I am trying to get at.

Doug Prchal: So restoring everything the House did, but then take a look at this where the debt result then is \$80,000 reduction. Where would we suggest that go?

V. Chair Bowman: We may suggest where that goes; my point is that we don't want to increase the budget over the Governor's budget. That is my personal feeling. When I have done budgets, I tell everyone if you need a certain amount of dollars that you take the money out of the budget where it will do the least amount of harm to the overall budget so that you

can be satisfied that you can still operate efficiently and do everything you want but have an area where you can get along without.

Doug Prchal: So if I am following, the net result would be coming out of here, it would be an \$80,000 reduction. Thank you for giving us time to think on this.

V. Chair Bowman: If it were me, I'd wonder if I'd get along with 2 FTEs rather than 2.5.

Doug Prchal: I appreciate that. The equity thing I am very sensitive to because we are really behind the curve with what our employees do, but otherwise it may be a combination of things to get to that goal.

Senator Krebsbach: I'm concerned with this budget as it left the Governor's office and where we are now. (Mentions amendments that are being brought before the committee)

V. Chair Bowman: Moved to restore salary equity issues \$ 538,509 (green sheet).

Senator Seymour: Seconded.

The motion passed on a voice vote.

Senator Krebsbach: Decides to meet again tomorrow or Friday morning.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1019

Senate Appropriations Committee

☐ Check here for Conference Committee

Hearing Date: April 6, 2009

Recorder Job Number: 11743 (Water Commission (HB 1020) also on this job)

& HB 1019 resumes on this job at 97:07

Committee Clerk Signature

Minutes:

Chairman Holmberg: opened discussion on HB 1019 which is the Parks and Recreation bill.

Senator Krebsbach handed out amendments .0211 & .0212.

.0212 is without a payoff on the loan

.0211 is paying off?

.0212 – Restored the salary and equity funding – and wages removed.

Explained all amendments. Turtle Mts. Park and pedestrian bridge.

Scenic byway acquisition. They were list from Park if funds were available.

Chairman Holmberg: This is separate contingency – using stimulus money. Also included is signage for the park.

Chairman Holmberg: Amendment 212 does include everything and is a couple thousand above the budget.

Senator Krebsbach: The house took the first dollars from Parks & Rec. Only difference in two is looking off idea of paying off note of 1.8 M then they'd save \$1.65 M in interest. The prepayment of loan is at no-penalty.

Senator Robinson: Confused – worked in Commerce earlier. There was reference to archaeological – this is CCC. Is this more of a priority?

Senator Seymour: I offered amendment to do Custer Amendment. It's all embedded in \$300,000.

Senator Krebsbach: Introduced Mr. Prchal to explain projects.

Doug Prchal: Archaeology is not eligible under DOT funding. Stimulus could come forward. This has been on capital projects list and included the CCC project. They are independent of each other.

Senator Robinson: The CCC project a \$100,000 dollar project.

Doug Prchal: That's at Fort Abraham Lincoln for that amount of money.

Senator Krauter: Our data says \$360,000, yours is \$300,000. There seems to be some misinformation going on.

Doug Prchal: That's the info that I got from DOT.

Senator Krauter: (Directed at Sen. Krebsbach) I don't recall National Music Camp coming in and asking for landscaping.

Senator Krebsbach: Request was made – part of building was funded last time. Apologize for not bringing it forward. But landscaping is for building.

Senator Christmann: Sign up at Pembina. Also

Senator Krebsbach: Bill we passed out for ATV. Money is evidently used to improve paths.

Senator Krebsbach: Difference is loan payoff.

Senator Mathern: Whether stimulus money is available for archaeological work, shouldn't we put it in here?

Chairman Holmberg: Ask OMB – is Sheila available?

Senator Christmann: Question about green sheets. At state parks

Doug Prchal: That \$30,000 is part of the ITD plan and would restore the community grants program and would transcend county parks. They would be all government entities.

Senator Mathern: Likes the concept of 211 – Is savings figured in – or do we have money to work with there?

Senator Krebsbach: The interest would be accrued. Some interest due in payable?

Senator Krauter: Are we responsible for this?

Senator Krebsbach: They borrowed it from a bank in Dunseith and needed a match for the Canadian dollars.

Becky Keller: The loan payment for this project was added in other House. I don't know how long this was in existence, but it was not included in the governor's budget so they added it. We included loan payment in budget status report.

Senator Krauter: This financial obligation was not the states obligation, correct?

Becky Keller: They came in and request the payment be made. I don't know if their was an agreement in which the state should have been doing it and missed it in the budget, or what the discussion was.

Senator Krauter: I have nothing on the Music Camp. No information.

Senator Wardner: Didn't we give them authority to do this with the Music Camp?

Senator Krebsbach: I thought we left last session thinking they needed money to match the federal \$\$\$ and I believe they were to find that on their own.

Joe Morrisette: The appropriation in '07 was to provide funding match for Canadian dollars, but federal funding did not come. They felt their only option was to fill in the missing piece to get the project complete. They needed to get the loan to access federal loan.

Chairman Holmberg: What were the dollar amounts?

Joe Morrisette: They were hoping for 25% North Dakota, 25% Federal government, 25% Canadian Provincial, 25% Canadian Federal, and they were hoping the remaining 25% would

come from the US Federal Government. Instead of getting the 25% from the Fed's they went with this loan.

Senator Christmann: Did we request them to do this project or did they choose to do this and now they need us to bail them out?

Joe Morrisette: It was their project and only had limited amount of time to get the project moving. There was no legislative directive.

Chairman Holmberg: Becky doesn't recall the budget section ever had a part.

Senator Christmann: It is my understanding that the Governor knew of this and left it to them to pay for their debts.

Joe Morrisette: They laid issues out in the interim. They were connected with USDA and a local lender to move the loan forward. As a 501C3 they have flexibility to go out and present case to lender and repay loan.

Chairman Holmberg: When you say they have means to pay back, they had to convince the bank in Dunseith that they could pay this back.

Joe Morrisette: Provided to lender, their history of ongoing support receiving help in the past. The 07-09 biennium's showed that they had long history of support from the Legislature.

Senator Krebsbach: The explanation of the loan is spelled out by Mr. Hoeven's testimony.

Chairman Holmberg: Question regarding uses of stimulus money.

Senator Krauter: In the parks and rec. there is an effort to use Transportation enhancement dollars, and one is FT Lincoln for Custer House, but now SHS can use mapping for one and not for the other.

Sheila Peterson: The items identified as DOT enhancement money – good probability
The requirements are embodied in the enhancement grant. They are best ones to ask
Will get hold of Ben Kabischta of DOT and ask to come over.

Senator Mathern: Section 8 is not tied directly to transportation dollars. We could solve that problem. If money is available from enhancement act, -raise it to \$500,000

Ben Kabischta: Transportation Enhancement Program Coordinator, DOT

Senator Krauter: Work being done (40:00) qualifies for one and not another.

Ben Kabischta: Congress identified 12 categories it could be spent on. With all federal highway programs, on state level we determine what we'll spend with federal dollars. In a road way project, City of Bismarck receives federal money for construction costs only and not engineering costs. On the building projects in our statewide evaluation of needs and wants, we use same philosophy. The confluence at Yellowstone – we funded part of the project to get clearances and were responsibility of SHS. At Ft. Lincoln we funded preliminary work, but archeological had to be parks and rec. This study locates historical sites and keeps data currents so it is easier for environmental people and get through the planning process. It's related to road construction.

Senator Krauter: I thought it was info that was available to tourists that would be GIS located.

Ben Kabischta: That is my understanding of project is that we are working with a planning project. Some of those sites, because of sensitivity, cannot be made available to anyone who walks in. The workings with tribal folks come into play.

Senator Mathern: It's clear that we have a road to the Custer House. Let's put this in here and they can figure it out. Part of it is how we interpret the project. This gets interpreted differently daily as the project wears on.

Sheila Peterson: As it relates to the budget, if you put it in the bill then Doug Prchal has to apply for money. I think it should be Ft. Lincoln who applies for DOT enhancements. They have in the past and it's their project. It doesn't make sense to put it in here.

Senator Mathern: We do it all the time. We put out millions of dollars in other departments where department applies for money and then hands out grants. We must first look at stimulus dollars. Why permit other state agencies to grant out dollars and not here.

Sheila Peterson: In past, FT. Lincoln Foundation has directly applied for their transportation enhancement money. They have never used Parks & Recreation as a Surgut. It's just never been done that way.

Chairman Holmberg: Come back in 1 hour because we have subcommittee meeting scheduled.

Continuing with Parks & Rec HB 1019 – 1:37:07

Chairman Holmberg: Lets' go back to Parks and Rec

Senator Krebsbach: I'm going to recommend that we leave the Abe Lincoln architectural projects out of here; they can go to DOT and apply on their own. My suggestion is that we let that one go. Peace Garden portion of and let go. Should do partial or whole payments, those are our options.

Chairman Holmberg: We have a lot of requests from general fund.

V. Chair Bowman: When you look at it from financial position, when you save almost the same as the principal, if you pay it off in one lump sum; that will be money we won't have in the next 4 or 5 bienniums. It will be a whole lot less in years.

Senator Christmann: I don't necessarily agree with that; if someone goes and gets a loan and if we pay off loan, then we're inclined to let people know that we pay off loans.

Senator Mathern: On page 2, section 8, I suggest we add words "and grants"

Chairman Holmberg: Need to decide which amendment we're working on.

Senator Wardner: Is the state going to end up paying for this in the end because they're 501c3? I agree with V. Chair Bowman because if there are other ways to come in for funding.

Senator Kilzer: Is the interest rate listed here anywhere?

Senator Krebsbach: I don't think we have any loan details. Doug Hevner brought some information. The loan is guaranteed 80% with USDA.

Senator Krauter: When they made the loan, they must have had cash flow repayment schedule. What was the repayment schedule? The bank of ND isn't going to give loan and the USDA is not going to give them an 80% guarantee without some type of repayment schedule.

Senator Fischer: A consortium.

Chairman Holmberg: take it out and make case to subcommittee how they will pay money back.

Senator Mathern: Disagree with Senator Krauter Had they not done this and lost all that Canadian money. I would agree they don't feel good about this obligation coming to us without being informed. I suggest we move this forward, go to conference committee, add \$200,000 archaeological and architectural fees, and reduce the payment to ½. "We hear what you did but aren't comfortable giving the whole thing because you obligated us to something without talking to us." That is how to send a message and get this bill out of here and over to House.

Senator Warner: The annual payment is in both amendments, but principal in one. The payments are there regardless of the loan being made with our agreement.

Senator Krebsbach: .0212 this is without payoff of loan, but contains payment.

Vote # 1 - Senator Krebsbach: move to adopt amendment .0212.

Senator Seymour: seconded

Senator Mathern: Sounds contrary.

Senator Krebsbach: the payment would be included for the biennium of \$349,000.

Senator Krauter: The other question I got is in regards to the International Music Camp – still didn't hear anything.

Senator Seymour: It came to subcommittee as a request.

Chairman Holmberg: Was it written?

Senator Seymour: Yes

Senator Christmann: (Asked a procedural question)

Chairman Holmberg: If we pass this, there will be two more motions. Do we want to make adjustments in loan payments and pay it all off? Then Senator Mathern raises question of archaeological work. There will be at least two more

Senator Christmann: We're still talking about

Voice vote on .0212 – passed.

Senator Warner: Remove biennial payment

2 - Senator Warner: moved removal of biennial payment.

Senator Mathern: seconded.

Voice vote - failed.

Senator Christmann: Want to remove community grants all together, but do it in the House.

3 - Senator Christmann: moved to leave it at \$400,000 – remove footnote #4.

Senator Mathern: seconded.

Voice vote to remove \$300,000 in # 4. Hand count 8 - 6 – passed.

4 - Senator Mathern: moved a new amendment

Chairman Holmberg: adding the \$200,000 of stimulus money for grants and archeological at Ft. Abe Lincoln and adding roughly ½ of loan payment for the International Peace Garden.

V. Chair Grindberg: Why half of something we didn't agree.

Senator Mathern: Bottom line – moving ahead towards participation supports their cause. The other message pertains to the \$200,000 and is covered by stimulus and then Parks and Recreation have to work it out.

Senator Krauter: seconded.

Voice vote – hand count 6-8-0 - amendment failed.

Senator Christmann: Moved motion to removed amendment -The CCC building is a state entity – not Fort Lincoln. Don't want to have them ask for stimulus money for state projects. Remove the Ft. Abraham Lincoln Foundation CCC building from the amendment

Senator Christmann: Motion to removed amendment

Senator Warner: Would it be appropriate to include our intent?

Chairman Holmberg: It doesn't commit us to anything.

Senator Mathern: For this place to work, both park and foundation have to work together. Why this in here without park knowing about it is smelly. In order to make this work both these organizations need to work together and these will be paid by government money. If we don't put the money in, the intent language says to work together.

5 - Senator Warner: Seconded

Chairman Holmberg: state that this language urges the Foundation to apply for stimulus money.

Senator Mathern: and urge them to do it.

Senator Mathern: seconded

Voice vote Passed.

6 – V. Chair Grindberg: moved to accept all amendments

Senator Krebsbach: seconded

Voice Vote Passed.

7 - Senator Krebsbach: moved Do Pass as Amended on HB 1019.

Senator Fischer: seconded.

A Roll Call vote was taken. Yea: 14 Nay: 0 Absent: 0. Senator Krebsbach to carry.

Date: 4-6-09
Roll Call Vote #: 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

Senate Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Amendment 0212

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended

Motion Made By Sen Krebsbach Seconded By Sen Seymour

*voice
vote
passed*

Representatives	Yes	No	Representatives	Yes	No
Senator Wardner			Senator Robinson		
Senator Fischer			Senator Lindaas		
V. Chair Bowman			Senator Warner		
Senator Krebsbach			Senator Krauter		
Senator Christmann			Senator Seymour		
Chairman Holmberg			Senator Mathern		
Senator Kilzer					
V. Chair Grindberg					

Total Yes _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: April 6, 2009

Roll Call Vote # 2

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

Senate Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

remove biennial Warner amendment

Action Taken ☐ Do Pass ☐ Do Not Pass ☐ Amended

Motion Made By

John Warner

Seconded By

Sen. Mathern

failed

Senators	Yes	No	Senators	Yes	No
Sen. Ray Holmberg, Ch			Sen. Tim Mathern		
Sen. Tony S. Grindberg, VCh			Sen. Aaron Krauter		
Sen. Bill Bowman, VCh			Sen. Larry J. Robinson		
Sen. Randel Christmann			Sen. John Warner		
Sen. Rich Wardner			Sen. Elroy N. Lindaas		
Sen. Ralph L. Kilzer			Sen. Tom Seymour		
Sen. Tom Fischer					
Sen. Karen K. Krebsbach					

Total Yes _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: April 6, 2009
Roll Call Vote #: 3

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

Senate Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Christmann amendment

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended

Motion Made By Christmann Seconded By Mather

Representatives	Yes	No	Representatives	Yes	No
Senator Fischer			Senator Warner		
Senator Christmann			Senator Robinson		
Senator Krebsbach			Senator Krauter		
Senator Bowman			Senator Lindaas		
Senator Kilzer			Senator Mather		
Senator Grindberg			Senator Seymour		
Senator Wardner					
Chairman Holmberg					

Total Yes 8 No 6

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

*remove footnote #4 and
leave it at \$400,000*

Passed

Date: April 6, 2009
Roll Call Vote #: 4

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

Senate Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Mather amendment

Action Taken ☐ Do Pass ☐ Do Not Pass ☐ Amended

Motion Made By Mather Seconded By Krauter

Representatives	Yes	No	Representatives	Yes	No
Senator Krebsbach			Senator Seymour		
Senator Fischer			Senator Lindaas		
Senator Wardner			Senator Robinson		
Senator Kilzer			Senator Warner		
V. Chair Bowman			Senator Krauter		
Senator Christmann			Senator Mather		
V. Chair Grindberg					
Chairman Holmberg					

Total Yes 6 No 8

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Failed

Date: April 6, 2009
Roll Call Vote #: 5

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

Senate Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number Sen. Warner - legislative intent

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended motion

Motion Made By Sen. Warner Seconded By Sen. Mathern

Representatives	Yes	No	Representatives	Yes	No
Senator Wardner			Senator Robinson		
Senator Fischer			Senator Lindaas		
V. Chair Bowman			Senator Warner		
Senator Krebsbach			Senator Krauter		
Senator Christmann			Senator Seymour		
Chairman Holmberg			Senator Mathern		
Senator Kilzer					
V. Chair Grindberg					

Total Yes _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

*voice
vote
passed*

Date: April 6, 2009

Roll Call Vote # 6

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

Senate Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended on all amendments

Motion Made By Sen. Grindberg Seconded By Sen. Krebsbach

Senators	Yes	No	Senators	Yes	No
Sen. Ray Holmberg, Ch			Sen. Tim Mathern		
Sen. Tony S. Grindberg, VCh			Sen. Aaron Krauter		
Sen. Bill Bowman, VCh			Sen. Larry J. Robinson		
Sen. Randel Christmann			Sen. John Warner		
Sen. Rich Wardner			Sen. Elroy N. Lindaas		
Sen. Ralph L. Kilzer			Sen. Tom Seymour		
Sen. Tom Fischer					
Sen. Karen K. Krebsbach					

Total Yes _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1019

Page 1, line 2, remove the second "and"

Page 1, line 3, after "reenact" insert "subsection 5 of section 55-08-05 and"

Page 1, line 4, after "grants" insert "and concession agreements; to provide legislative intent;
and to declare an emergency"

Page 1, line 16, replace "233,516" with "292,752" and replace "2,182,685" with "2,241,921"

Page 1, line 17, replace "2,013,331" with "3,222,777" and replace "12,912,192" with
"14,121,638"

Page 1, line 18, replace "(855,725)" with "(543,415)" and replace "7,780,799" with "8,093,109"

Page 1, line 20, replace "2,226,522" with "3,807,514" and replace "23,711,076" with
"25,292,068"

Page 1, line 21, replace "(1,504,114)" with "(1,200,063)" and replace "11,844,003" with
"12,148,054"

Page 1, line 22, replace "3,730,636" with "5,007,577" and replace "11,867,073" with
"13,144,014"

Page 1, line 23, replace "0" with "2.50" and replace "50.50" with "53.00"

Page 2, line 4, replace "404,254" with "490,854" and replace "1,141,108" with "1,227,708"

Page 2, line 7, replace "4,254" with "90,854" and replace "1,141,108" with "1,227,708"

Page 2, line 9, replace "204,254" with "290,854" and replace "1,141,108" with "1,227,708"

Page 2, line 14, replace "3,934,890" with "5,298,431" and replace "13,008,181" with
"14,371,722"

Page 2, line 15, replace "(1,704,114)" with "(600,063)" and replace "11,844,003" with
"12,948,054"

Page 2, line 16, replace "2,230,776" with "4,698,368" and replace "24,852,184" with
"27,319,776"

Page 2, line 22, replace "2,010,514" with "2,359,768"

Page 2, line 25, replace "0" with "86,600"

Page 2, line 29, replace "2,485,514" with "2,921,368"

Page 3, after line 18, insert:

"SECTION 6. AMENDMENT. Subsection 5 of section 55-08-05 of the North Dakota Century Code is amended and reenacted as follows:

5. Provide facilities for the sale to the public of food, nonintoxicating beverages, except beer and wine sales as provided in subsections 6 and 7, and other merchandise and personal services of a suitable nature, and make buildings, structures, and other recreational facilities available for use and occupancy by the public, or contract for the lease of the buildings, structures, and facilities to a concessionaire to be operated on the terms and compensation basis as the director determines to be in the best interest of the state. The duration of a concession agreement may not exceed twenty years. A bond must be required of each concessionaire in the amount the director determines, conditioned upon the faithful performance of all duties under the lease and proper accounting for all funds."

Page 4, after line 11, insert:

"SECTION 8. LEGISLATIVE INTENT - FEDERAL FISCAL STIMULUS FUNDS. It is the intent of the sixty-first legislative assembly that the Fort Abraham Lincoln foundation be encouraged to seek federal fiscal stimulus funds for architectural and archeological services at Fort Abraham Lincoln.

SECTION 9. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING APPROVAL. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the parks and recreation department, for the period beginning with the effective date of this Act and ending June 30, 2011, as follows:

Turtle River state park pedestrian bridge	\$300,000
Turtle Mountain scenic byway acquisition/trails	200,000
Fort Abraham Lincoln CCC building rehabilitation	<u>300,000</u>
Total federal funds	\$800,000

The parks and recreation department may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated in this section, for the period beginning with the effective date of this Act and ending June 30, 2011.

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available.

SECTION 10. EMERGENCY. Section 9 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98019.0213 FN 6

A copy of the statement of purpose of amendment is attached.

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1019 - Summary of Senate Action**

	Executive Budget	House Version	Senate Changes	Senate Version
Parks and Recreation Department				
Total all funds	\$25,292,068	\$23,711,076	\$2,380,992	\$26,092,068
Less estimated income	11,868,054	11,844,003	1,104,051	12,948,054
General fund	\$13,424,014	\$11,867,073	\$1,276,941	\$13,144,014
International Peace Garden				
Total all funds	\$791,854	\$1,141,108	\$86,600	\$1,227,708
Less estimated income	0	0	0	0
General fund	\$791,854	\$1,141,108	\$86,600	\$1,227,708
Bill total				
Total all funds	\$26,083,922	\$24,852,184	\$2,467,592	\$27,319,776
Less estimated income	11,868,054	11,844,003	1,104,051	12,948,054
General fund	\$14,215,868	\$13,008,181	\$1,363,541	\$14,371,722

House Bill No. 1019 - Parks and Recreation Department - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
Administration	\$2,241,921	\$2,182,685	\$59,236	\$2,241,921
Natural resources	14,101,638	12,912,192	1,209,446	14,121,638
Recreation	8,113,109	7,780,799	312,310	8,093,109
Deferred maintenance	835,400	835,400		835,400
Federal fiscal stimulus funds			800,000	800,000
Total all funds	\$25,292,068	\$23,711,076	\$2,380,992	\$26,092,068
Less estimated income	11,868,054	11,844,003	1,104,051	12,948,054
General fund	\$13,424,014	\$11,867,073	\$1,276,941	\$13,144,014
FTE	53.00	50.50	2.50	53.00

Department No. 750 - Parks and Recreation Department - Detail of Senate Changes

	Restores Salary Equity Funding ¹	Restores Funding Relating to Anticipated Salary Savings ²	Restores Maintenance Positions ³	Restores Funding for Capital Projects ⁴	Increases Special Fund Authority ⁵	Appropriates Federal Fiscal Stimulus Funding ⁶
Administration	\$59,236					
Natural resources	446,963	161,542	251,687	349,254		
Recreation	32,310				280,000	
Deferred maintenance						
Federal fiscal stimulus funds						800,000
Total all funds	\$538,509	\$161,542	\$251,687	\$349,254	\$280,000	\$800,000
Less estimated income	0	24,051	0	0	280,000	800,000
General fund	\$538,509	\$137,491	\$251,687	\$349,254	\$0	\$0
FTE	0.00	0.00	2.50	0.00	0.00	0.00

	Total Senate Changes
Administration	\$59,236
Natural resources	1,209,446
Recreation	312,310
Deferred maintenance	
Federal fiscal stimulus funds	800,000
Total all funds	\$2,380,992
Less estimated income	1,104,051
General fund	\$1,276,941
FTE	2.50

¹ This amendment restores salary equity funding included in the executive recommendation and removed by the House.

² This amendment restores funding for salaries and wages removed by the House to recognize anticipated savings from vacant FTE positions and employee turnover.

³ This amendment restores 2.5 FTE maintenance positions included in the executive recommendation but removed by the House.

⁴ This amendment restores funding for capital projects included in the executive recommendation but removed by the House.

⁵ This amendment increases the department's special fund authority to reflect additional anticipated revenue from provisions of Senate Bill Nos. 2367 (\$20,000) and 2378 (\$260,000).

A section is added appropriating federal fiscal stimulus funds from the American Recovery and Reinvestment Act of 2009 available from transportation enhancement grants through the Department of Transportation for the Turtle River State Park pedestrian bridge (\$300,000), Turtle Mountain scenic byway acquisitions and trails (\$200,000), and Fort Abraham Lincoln CCC Building rehabilitation (\$300,000).

This amendment adds a section to amend North Dakota Century Code Section 55-08-05(5) to clarify the director's ability to enter into long-term concession agreements and adds a section of legislative intent encouraging the Fort Abraham Lincoln Foundation to seek grants through federal fiscal stimulus funding.

House Bill No. 1019 - International Peace Garden - Senate Action

	Executive Budget	House Version	Senate Changes	Senate Version
International Peace Garden	\$791,854	\$1,141,108	\$86,600	\$1,227,708
Total all funds	\$791,854	\$1,141,108	\$86,600	\$1,227,708
Less estimated income	0	0	0	0
General fund	\$791,854	\$1,141,108	\$86,600	\$1,227,708
FTE	0.00	0.00	0.00	0.00

Department No. 751 - International Peace Garden - Detail of Senate Changes

	International Music Camp¹	Total Senate Changes
International Peace Garden	\$86,600	\$86,600
Total all funds	\$86,600	\$86,600
Less estimated income	0	0
General fund	\$86,600	\$86,600
FTE	0.00	0.00

¹ This amendment provides funding for landscaping, walking path resurfacing, and road construction and resurfacing at the International Music Camp.

Date: April 6
Roll Call Vote #: 7

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1019

Senate Senate Appropriations Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☒ Do Pass ☐ Do Not Pass ☒ Amended

Motion Made By Krebsbach Seconded By Fischer

Representatives	Yes	No	Representatives	Yes	No
Senator Fischer	<input checked="" type="checkbox"/>		Senator Warner	<input checked="" type="checkbox"/>	
Senator Christmann	<input checked="" type="checkbox"/>		Senator Robinson	<input checked="" type="checkbox"/>	
Senator Krebsbach	<input checked="" type="checkbox"/>		Senator Krauter	<input checked="" type="checkbox"/>	
Senator Bowman	<input checked="" type="checkbox"/>		Senator Lindaas	<input checked="" type="checkbox"/>	
Senator Kilzer	<input checked="" type="checkbox"/>		Senator Mathern	<input checked="" type="checkbox"/>	
Senator Grindberg	<input checked="" type="checkbox"/>		Senator Seymour	<input checked="" type="checkbox"/>	
Senator Wardner	<input checked="" type="checkbox"/>				
Chairman Holmberg	<input checked="" type="checkbox"/>				

Total Yes 14 No 0

Absent 0

Floor Assignment Krebsbach

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1019, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1019 was placed on the Sixth order on the calendar.

Page 1, line 2, remove the second "and"

Page 1, line 3, after "reenact" insert "subsection 5 of section 55-08-05 and"

Page 1, line 4, after "grants" insert "and concession agreements; to provide legislative intent; and to declare an emergency"

Page 1, line 16, replace "233,516" with "292,752" and replace "2,182,685" with "2,241,921"

Page 1, line 17, replace "2,013,331" with "3,222,777" and replace "12,912,192" with "14,121,638"

Page 1, line 18, replace "(855,725)" with "(543,415)" and replace "7,780,799" with "8,093,109"

Page 1, line 20, replace "2,226,522" with "3,807,514" and replace "23,711,076" with "25,292,068"

Page 1, line 21, replace "(1,504,114)" with "(1,200,063)" and replace "11,844,003" with "12,148,054"

Page 1, line 22, replace "3,730,636" with "5,007,577" and replace "11,867,073" with "13,144,014"

Page 1, line 23, replace "0" with "2.50" and replace "50.50" with "53.00"

Page 2, line 4, replace "404,254" with "490,854" and replace "1,141,108" with "1,227,708"

Page 2, line 7, replace "4,254" with "90,854" and replace "1,141,108" with "1,227,708"

Page 2, line 9, replace "204,254" with "290,854" and replace "1,141,108" with "1,227,708"

Page 2, line 14, replace "3,934,890" with "5,298,431" and replace "13,008,181" with "14,371,722"

Page 2, line 15, replace "(1,704,114)" with "(600,063)" and replace "11,844,003" with "12,948,054"

Page 2, line 16, replace "2,230,776" with "4,698,368" and replace "24,852,184" with "27,319,776"

Page 2, line 22, replace "2,010,514" with "2,359,768"

Page 2, line 25, replace "0" with "86,600"

Page 2, line 29, replace "2,485,514" with "2,921,368"

Page 3, after line 18, insert:

"SECTION 6. AMENDMENT. Subsection 5 of section 55-08-05 of the North Dakota Century Code is amended and reenacted as follows:

5. Provide facilities for the sale to the public of food, nonintoxicating beverages, except beer and wine sales as provided in subsections 6 and 7, and other merchandise and personal services of a suitable nature, and make buildings, structures, and other recreational facilities available for use and occupancy by the public, or contract for the lease of the buildings, structures, and facilities to a concessionaire to be operated on the terms and compensation basis as the director determines to be in the best interest of the state. The duration of a concession agreement may not exceed twenty years. A bond must be required of each concessionaire in the amount the director determines, conditioned upon the faithful performance of all duties under the lease and proper accounting for all funds."

Page 4, after line 11, insert:

"SECTION 8. LEGISLATIVE INTENT - FEDERAL FISCAL STIMULUS FUNDS. It is the intent of the sixty-first legislative assembly that the Fort Abraham Lincoln foundation be encouraged to seek federal fiscal stimulus funds for architectural and archeological services at Fort Abraham Lincoln.

SECTION 9. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING APPROVAL. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the parks and recreation department, for the period beginning with the effective date of this Act and ending June 30, 2011, as follows:

Turtle River state park pedestrian bridge	\$300,000
Turtle Mountain scenic byway acquisition/trails	200,000
Fort Abraham Lincoln CCC building rehabilitation	<u>300,000</u>
Total federal funds	\$800,000

The parks and recreation department may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated in this section, for the period beginning with the effective date of this Act and ending June 30, 2011.

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available.

SECTION 10. EMERGENCY. Section 9 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98019.0213 FN 6

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

2009 HOUSE APPROPRIATIONS

CONFERENCE COMMITTEE

HB 1019

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1019

House Appropriations Committee
Education and Environment Division

☐ Check here for Conference Committee

Hearing Date: April 20, 2009

Recorder Job Number: 11991

Committee Clerk Signature

Shirley Branning

Minutes:

Rep. Martinson: Chairman of the Conference Committee called the meeting to order to discuss HB 1019 by taking the Roll. Members of the Conference Committee included Senators Krebsbach, Bowman and Seymour and Representatives Klein and Williams.

Senators, we have looked at your changes and I think we have a good idea of what you've done.

Senator Krebsbach: Began with an explanation of **Amendment # 98019.0213.0300**, see attachment # 1. The Senate restored from the Governor's budget the salaries and the equity, also the vacant FTEs that the House removed.

Next was the Capital Project, meaning the \$349,254 for the first biennial payment for the interpretive center from the International Peace Gardens. You had included that but you shorted the Parks and Rec budget by that amount. We didn't feel that was quite fair to Parks and Rec, so we took that out of General funds.

Had discussion on the pay off of that loan of \$1.85M because paying it off at this time the State could save \$1.65M in interest. It has been discussed on both sides of the aisle.

Rep. Martinson: Would the Senators be prepared to entertain motion to pay that off?

Senator Krebsbach: Yes.

Rep. Klein: Was this borrowed from the Bank in Dunseith at a pretty stiff rate?

Rep. Martinson: Providing the payment schedule, it is over a 20 year payment.

Senator Krebsbach: There was much discussion to pay it with grants to meet the Canadian dollars; however, it was thought we should let them try from the Federal level or other grants. They have been unsuccessful at the Federal level of getting any money they were seeking and have not been successful in grants. They look at them and say "You are a state agency and that is where you should get your money from granting sources."

Continuing, the special fund authority to include \$20,000 for marking at Icelandic Park and \$200,000 that came from a separate bill for Scenic Byway Acquisition and Trails, from the Transportation Enhancement Grants, and that was for the Turtle River Pedestrian Park Bridge.

The Amendment includes permission to the Director to enter into long-term concession agreements encouraging the Fort Abraham Lincoln Foundation to seek grants through stimulus funding and the CCC building rehabilitation for \$300,000. These were projects that Mr. Prchal had in mind for stimulus funding if such was available. The Tom Custer building is a separate entity.

Finally, another change is the addition of \$86,600 for a building, it has been completed. In doing that they ran short for walkways, landscaping and road construction for this area. .

Rep. Klein: Last item, where does that show up?

Senator Krebsbach: P. 84, last line.

Rep. Klein: One question on maintenance positions, one has been temporary for 6 years. Does this do the same thing again?

Senator Krebsbach: This would shore up and give them some. This would give them security on employees that have repeatedly coming back so they could be guaranteed that work force.

Rep. Klein: Not sure if they would continue to be temporary.

Doug Prchal, Director State Parks and Recreation: If you recall the request came in to the House to add that FTE, the 2.5 that the Senate restored, or the original Governor's recommendation. That would be at Beaver Lake and Fort Ransom; the one at Metigoshe is not considered as part of the budget request.

Rep. Klein: These are full time positions.

Prchal: Right.

Rep. Martinson: I haven't talked to my House colleagues about the Peace Garden. Do you feel comfortable with the motion now? Would you be comfortable with paying off the debt at the Peace Garden for \$1.8M?

Rep. Klein: I would like to talk this over with some of other people.

Rep. Martinson: You need to be bold, here. We do have time. I am not one who runs up to another office to ask them what we should do. I believe it is the responsibility to tell people what we've done and then if there is a consequence to pay, then we pay it and otherwise they should just come down here.

Senator Bowman: I believe it is our obligation and if they can't meet that obligation then pretty soon it becomes the State's. The sooner we pay it off, the more money we free up for other things the next biennium. When you are talking about that much money over 20 years, that is a considerable amount in savings and to me that is good business to take care of your

obligation and save that amount of money. I would be in support of that if it came in an amendment form.

Rep. Martinson: We'll talk about that next time. I would like to bring up a walking trail around Lake Isabelle into Dawson in Kidder County and were wondering if we could change that Scenic Byway Acquisition and Trails to funding for a walking path in Kidder County. Put that on your list of things to think about. The cost of that project is about \$300,000 and they have been trying to get it done for quite some time.

Senator Bowman: Was that presented during the hearing?

Rep. Martinson: No, but neither was this.

Senator Krebsbach: I would like to do some research on that because these projects that we added were the ones that were listed from the Parks and Rec that they have had in mind. We would have to visit with Mr. Prchal and see how it fits into that scheme.

Rep. Martinson: You have a much kinder approach, you visit and ask and I suggest or tell.

Adjourn and meet tomorrow.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1019

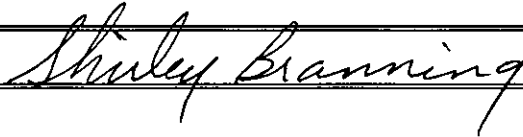
House Appropriations Committee
Education and Environment Division

☒ Check here for Conference Committee

Hearing Date: April 25, 2009

Recorder Job Number: 12248

Committee Clerk Signature



Minutes:

Rep. Martinson: Chairman of the Conference Committee called the meeting to order to discuss HB 1019 by taking the Roll. Members of the Conference Committee included Senators Krebsbach, Bowman and Seymour and Representatives Klein and Williams.

Senators, we have looked at your changes and I think we have a good idea of what you've done.

Last time we met we talked about paying off the loan for the Peace Garden. Add an addition \$1.8M or check that figure exactly to know what it would be.

Senator Krebsbach: We already have \$359,540 in the budget, so it would be reduced by that amount.

Rep. Klein: I want to be sure that what is already in the budget to make the payment is deducted so that the numbers come out. I believe, in the budget there's already two years' payment in there. **Move to add the amount.**

Senator Krebsbach: Second

Rep. Martinson: Addressing Becky Keller, Legislative Council Representative, Would you call the bank on Monday and get as close to the figure as you can. We don't want to be under what the pay off date would be. Would we want to put an emergency clause on that and

be done with it? Or wait until this summer when the normal budget process..... Checking with the bank to be sure. Any discussion, hearing none, take the roll.

Roll call vote to accept the amendment: Yes 6 No 0 Absent 0. Motion Carried.

Rep. Martinson: Senators, have you had any other thoughts on it, Representatives, any changes that you

Rep. Klein: Get the Senate to explain when they added those FTEs back in that we had taken out. What was the rational?

Senator Krebsbach: They several part time employees that they need to carry over from season to season and do work year round. They have been considered part time. We feel it is important to put them on full time status. It is easier to retain people when they have full time employment.

Rep. Klein: Those 2 ½ positions that we are restoring would get benefits, insurance, etc.

Senator Krebsbach: We wanted to put them on full time and really save money.

Rep. Martinson: They kept the equity funding in there and we have an agreement on that so will that be taken out so it goes to the pool? Someone make the motion to take the equity funding out.

Senator Krebsbach: Move that the Senate Recede from that amendment....

Rep. Klein: Second

Voice Vote: Motion carried unanimously.

Rep. Martinson: If someone would care to make the motion.

Senator Krebsbach: With that amendment made I would move that the Conference Committee that the Senate Recede and further amend.

Rep. Klein: Second.

Page 3
House Appropriations Committee
Education and Environment Division
Bill/Resolution No. 1019
Hearing Date: April 25, 2009

Roll Call Vote: Yes 6, No 0 Absent 0 Motion carried.

Carriers: Representative Klein and Senator Krebsbach.

VR
4/28/09
log 5

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1019

That the Senate recede from its amendments as printed on pages 1382-1384 of the House Journal and pages 1264 and 1265 of the Senate Journal and that Engrossed House Bill No. 1019 be amended as follows:

Page 1, line 2, remove the second "and"

Page 1, line 3, after "reenact" insert "subsection 5 of section 55-08-05 and"

Page 1, line 4, after "grants" insert "and concession agreements; to provide legislative intent; and to declare an emergency"

Page 1, line 17, replace "2,013,331" with "2,775,814" and replace "12,912,192" with "13,674,675"

Page 1, line 18, replace "(855,725)" with "(575,725)" and replace "7,780,799" with "8,060,799"

Page 1, line 20, replace "2,226,522" with "3,269,005" and replace "23,711,076" with "24,753,559"

Page 1, line 21, replace "(1,504,114)" with "(1,200,063)" and replace "11,844,003" with "12,148,054"

Page 1, line 22, replace "3,730,636" with "4,469,068" and replace "11,867,073" with "12,605,505"

Page 1, line 23, replace "0" with "2.50" and replace "50.50" with "53.00"

Page 2, line 4, replace "404,254" with "1,991,600" and replace "1,141,108" with "2,728,454"

Page 2, line 7, replace "4,254" with "1,591,600" and replace "1,141,108" with "2,728,454"

Page 2, line 9, replace "204,254" with "1,791,600" and replace "1,141,108" with "2,728,454"

Page 2, line 14, replace "3,934,890" with "6,260,668" and replace "13,008,181" with "15,333,959"

Page 2, line 15, replace "(1,704,114)" with "(600,063)" and replace "11,844,003" with "12,948,054"

Page 2, line 16, replace "2,230,776" with "5,660,605" and replace "24,852,184" with "28,282,013"

Page 2, line 22, replace "2,010,514" with "2,359,768"

Page 2, line 25, replace "0" with "86,600"

Page 2, after line 26, insert:

"International Peace Garden loan repayment	0	1,850,000"
--	---	------------

Page 3, after line 18, insert:

"SECTION 6. AMENDMENT. Subsection 5 of section 55-08-05 of the North Dakota Century Code is amended and reenacted as follows:

5. Provide facilities for the sale to the public of food, nonintoxicating beverages, except beer and wine sales as provided in subsections 6 and 7, and other merchandise and personal services of a suitable nature, and make buildings, structures, and other recreational facilities available for use and occupancy by the public, or contract for the lease of the buildings, structures, and facilities to a concessionaire to be operated on the terms and compensation basis as the director determines to be in the best interest of the state. The duration of a concession agreement may not exceed twenty years. A bond must be required of each concessionaire in the amount the director determines, conditioned upon the faithful performance of all duties under the lease and proper accounting for all funds."

Page 4, after line 11, insert:

"SECTION 8. LEGISLATIVE INTENT - FEDERAL FISCAL STIMULUS FUNDS. It is the intent of the sixty-first legislative assembly that the Fort Abraham Lincoln foundation be encouraged to seek federal fiscal stimulus funds for architectural and archeological services at Fort Abraham Lincoln.

SECTION 9. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING APPROVAL. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the parks and recreation department, for the period beginning with the effective date of this Act and ending June 30, 2011, as follows:

Turtle River state park pedestrian bridge	\$300,000
Turtle Mountain scenic byway acquisition/trails	200,000
Fort Abraham Lincoln CCC building rehabilitation	300,000
Total federal funds	\$800,000

The parks and recreation department may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated in this section, for the period beginning with the effective date of this Act and ending June 30, 2011.

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available.

SECTION 10. EMERGENCY. Section 9 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98019.0215 FN 1

A copy of the statement of purpose of amendment is attached.

395

STATEMENT OF PURPOSE OF AMENDMENT:**House Bill No. 1019 - Summary of Conference Committee Action**

	Executive Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Parks and Recreation Department						
Total all funds	\$25,292,068	\$23,711,076	\$1,842,483	\$25,553,559	\$26,092,068	(\$538,509)
Less estimated income	11,868,054	11,844,003	1,104,051	12,948,054	12,948,054	0
General fund	\$13,424,014	\$11,867,073	\$738,432	\$12,605,505	\$13,144,014	(\$538,509)
International Peace Garden						
Total all funds	\$791,854	\$1,141,108	\$1,587,346	\$2,728,454	\$1,227,708	\$1,500,746
Less estimated income	0	0	0	0	0	0
General fund	\$791,854	\$1,141,108	\$1,587,346	\$2,728,454	\$1,227,708	\$1,500,746
Bill total						
Total all funds	\$26,083,922	\$24,852,184	\$3,429,829	\$28,282,013	\$27,319,776	\$962,237
Less estimated income	11,868,054	11,844,003	1,104,051	12,948,054	12,948,054	0
General fund	\$14,215,868	\$13,008,181	\$2,325,778	\$15,333,959	\$14,371,722	\$962,237

House Bill No. 1019 - Parks and Recreation Department - Conference Committee Action

	Executive Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Administration	\$2,241,921	\$2,182,685		\$2,182,685	\$2,241,921	(\$59,236)
Natural resources	14,101,638	12,912,192	762,483	13,674,675	14,121,638	(446,963)
Recreation	8,113,109	7,780,799	280,000	8,060,799	8,093,109	(32,310)
Deferred maintenance	835,400	835,400		835,400	835,400	
Federal fiscal stimulus funds			800,000	800,000	800,000	
Total all funds	\$25,292,068	\$23,711,076	\$1,842,483	\$25,553,559	\$26,092,068	(\$538,509)
Less estimated income	11,868,054	11,844,003	1,104,051	12,948,054	12,948,054	0
General fund	\$13,424,014	\$11,867,073	\$738,432	\$12,605,505	\$13,144,014	(\$538,509)
FTE	53.00	50.50	2.50	53.00	53.00	0.00

Department No. 750 - Parks and Recreation Department - Detail of Conference Committee Changes

	Restores Funding Relating to Anticipated Salary Savings ¹	Restores Maintenance Positions ²	Restores Funding for Capital Projects ³	Increases Special Fund Authority ⁴	Appropriates Federal Fiscal Stimulus Funding ⁵	Total Conference Committee Changes
Administration						
Natural resources	161,542	251,687	349,254			762,483
Recreation				280,000		280,000
Deferred maintenance						
Federal fiscal stimulus funds					800,000	800,000
Total all funds	\$161,542	\$251,687	\$349,254	\$280,000	\$800,000	\$1,842,483
Less estimated income	24,051	0	0	280,000	800,000	1,104,051
General fund	\$137,491	\$251,687	\$349,254	\$0	\$0	\$738,432
FTE	0.00	2.50	0.00	0.00	0.00	2.50

¹ This amendment restores funding for salaries and wages removed by the House to recognize anticipated savings from vacant FTE positions and employee turnover.

² This amendment restores 2.5 FTE maintenance positions included in the executive recommendation but removed by the House.

³ This amendment restores funding for capital projects included in the executive recommendation but removed by the House.

⁴ This amendment increases the department's special fund authority to reflect additional anticipated revenue from provisions of Senate Bill Nos. 2367 (\$20,000) and 2378 (\$260,000).

⁵ A section is added appropriating federal fiscal stimulus funds from the American Recovery and Reinvestment Act of 2009 available from transportation enhancement grants through the Department of Transportation for the Turtle River State Park pedestrian bridge (\$300,000), Turtle Mountain Scenic Byway acquisitions and trails (\$200,000), and Fort Abraham Lincoln CCC Building rehabilitation (\$300,000).

This amendment adds a section to amend North Dakota Century Code Section 55-08-05(5) to clarify the director's ability to enter into long-term concession agreements and adds a section of legislative intent encouraging the Fort Abraham Lincoln Foundation to seek grants through federal fiscal stimulus funding.

House Bill No. 1019 - International Peace Garden - Conference Committee Action

	Executive Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
International Peace Garden	\$791,854	\$1,141,108	\$1,587,346	\$2,728,454	\$1,227,708	\$1,500,746
Total all funds	\$791,854	\$1,141,108	\$1,587,346	\$2,728,454	\$1,227,708	\$1,500,746
Less estimated income	0	0	0	0	0	0
General fund	\$791,854	\$1,141,108	\$1,587,346	\$2,728,454	\$1,227,708	\$1,500,746
FTE	0.00	0.00	0.00	0.00	0.00	0.00

Department No. 751 - International Peace Garden - Detail of Conference Committee Changes

	International Music Camp ¹	Conservatory Loan Payoff ²	Total Conference Committee Changes
International Peace Garden	\$86,600	\$1,500,746	\$1,587,346
Total all funds	\$86,600	\$1,500,746	\$1,587,346
Less estimated income	0	0	0
General fund	\$86,600	\$1,500,746	\$1,587,346
FTE	0.00	0.00	0.00

¹ This amendment provides funding for landscaping, walking path resurfacing, and road construction and resurfacing at the International Music Camp, the same as the Senate version.

² This amendment provides additional funding of \$1.5 million for a total of \$1.85 million to repay the balance of the loan for the new interpretive center and conservatory.

REPORT OF CONFERENCE COMMITTEE (ACCEDE/RECEDE)

Bill Number HB 1019 (, as (re)engrossed):

Date: April 25, 2009

Your Conference Committee House Appropriations: Educ. and Emir. #3

For the Senate:

Attended

YES / NO

For the House:

Attended

YES / NO

<input checked="" type="checkbox"/> Sen. Krebsbach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Rep. Martinson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Sen. Bowman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Rep. Klein	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Sen. Seymour	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Rep. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SI/HJ) page(s) 1382 - 1384

____, and place _____ on the Seventh order.

☒ , adopt (further) amendments as follows, and place 1019 on the Seventh order:

____, having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

DATE: _____

CARRIER: Rep. Klein

LC NO.	of amendment
LC NO.	of engrossment
Emergency clause added or deleted	
Statement of purpose of amendment	

MOTION MADE BY: Sen. Krebsbach

SECONDED BY: Rep. Klein

VOTE COUNT 6 YES 0 NO 0 ABSENT

REPORT OF CONFERENCE COMMITTEE

HB 1019, as engrossed: Your conference committee (Sens. Krebsbach, Bowman, Seymour and Reps. Martinson, Klein, Williams) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1382-1384, adopt amendments as follows, and place HB 1019 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1382-1384 of the House Journal and pages 1264 and 1265 of the Senate Journal and that Engrossed House Bill No. 1019 be amended as follows:

Page 1, line 2, remove the second "and"

Page 1, line 3, after "reenact" insert "subsection 5 of section 55-08-05 and"

Page 1, line 4, after "grants" insert "and concession agreements; to provide legislative intent; and to declare an emergency"

Page 1, line 17, replace "2,013,331" with "2,775,814" and replace "12,912,192" with "13,674,675"

Page 1, line 18, replace "(855,725)" with "(575,725)" and replace "7,780,799" with "8,060,799"

Page 1, line 20, replace "2,226,522" with "3,269,005" and replace "23,711,076" with "24,753,559"

Page 1, line 21, replace "(1,504,114)" with "(1,200,063)" and replace "11,844,003" with "12,148,054"

Page 1, line 22, replace "3,730,636" with "4,469,068" and replace "11,867,073" with "12,605,505"

Page 1, line 23, replace "0" with "2.50" and replace "50.50" with "53.00"

Page 2, line 4, replace "404,254" with "1,991,600" and replace "1,141,108" with "2,728,454"

Page 2, line 7, replace "4,254" with "1,591,600" and replace "1,141,108" with "2,728,454"

Page 2, line 9, replace "204,254" with "1,791,600" and replace "1,141,108" with "2,728,454"

Page 2, line 14, replace "3,934,890" with "6,260,668" and replace "13,008,181" with "15,333,959"

Page 2, line 15, replace "(1,704,114)" with "(600,063)" and replace "11,844,003" with "12,948,054"

Page 2, line 16, replace "2,230,776" with "5,660,605" and replace "24,852,184" with "28,282,013"

Page 2, line 22, replace "2,010,514" with "2,359,768"

Page 2, line 25, replace "0" with "86,600"

Page 2, after line 26, insert:

"International Peace Garden loan repayment	0	1,850,000"
--	---	------------

Page 2, line 29, replace "2,485,514" with "4,771,368"

Page 3, after line 18, insert:

"SECTION 6. AMENDMENT. Subsection 5 of section 55-08-05 of the North Dakota Century Code is amended and reenacted as follows:

5. Provide facilities for the sale to the public of food, nonintoxicating beverages, except beer and wine sales as provided in subsections 6 and 7, and other merchandise and personal services of a suitable nature, and make buildings, structures, and other recreational facilities available for use and occupancy by the public, or contract for the lease of the buildings, structures, and facilities to a concessionaire to be operated on the terms and compensation basis as the director determines to be in the best interest of the state. The duration of a concession agreement may not exceed twenty years. A bond must be required of each concessionaire in the amount the director determines, conditioned upon the faithful performance of all duties under the lease and proper accounting for all funds."

Page 4, after line 11, insert:

"SECTION 8. LEGISLATIVE INTENT - FEDERAL FISCAL STIMULUS FUNDS. It is the intent of the sixty-first legislative assembly that the Fort Abraham Lincoln foundation be encouraged to seek federal fiscal stimulus funds for architectural and archeological services at Fort Abraham Lincoln.

SECTION 9. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING APPROVAL. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, to the parks and recreation department, for the period beginning with the effective date of this Act and ending June 30, 2011, as follows:

Turtle River state park pedestrian bridge	\$300,000
Turtle Mountain scenic byway acquisition/trails	200,000
Fort Abraham Lincoln CCC building rehabilitation	<u>300,000</u>
Total federal funds	\$800,000

The parks and recreation department may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated in this section, for the period beginning with the effective date of this Act and ending June 30, 2011.

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available.

SECTION 10. EMERGENCY. Section 9 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT - LC 98019.0215 FN 1

A copy of the statement of purpose of amendment is on file in the Legislative Council Office.

Engrossed HB 1019 was placed on the Seventh order of business on the calendar.

2009 TESTIMONY

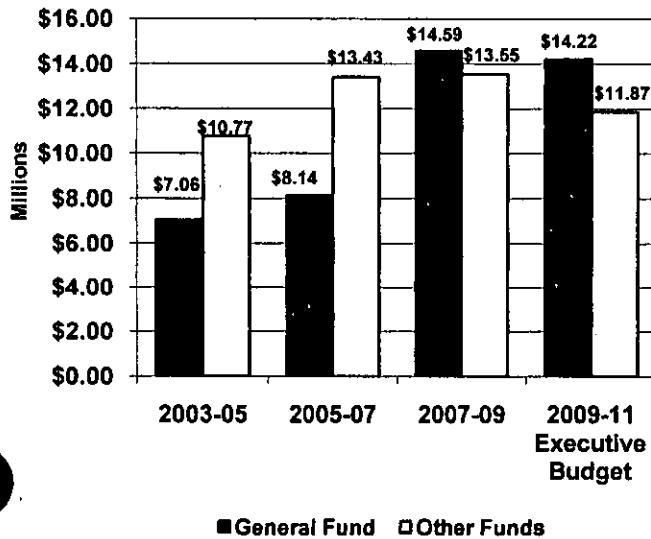
HB 1019

Department 750 - Parks and Recreation Department
House Bill No. 1019

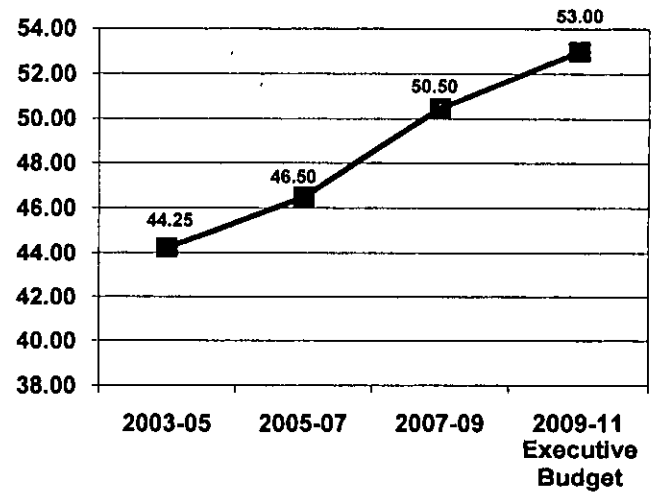
	FTE Positions	General Fund	Other Funds	Total
2009-11 Executive Budget	53.00	\$14,215,868	\$11,868,054	\$26,083,922
2007-09 Legislative Appropriations	50.50	14,588,555	13,551,247	28,139,802 ¹
Increase (Decrease)	2.50	(\$372,687)	(\$1,683,193)	(\$2,055,880)

¹The 2007-09 appropriation amounts include \$130,394, \$127,264 of which is from the general fund, for the agency's share of the \$10 million funding pool appropriated to the Office of Management and Budget for special market equity adjustments for classified employees. The 2007-09 appropriation amounts do not include \$226,900 of additional general fund authority and \$204,146 of additional special funds authority resulting from capital construction carryover.

Agency Funding



FTE Positions



Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2009-11 Executive Budget	\$11,101,100	\$3,114,768	\$14,215,868
2007-09 Legislative Appropriations	9,200,555	5,388,000	14,588,555
Increase (Decrease)	\$1,900,545	(\$2,273,232)	(\$372,687)

Executive Budget Highlights

	General Fund	Other Funds	Total
1. Provides funding to address salary equity issues (\$512,866) and the related second-year salary increase (\$25,643)	\$538,509		\$538,509
2. Removes funding provided to the department for the 2007-09 biennium, including one-time funding (\$5,388,000), capital assets (\$1,989,675), grants (\$400,000), and information technology contracts (\$160,000)	(\$6,341,416)	(\$1,596,259)	(\$7,937,675)
3. Adds 2.50 FTE park maintenance positions	\$251,687		\$251,687
4. Provides funding for salary increases for temporary employees of 50 cents per hour per year		\$132,000	\$132,000
5. Provides funding for information technology connections at state parks	\$30,000		\$30,000
6. Provides one-time funding for capital projects	\$2,359,768	\$250,000	\$2,609,768
7. Provides base funding of \$753,400 from the general fund and one-time funding of \$482,500 from the parks and recreation fund for extraordinary repairs	\$753,400	\$482,500	\$1,235,900

8. Provides base funding of \$650,000 and one-time funding of \$530,000 for equipment over \$5,000. Funding for the \$730,000 is from the parks and recreation fund.	\$450,000	\$730,000	\$1,180,000
9. Provides one-time funding for a community grant program for community outdoor recreation facilities on a matching basis	\$700,000		\$700,000
10. Provides one-time funding to the International Peace Garden for equipment	\$55,000		\$55,000

Other Sections in Bill

House Bill No. 1019 - Section 4 provides that \$222,000 from the game and fish operating fund, or federal or other funds available to the Game and Fish Department, 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 2009-11 biennium.

Continuing Appropriations

No continuing appropriations for this agency.

Major Related Legislation

At this time, no major legislation has been introduced affecting this agency.

Significant Audit Findings

The operational audit for the Parks and Recreation Department conducted by the State Auditor's office during the 2007-08 interim included the following significant finding:

- Controls for monitoring and reconciling state park permits, receipts, and revenue are not adequate.

HOUSE BILL - 1019
EDUCATION AND ENVIRONMENT DIVISION
HOUSE APPROPRIATIONS
SAKAKAWEA ROOM
9:30 AM, JANUARY 13, 2009

Mr. Chairman and members of Education and Environment Division of House Appropriations, I am Doug Prchal, Director of North Dakota Parks and Recreation Department. I appear at your request to provide testimony and answer questions regarding the executive budget presented in HB 1019. Additionally, as you are aware, the International Peace Garden appropriation is a line item within the department budget. Mr. Doug Hevenor and others are present to address specifics on that appropriation following my remarks.

The premise of the budget recommendation before you supports basic visitor service and stewardship of the state park system. Visitor service and stewardship of facilities and resources are two mandates of the state park system. Additionally the department is responsible for motorized and non-motorized trails, recreation facility grants to political subdivisions, scenic byway program and administrative support to all agency programs.

Priorities for base level and optional adjustment recommendations are based on Strategic Plan objectives:

- Safe, family focused experiences – Improving quality of life
- Continuation of Quality Customer Service - Outreach
- Trained, equipped and compensated staff
- Delivery of diverse programs and events – Heritage-Cultural focus
- Maintaining integrity of capital assets - address deficiencies and backlog
- Risk reduction – limiting liability
- Building Partnerships – engaging communities and citizens

We have provided a summary document titled “Year-end Review for future reference.

Visitors Profile notes 91% of ND’s have visited a state park at least one time or more. Of those visitors, roughly half (48%) are families with children.

Our visitor base historically averages 1 million visits. The 2008 season, however reports a slight decrease due to May fire bans, followed by a wet, cool spring and a summer of extreme fuel prices. ND use increased by 4 %, they stayed home. Canadian visits saw an increase of 2%. The year end visitation was down 2%, not something we like to see yet we view that number a success given the noted circumstances out of our control

Visitor satisfaction gathered from summer surveys showed a 1.4 rating (1=Excellent).

We encourage you to review the Year-End summary and other materials as you can. On to details of the budget request.

The current budget allocation (2007-2009) one-time expenditures included Capital, Extraordinary repairs, equipment and funding to create the on-line reservation and sales program. The capital items to include repairs and equipment are 75% expended with all balances obligated. The IT project to create the on-line program went live on April 1, 2008 with all funding allocated. That project was accomplished in-house through contract with ITD and agency staff support. Public use has surpassed expectation and we have received little complaint. All tasks were done within budget, ahead of time and with great public results. ITD deserves a large amount of credit. The project received the ITC award for innovation in 2008.

The International Peace Garden one-time funding is best suited to be addressed by those folks to provide the details of that component of the budget.

2009-2011 BUDGET RECOMMENDATIONS

During budget preparation, all programs were thoroughly reviewed with reallocation of dollars to program objectives based on changing priorities, adjusted service, inflation, and other service and rate increases. The current and projected budget allocations are noted on the enclosed pie charts. Both charts note the source of appropriated dollars and how the funds are divided with department programs. These charts provide a quick reference. Projections through the rest of the biennium intend for full expenditures of general appropriation except for capital carryover.

This budget request is focused on three priorities; staff equity, enhanced park operations funding and capital funding needs. A primary objective of enhanced park operations also involves dedicating collected park revenues to allow for addressing inflationary factors effecting park operations along with allowing focus on an enormous backlog of small maintenance and resource tasks at the parks level. A funding source adjustment was made removing salaries and equipment from a revenue funding obligation. Salaries and equipment are now general funded focusing revenues to park operations. To highlight inflation I draw your attention to the attached graphic titled Park System Utilities. This graph provides an overview of the past three biennia noting a 14% increase in rates. To further demonstrate these impacts; Graham's Island State Park received notice from the Rural Water Board, effective January 1, 2009, an increase in monthly base fee of \$30 to \$90 along with an 8% increase in monthly water use rates. Also REC rate projections, across the park system, have ranged from 4%-8% increases for 2009. These increases will bring the 14% inflation to a 20% average. Service, goods and construction costs are rising dramatically, as you know.

Staff salary inequity, compared to the state average, is reported in the colored bar graph. The state average compa ratio is .96 while our agency ration is .86, a significant disparity that we ask for your support to rectify. Currently 68% of agency salaries are at or below midpoint. Average tenure of the agency is 14 years vs. 18 years average 5 years ago. Roughly half of FTE staff (20 of 47) has 15 – 33 years of service with the balance below 10 and the majority of those at 5 years or below due to recent staff turn-over. In the past four years 20 staff has left with 8 of those departing within the past year. Turnover and change are acceptable in an organization, but this level impacts performance, service and

is an overall loss due to investment in training, experience and institutional memory. We ask for your full support to bring these deserving staff up to the state average.

2009-2011 ONE TIME EXPENDITURES

General fund support for replacement of aging and antiquated equipment is essential. Capital equipment expenditures are identified to be funded from revenues in the amount of \$750,000 allowing progress toward improving equipment inventory.

The On-line reservation and sales program requires improved connectivity at two parks that have limited access and continued problems. ITD supports this initiative to improve these connections requesting \$30,000 from general funds to complete that work.

Capital and repairs funding identifies continuing priority facility upgrades, road repairs, maintenance backlog and energy retrofits. Capital funding request is \$2.4 million from general fund and \$200,000 from Special Funds. Repairs funding request is for \$450,000 from special funds. Funding approval addresses accumulating backlogs both for repairs and renovation of existing facilities. Again, these projects are public based priorities that have been requested for years. New construction is not included on the requested list.

A community grant program appropriates \$700,000 to be matched \$1 for \$1 by local communities. Park District folks are here to add insight and more will be added by me.

STAFFING

Recruitment of seasonal staff has been very challenging with current appropriation level that limits pay scales near \$8/hour. Competing markets range from \$9-\$11 which severely limits recruitment and retaining quality staff. Seasonal work force is critical to agency delivery of service but current status affords younger, less skilled employees. A funding switch to remove permanent staff funding from revenues will allow allocation of supplemental revenue funds to aid in recruitment, retention along with addressing rising costs across the park system. This request would greatly aid our delivery of service. The appropriation must continue for the department to sustain quality services and visitor experiences. Joe Morrisette has data to support this change in funding.

The State Park System Plan, 2003, identified the need for a more stable work force to concentrate on improved maintenance and resource management of state assets (buildings and land). Reliance on temporary employees lacked the continuity and efficiency necessary for prudent care of assets. This budget request continues the effort toward the objective and accordingly recommended adding 2.5 FTE across the park system for the reasons stated above.

Expanding education and interpretive program delivery across the park system provides the support our returning customers are expecting and accordingly increases visitation and corresponding revenue generation goals.

Stewardship of park natural resources requires diligence and patience to effectively address noxious weed control, reduce risk through improved forest management within campgrounds and picnic areas across the park system along with addressing riparian and prairie management objectives. Funding for this program comes from revenues.

COMMUNITY GRANT PROGRAM

Incorporated into HB 1019 language, Section 6 is amended and reenacted language for existing statute 55-08-14.1 and a requested \$700,000 general fund appropriation for a leadership and facility grant program. The grant program would be a 1-1 matching grant by political subdivisions to maintain and enhance local park facilities. Additionally, up to 25% of the funding could be used to assist communities of 13,000 or less population with funding for professional park staff. The essence of this recommendation provides critical funding that once was received from federal sources but has dwindled over time. Reference the "Decline in Land and Water Conservation Fund" graph attached.

This 2009-2011 budget request will dramatically improve the integrity of the state park system, local park districts, the International Peace Garden and North Dakota's quality of life, overall. Approval of the submitted budget supports Tourism's focus and supports a return on investment for the state.

Current visitor data reports a state park family visit accounts for direct expenditures of \$88/visit. Using 2008 visitation numbers equates to \$36 million economic impact due to visitor travel. These numbers deduct local visits within a 50 mile radius of each park. An equivalent sales tax generated by these expenditures equates to \$4.3 million returned to state accounts. Recognize these number as direct expenditures, they do not calculate the economics of motor-home, camper, boat, atv, snowmobile or other recreation equipment.

The ND Parks and Recreation Department has a history of doing a lot with limited resources. We have been resourceful with state resources and will continue to be. Meanwhile, impacts of limited funding are facing the infrastructure, staffing levels, resource base and facilities being asked for by visitors. As noted at the beginning of this summary, this request is forthright, documented and modest. Allowing movement forward on these initiatives will enhance the state park system, provide the tools for staff to continue and enhance the deliver of quality service, support the tourism economy, and excite our visitors.

We ask for your full support of the budget submittal included in HB 1019.

That concludes formal remarks; we offer our time to discuss these items in more detail and would be pleased to address any questions you may have.

Respectfully,

Doug Prchal,
Director

4.

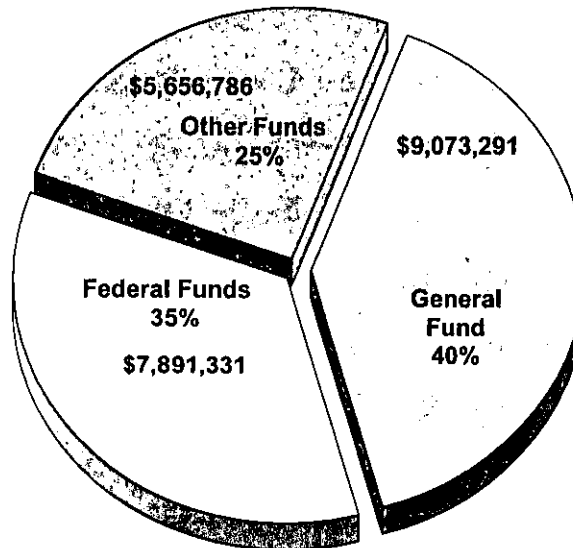
Generated through

Park Fees \$3,150,586
Snowmobile \$996,301
Gift Fund \$289,691
ATV \$204,459
Special roads \$283,999
Bond \$350,000
G&F \$381,750

Federal Grant Programs

LWCF \$2,884,708
Scenic \$194,547
RTP \$4,630,046
USFS/USFWS
132,030
Energy grant \$50,000

NDPRD 2007-2009 Funding Sources



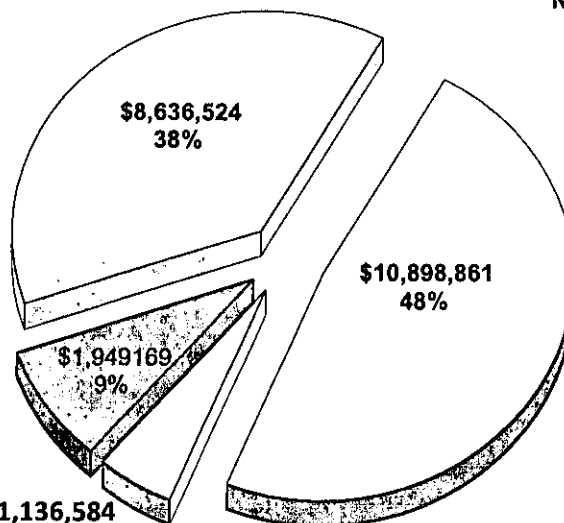
General Funds
Administration \$1,640,944
Recreation \$333,409
Natural Resources
\$5,962,084
Peace Garden \$1,136,854

NDPRD 2007-2009 Budget

Recreation
\$ 333,409 GF
\$7,326,801 FF
\$ 976,314 OF

Administration
\$1,640,944 GF
\$ 308,225 OF

\$1,136,584
Peace Garden
All GF 5%



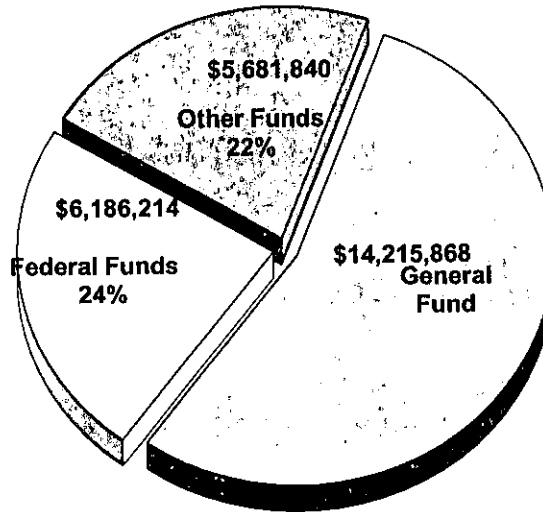
Natural Resources
\$5,962,084 GF
\$564,530 FF
\$4,372,247 OF

Generated through

Administration \$349,225
Recreation \$1,557,858
Natural Resources \$3,774,757

Federal Grant Programs
Recreation
\$5,559,061

NDPRD 2009-2011 Funding Sources

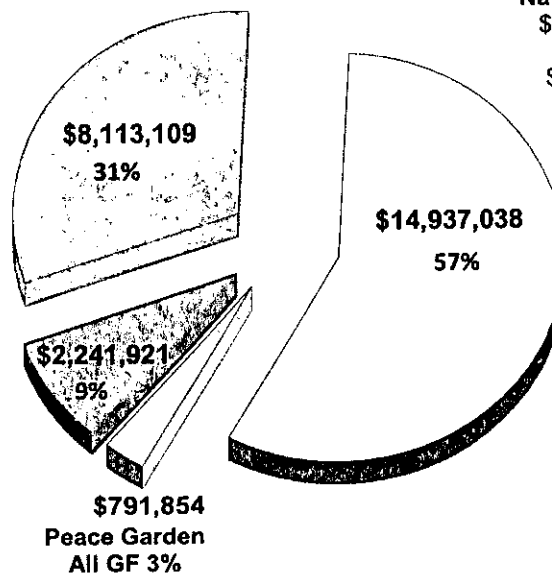


General Funds
Administration \$1,892,696
Recreation \$996,190
Natural Resources
\$14,937,038
Peace Garden \$791,854

NDPRD 2009-2011 Budget

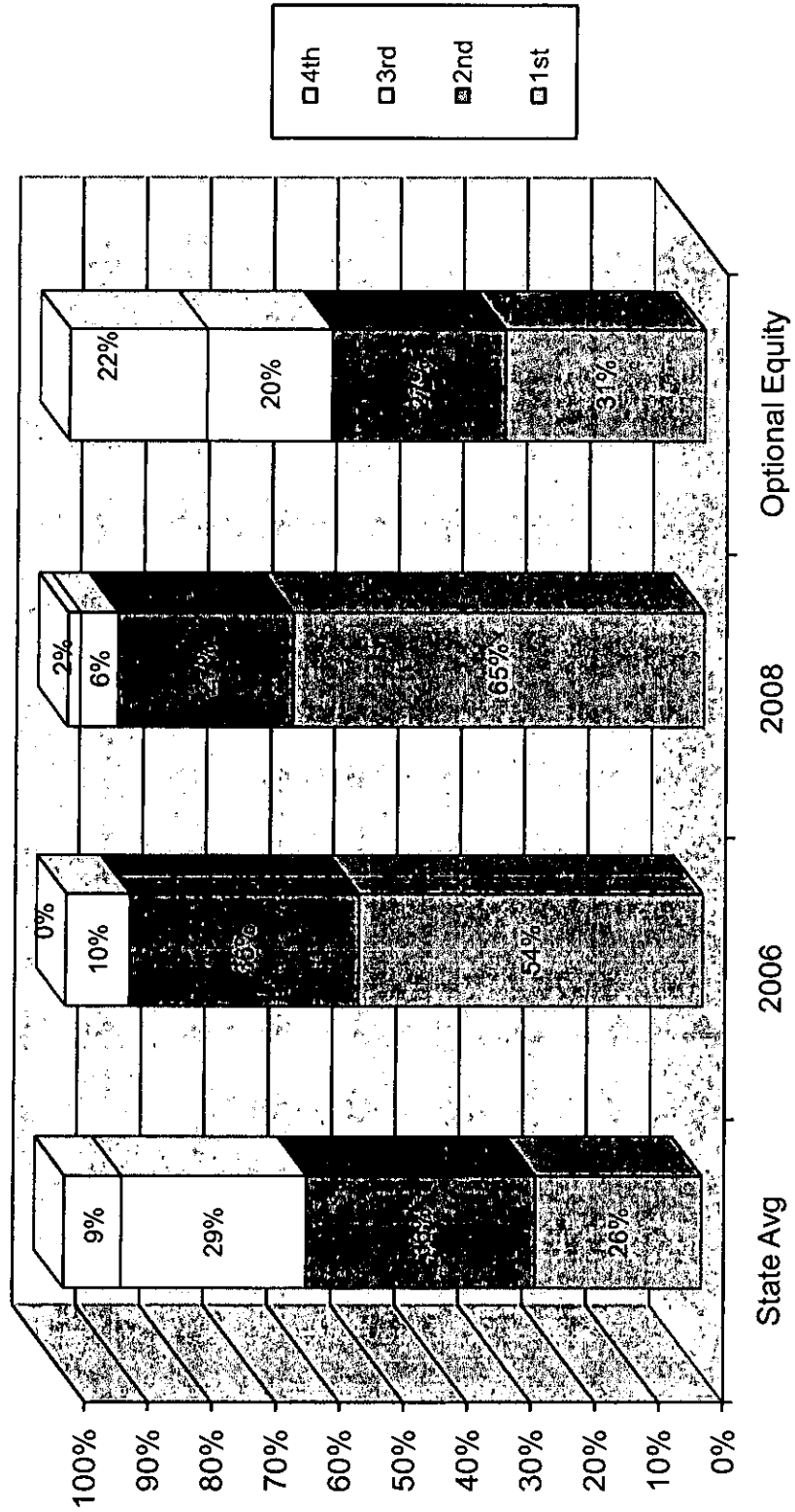
Recreation
\$ 996,160 GF
\$5,559,061 FF
\$ 1,557,858 OF

Administration
\$1,892,696 GF
\$ 349,225 OF

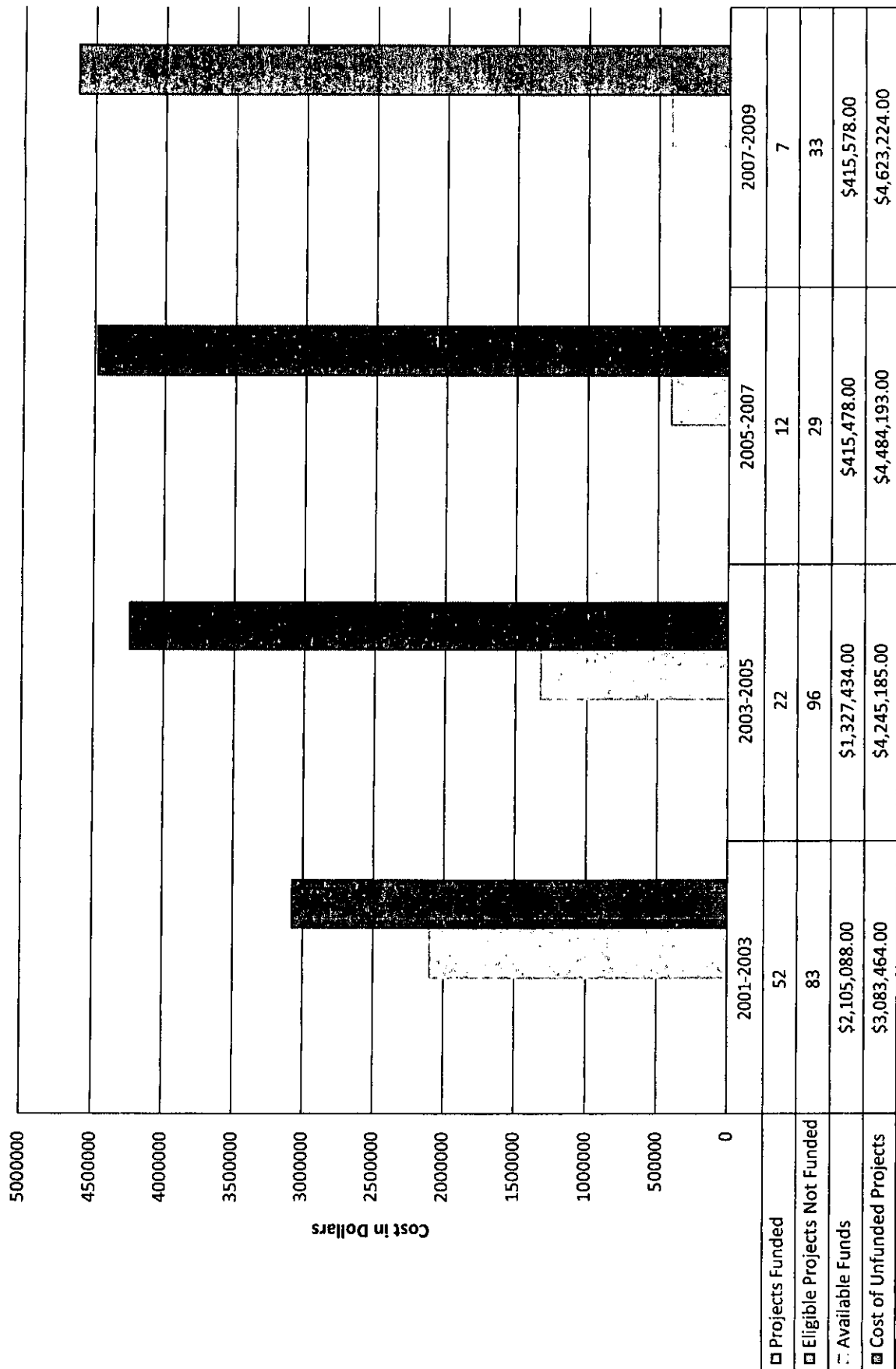


Natural Resources
\$10,535,128 GF
\$627,153 FF
\$3,774,757 OF

NDPRD Quartile distribution



Decline in Land & Water Conservation Fund



● ● 07-09 CAPITAL BUDGET

\$2.1 Million base

+\$ 100K – L+W Grant

+\$ 367K – SRF Grants

\$2.567 Million (approximately)

CURRENTLY 73% EXPENDED

BALANCE OBLIGATED

EXTRAORDINARY REPAIRS

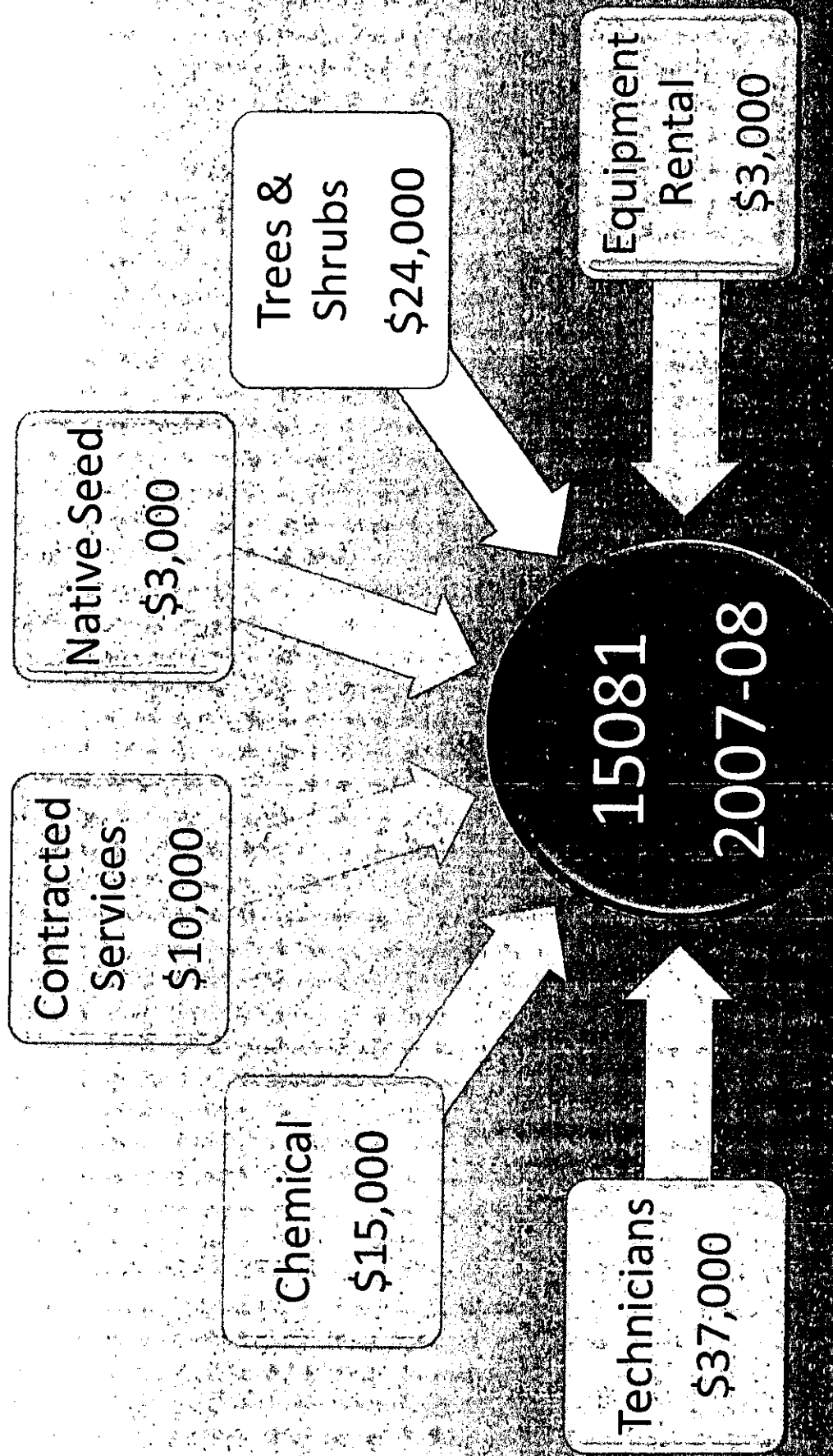
- \$950,000 APPROPRIATED

- \$142,800 RTP Trail grants

- Little Missouri, Sully Creek + Beaver Lake trails and support facilities.

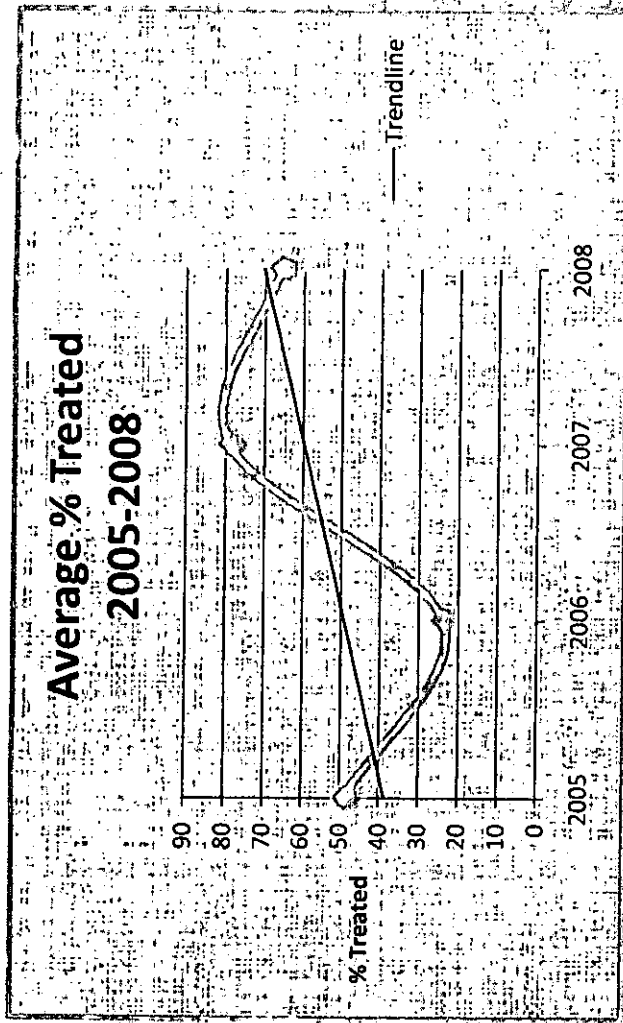
- 59 Projects across the system

- Currently – 70% of budget expended. Balance Obligated



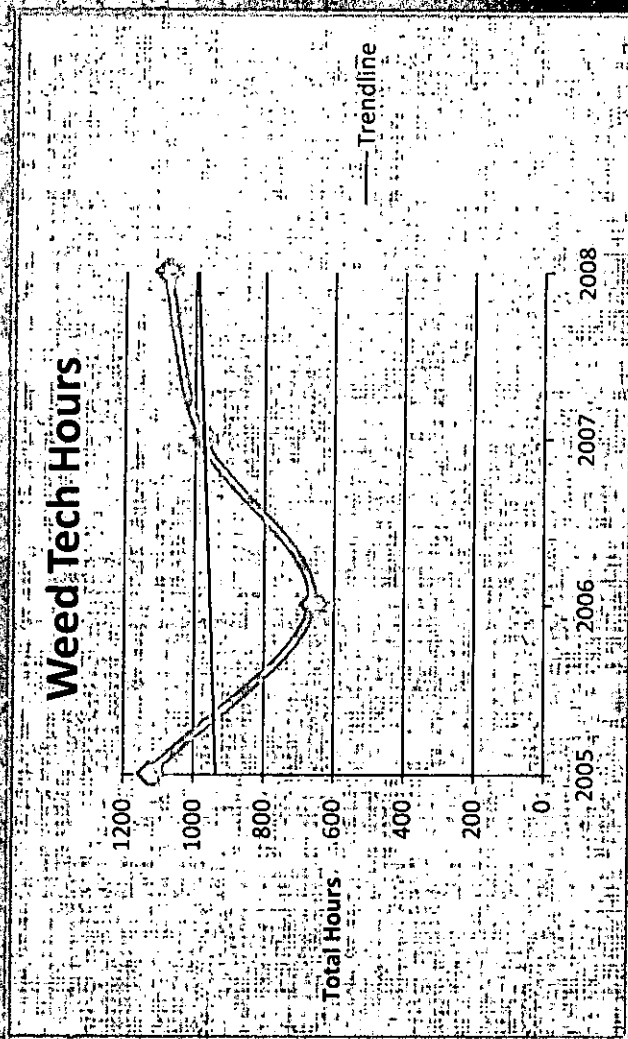
2008 Second most
productive year

• 66% of Weeds
were treated in 2008



• 943 Acres Treated

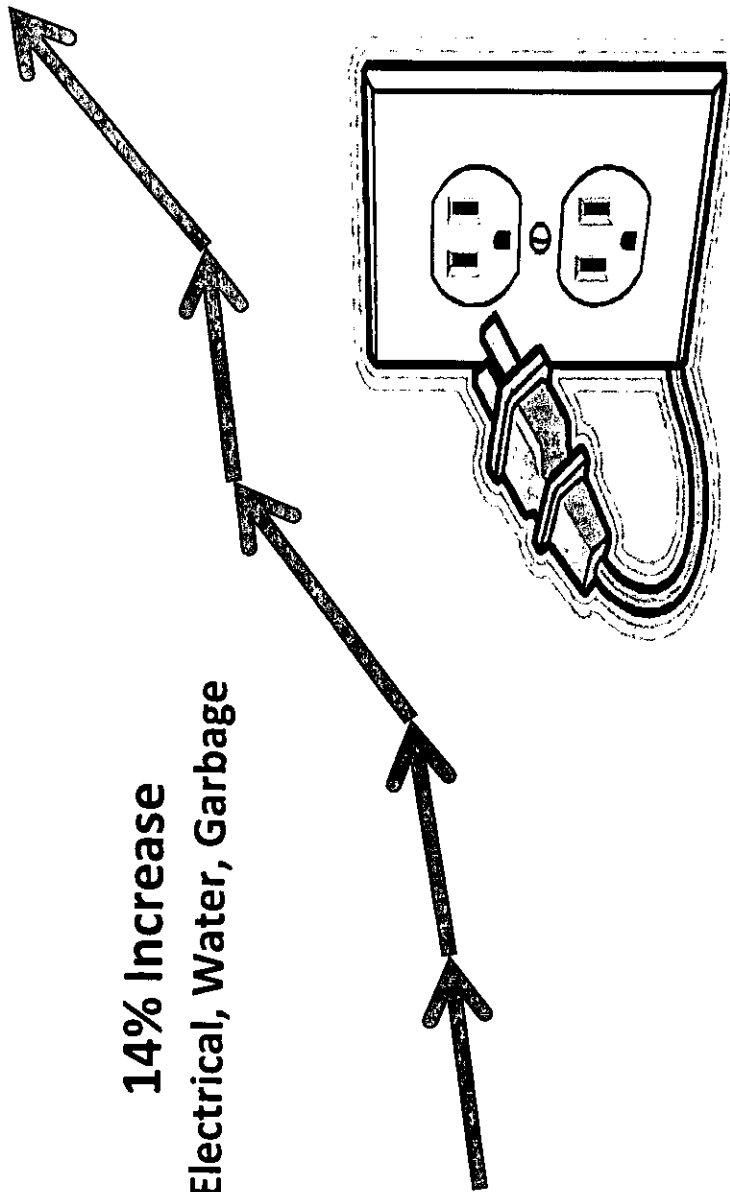
• 2 Full-Time
Seasonal Technicians
Hired



Park Utilities

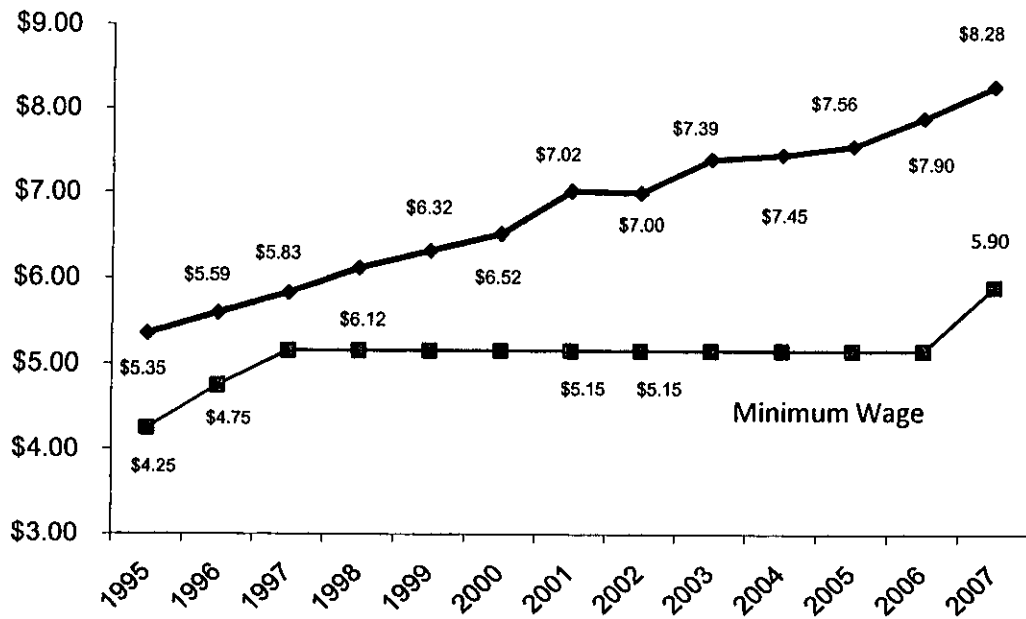
\$230,000
\$225,000
\$220,000
\$215,000
\$210,000
\$205,000
\$200,000
\$195,000
\$190,000
\$185,000
\$180,000
\$175,000

14% Increase
Electrical, Water, Garbage

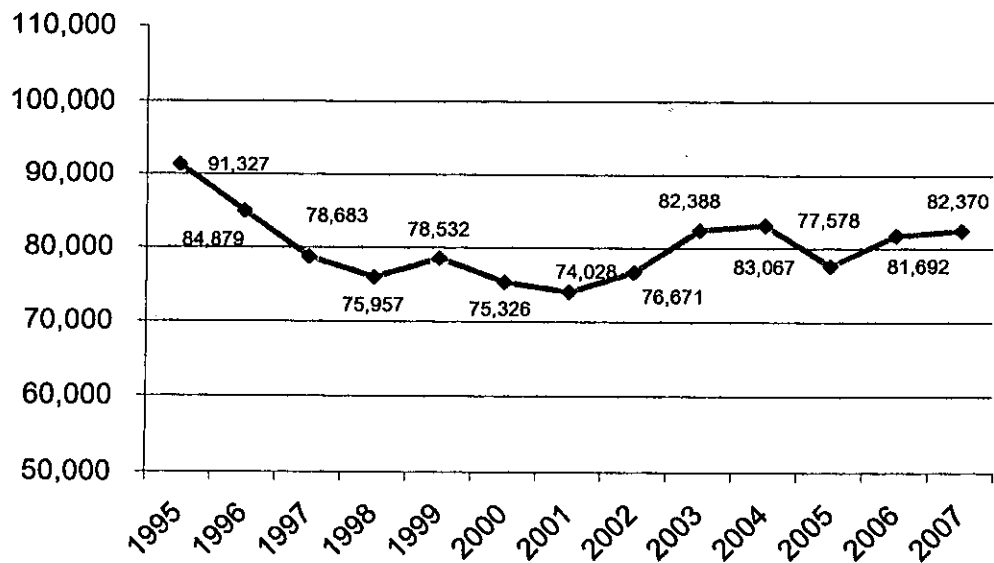


2002 2003 2004 2005 2006 2007

NDPRD Seasonal salary average per hour



NDPRD Seasonal Hours Worked



[illegible]

* Jan. - June 2009 projected

HOUSE BILL - 1019
SENATE APPROPRIATIONS
HARVEST ROOM
10:30 AM, MARCH 9, 2009

Mr. Chairman and members of Senate Appropriations, I am Doug Prchal, Director of North Dakota Parks and Recreation Department. I appear at your request to provide testimony and answer your questions regarding the amended executive budget presented in HB 1019. Additionally, as you are aware, the International Peace Garden appropriation is a line item within the department budget. Mr. Doug Hevenor and others are present to address specifics on that amended appropriation, following my remarks.

The premise of the executive recommendation lends support to basic visitor service and stewardship of the state park system. Visitor service and stewardship of facilities and resources are two mandates of the department. Additional roles of the department include motorized and non-motorized trails, recreation facility grants to political subdivisions, scenic byway program and administrative support to all agency programs.

Priorities for base level and optional adjustment recommendations are based on Strategic Plan objectives:

- Safe, family focused experiences – Improving quality of life
- Continuation of Quality Customer Service - Outreach
- Trained, equipped and compensated staff
- Delivery of diverse programs and events – Heritage-Cultural focus
- Maintaining integrity of capital assets - address deficiencies and backlog
- Risk reduction – limiting liability
- Building Partnerships – engaging communities and citizens

A summary document titled “Year-end Review” is provided for future reference.

Visitor Profile notes 91% of ND’s have visited a state park at least one time or more. Of those visitors, roughly half (48%) are families with children.

Our visitor base historically averages 1 million visits. The 2008 season, experienced a lower average due to May fire bans, followed by a wet, cool spring and a summer of extreme fuel prices. However, overall visitation increased by 4 %, residents stayed home. Canadian visits saw an increase of 2%. The 2008 year end visitation was pleasing given national averages to state parks down 2%-4%, a successful result given the noted external circumstances with weather that are out of our control

Visitor satisfaction gathered from summer surveys showed a 1.4 rating (1=Excellent).

We encourage you to review the Year-End summary and other materials as you can. On to details of the budget request.

The current budget allocation (2007-2009) one-time expenditures included Capital, Extraordinary repairs, equipment and funding to create the on-line reservation and sales program. The capital items to include repairs and equipment are 75% expended with all balances obligated. The IT project to create the on-line program went live on April 1, 2008 with all funding allocated. That project was accomplished in-house through contract with ITD and agency staff support. Public use has surpassed expectation with few complaints. All tasks were done within budget, ahead of time and with exception public satisfaction. A thank you goes to ITD for efficiency and dedication. The project received the ITC award for innovation in 2008.

The International Peace Garden one-time funding will be addressed by Doug providing the details of that component of the budget. Music Camp funding fully spent in 2008.

2009-2011 EXECUTIVE BUDGET RECOMMENDATION

During budget preparation, all programs were thoroughly reviewed with reallocation of dollars to program objectives based on changing priorities, adjusted service, inflation, and other service and rate increases. The current and projected budget allocations are noted on the enclosed pie charts. Both charts note the source of appropriated dollars and how the funds are divided with department programs. These charts provide a quick reference. Projections through the rest of the biennium intend for full expenditures of general appropriation except for capital carryover.

This budget request is focused on three priorities; staff equity, enhanced park operations funding and capital funding needs. A primary objective of enhanced park operations also involves dedicating collected park revenues to allow for addressing inflationary factors effecting park operations along with allowing focus on an enormous backlog of small maintenance and resource tasks at the parks level. A funding source adjustment was made removing salaries and equipment from a revenue funding obligation. Salaries and equipment are now general funded focusing revenues to park operations. To highlight inflation I draw your attention to the attached graphic titled Park System Utilities. This graph provides an overview of the past three biennia noting a 14% increase in rates. To further demonstrate these impacts; Graham's Island State Park received notice from the Rural Water Board, effective January 1, 2009, an increase in monthly base fee of \$30 to \$90 along with an 8% increase in monthly water use rates. Also REC rate projections, across the park system, have ranged from 4%-8% increases for 2009. These increases will bring the 14% inflation to a 20% average. Service, goods and construction costs are rising dramatically, as you know.

Staff salary inequity, compared to the state average, is reported in the colored bar graph. The state average compa ratio is .96 while our agency ration is .86, a significant disparity that we ask for your support to rectify. Currently 68% of agency salaries are at or below midpoint. Average tenure of the agency is 14 years vs. 18 years average 5 years ago. Roughly half of FTE staff (20 of 47) has 15 – 33 years of service with the balance below 10 and the majority of those at 5 years or below due to recent staff turn-over. In the past four years 20 staff has left with 8 of those departing within the past year. Turnover and change are acceptable in an organization, but this level impacts performance, service and is an overall loss due to investment in training, experience and institutional memory. We ask for your full support to bring these deserving staff up to the state average.

2009-2011 ONE TIME EXPENDITURES

General fund support for replacement of aging and antiquated equipment is essential. Capital equipment expenditures are identified to be funded from revenues in the amount of \$750,000 allowing progress toward improving equipment inventory.

The On-line reservation and sales program requires improved connectivity at two parks that have limited access and continued problems. ITD supports this initiative to improve these connections requesting \$30,000 from general funds to complete that work.

Capital and repairs funding identifies continuing priority facility upgrades, road repairs, maintenance backlog and energy retrofits. Capital funding request is \$2.4 million from general fund and \$200,000 from Special Funds. Repairs funding request is for \$450,000 from special funds. Funding approval addresses accumulating backlogs both for repairs and renovation of existing facilities. Again, these projects are public based priorities that have been requested for years. New construction is not included on the requested list.

A community grant program appropriates \$700,000 to be matched \$1 for \$1 by local communities. Park District folks are here to add insight and more will be added by me.

STAFFING

Recruitment of seasonal staff has been very challenging with current appropriation level that limits pay scales near \$8/hour. Competing markets range from \$9-\$11 which severely limits recruitment and retaining quality staff. Seasonal work force is critical to agency delivery of service but current status affords younger, less skilled employees. A funding switch to remove permanent staff funding from revenues will allow allocation of supplemental revenue funds to aid in recruitment, retention along with addressing rising costs across the park system. This request would greatly aid our delivery of service. The appropriation must continue for the department to sustain quality services and visitor experiences. Joe Morrisette has data to support this change in funding.

The State Park System Plan, 2003, identified the need for a more stable work force to concentrate on improved maintenance and resource management of state assets (buildings and land). Reliance on temporary employees lacked the continuity and efficiency necessary for prudent care of assets. This budget request continues the effort toward the objective and accordingly recommended adding 2.5 FTE across the park system for the reasons stated above.

Expanding education and interpretive program delivery across the park system provides the support our returning customers are expecting and accordingly increases visitation and corresponding revenue generation goals.

Stewardship of park natural resources requires diligence and patience to effectively address noxious weed control, reduce risk through improved forest management within campgrounds and picnic areas across the park system along with addressing riparian and prairie management objectives. Funding for this program comes from revenues.

COMMUNITY GRANT PROGRAM

Incorporated into HB 1019 language, Section 6 is amended and reenacted language for existing statute 55-08-14.1 and a requested \$700,000 general fund appropriation for a leadership and facility grant program. The grant program would be a 1-1 matching grant by political subdivisions to maintain and enhance local park facilities. Additionally, up to 25% of the funding could be used to assist communities of 13,000 or less population with funding for professional park staff. The essence of this recommendation provides critical funding that once was received from federal sources but has dwindled over time. Local park district folks are here to speak to and document the need for local grants given the decline in Land and Water Conservation Fund appropriation from federal sources.

This 2009-2011 budget request will dramatically improve the integrity of the state park system, local park districts, the International Peace Garden and North Dakota's quality of life, overall. Approval of the submitted budget supports Tourism's focus and supports a return on investment for the state.

Current visitor data reports a state park family visit accounts for direct expenditures of \$88/visit. Using 2008 visitation numbers equates to \$36 million economic impact due to visitor travel. These numbers deduct local visits within a 50 mile radius of each park. An equivalent sales tax generated by these expenditures equates to \$4.3 million returned to state accounts. Recognize these number as direct expenditures, they do not calculate the economics of motor-home, camper, boat, atv, snowmobile or other recreation equipment sales. If you factor the economic impact of these latter referenced purchases, resulting from the presence of the State Park System, taxable sales income is greatly enhanced and would far exceed the General Fund appropriation to the department.

The ND Parks and Recreation Department has a history of doing a lot with limited resources. We have been resourceful with state resources and will continue to be. Meanwhile, impacts of limited funding are facing the infrastructure, staffing levels, resource base and facilities being asked for by visitors. As noted at the beginning of this summary, this request is forthright, documented and modest. Allowing movement forward on these initiatives will enhance the state park system, provide the tools for staff to continue and enhance the deliver of quality service, support the tourism economy, and excite our visitors.

We ask for your full support of the executive budget recommendation included in HB 1019, not the amended version received from House Appropriation actions.

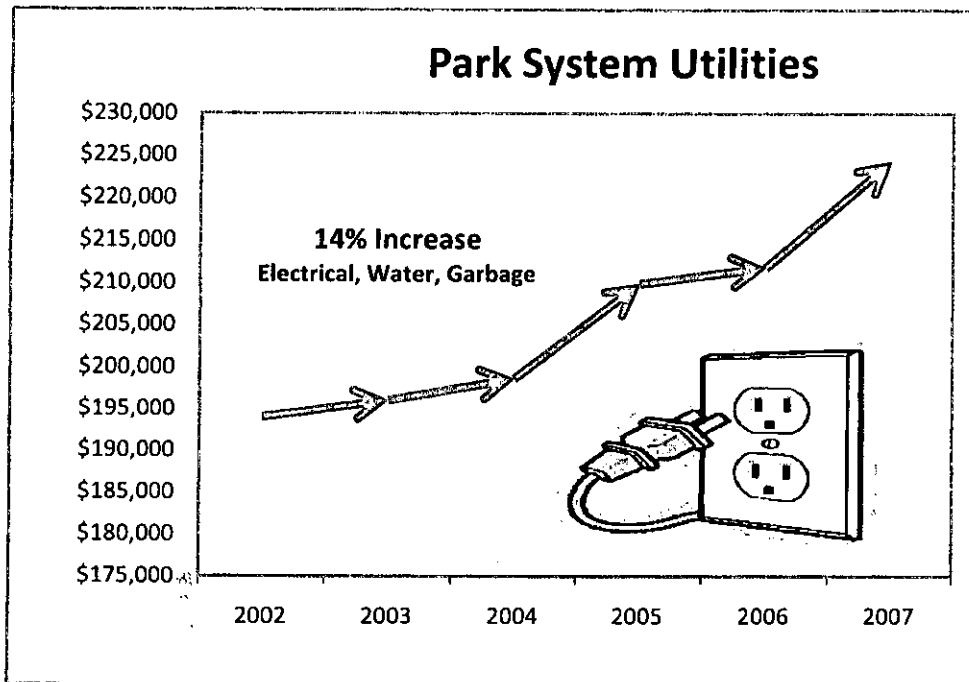
That concludes formal remarks; we offer our time to discuss these items in more detail and would be pleased to address any questions you may have.

Respectfully,

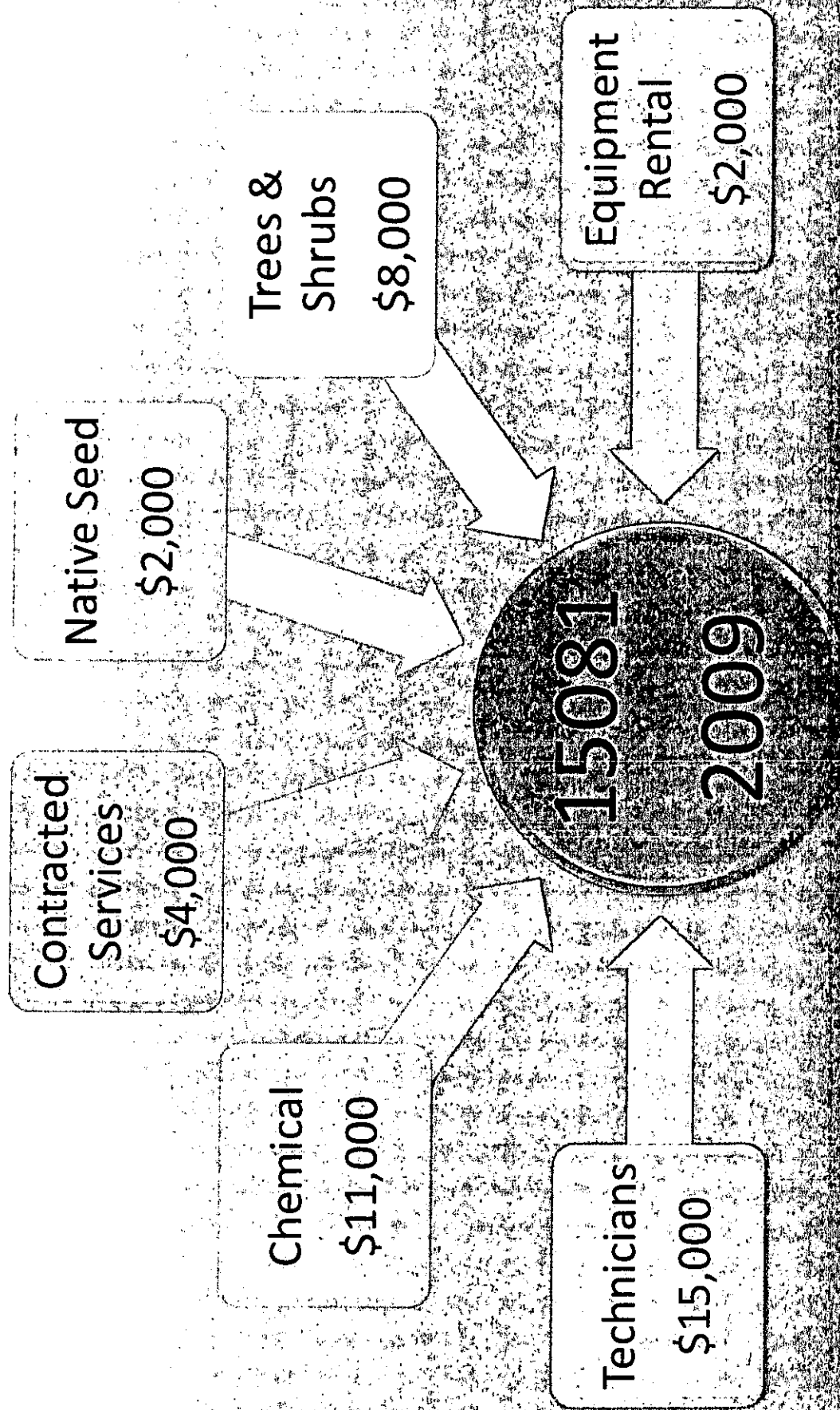
Doug Prchal,
Director

2002-2007 Park Utilities

2002	193,964.09	
2003	196,024.56	
2004	198,589.16	
2005	209,845.56	
2006	211,722.32	
2007	224,289.27	14%



*With exception
of these two pages
Some attachments
Refer to House and Senate*





Year in Review



2008

State Park Statistics

State Parks	11
Total acres	9,693
State Recreation Areas	7
Total acres	5,215
Natural Areas	7
Total acres	2,954
Historical Areas	5
Total acres	490
Trails	18
Total miles	3,678
Employees	
FTE	50.5
Seasonal (FTE)	30
Campsites	
Modern	944
Primitive	487
Cabins	37
Group facilities	2
Visitation (FY 07-08)	
Attendance	878,550
Overnight	180,975
Fiscal Impact	
Direct Sales	\$36,091,111
Indirect Sales	\$72,182,222
Increases Sales Tax Revenues	\$4,330,533
Volunteer Hours	26,486
Estimated Value	\$455,294

OMS implementation a great success

North Dakota Parks and Recreation implemented its award winning Online Management System (OMS) in 2008, allowing customers to make camping reservations online at the department website at <http://www.parkrec.nd.gov>; through a call center (NOVO1); and at the parks.

The OMS committee established business rules, implemented an awareness campaign, tested the system and trained staff in its use.

Statistically, 6,173 reservations (about 76 percent) were made in-state and 1,913 (24 percent) were out of state. About 56 percent (4,521) reservations were made online, 1,210 (15 percent) came through the parks, and 2,355 (29 percent) used call center services.

The Information Technology Council of North Dakota recognized the OMS with its Outstanding Achievement in Digital Government Award.

Implementing the system required extensive inter-agency coordination involving IT management, public information, administration, planning and natural resources and park staff. The state's Information Technology Department also played an important



role in development of the OMS.

The NOVO1 call center helped in reworking its role in conjunction with the online services. NOVO1 agents were reportedly "thrilled" with the new online program.

In the next year the department will establish OMS management policies, improve training for seasonal staff, and ensure basic OMS tasks are fully functional.

The department recognized the efforts of the OMS development committee with Merit Awards going to Barb Winking, Steve Crandall, Henry Duray and Karen Assel.

Pembina Gorge project taking shape

The Pembina Gorge Recreation Area is well on its way to becoming North Dakota's next must see attraction.

After months and months of hurdles and obstacles, the NDPRD acquired 160 acres of critical gorge land in 2008, providing a great start in creating a contiguous land base in the area. This tract links key tracts of NDPRD property. The department is pursuing 40 additional acres from the same land owner in January 2009. Collaboration continues with the ND Game and Fish Department to coordinate a land management trade which will further the land base effort in the gorge. Many land owner contacts have been made to establish a working relationship to open opportunities for the department to lease or purchase trail corridors.

The Pembina Gorge manager Mike Duerre is working with both past and present township supervisors and the county engineer to possibly acquire a township road that runs through the bottom of the Pembina Gorge. The acquisition of this road will pro-

vide a trail corridor and eliminate the need to purchase easements and leases within the main trail corridor of the gorge. Two other township roads have been discussed to be turned over to the NDPRD.

In 2008, Duerre participated in a project called "Beginning Again North Dakota," which basically created a strategic plan for Walhalla. One of the major finds in this project was the identification of the importance of the natural resources and the tourism potential for the area. This generated a lot of local support for tourism and the development of the trails in the gorge.

With this support from the community for ecotourism, a group from Walhalla is working to rehabilitate the hiking trails in the Tetrault Woods south of Walhalla, which Duerre will participate in an oversight capacity. This provides another opportunity for outdoor enthusiasts in the area. Also, the NRCS is working on a bike trail following the old ox cart path from Icelandic State Park to Walhalla, for which a map and brochure are being generated.

New Garrison Bay Marina set to open in 2009

A significant rise in the elevation of Lake Sakakawea slowed progress on a new \$10 million marina at Fort Stevenson State Park, pushing the opening of the six-acre facility from the fall of 2008 to the spring of 2009, according to park manager Dick Messerly.

"The lake came up almost ten feet," Messerly reports. "Originally, the cofferdam for the project was built to 1825 feet above msl, but with the lake peaking over 1826 msl the cofferdam had to be built higher, which meant substantially more time to finish project."

The project started in September of 2007 with authorization given to the U.S. COE by Senator Byron Dorgan, and completion of the marina set for September 2008. Most of the excavation should be completed by the end of 2008, according to Messerly, and final construction of the project sometime in the late spring of 2009. Nearly a million cubic yards of soil will be moved for the marina, which will be 32 feet deeper than the existing marina.

The new marina, built on the west side of the park, will replace the old marina on the park's east end. Low lake levels plagued the old marina which has been of little use to boaters with Lake Sakakawea experiencing historic lows the past several years. The new marina is being dug to a

level of 1790 msl, ensuring access during even the driest periods. The concrete ramp adjoining the marina is also built to a level of 1790 and provides lake access from the lake's highest possible level of 1855 to the lowest level.

"The new marina will provide 60 slips, the same number as the old marina. There will be plenty of parking along with a concessions building that will have a camping and fishing supplies store, a full restaurant, and bathroom facility," Messerly describes. "We'll still maintain the ramp at the old marina and we anticipate it will still be used for sailboat mooring."

The new marina is likely to have a significant impact on the park and the surrounding community, Messerly notes. The nearby community of Garrison is a strong supporter of the project as has been the entire county and its effects will be felt as far away as Bismarck and Minot. Since the old marina has gone dry, park visitation has seen a decrease of nearly 25,000 people, Messerly adds.

"We did some economic surveys and determined that when the old marina was not useable, Garrison had \$2 million less in sales tax revenue," Messerly says. "We're expecting an increase of 15 to 25 percent in sales tax revenues with completion of the new marina."



TRSP featured on annual pass

The 2009 state parks' annual vehicle entrance permit recognizes Turtle River State Park's 75th anniversary. The permit features two of the park's well known structures: the CCC (Civilian Conservation Corps) constructed Memorial Picnic Shelter, formerly the bath house, and fieldstone dam.

The permit is now available for purchase from the North Dakota Parks and Recreation Department. An annual permit is \$25; senior pass (state residents age 65 and older) \$20; ND Veterans with service-related disability qualify for a discount.

Established in 1934, Turtle River State Park was among a number of new parks built in North Dakota through President Franklin Delano Roosevelt's "New Deal" programs.

West of Grand Forks just off Highway 2, the 784-acre park draws visitors throughout the year.

The permit is available at any of the state parks, North Dakota Parks and Recreation Department Headquarters in Bismarck, online at www.parkrec.nd.gov or by emailing parkrec@nd.gov. The 2009 park permit expires May 1,

North Dakota's parks...

Fort Abraham Lincoln State Park

FALSP was again voted the "Best Campground" by readers of the Bismarck Tribune.

Daily visitation was down slightly but the campground had a record year, according to manager Dan Schelske.

In 2008 FALSP dedicated the new "Scouts Trail" along with rerouting and upgrading of the "Ridgeline Natural Trail."

Work continues on Cavalry Square and funds will need to be allocated to contract the enormous work for upkeep and repair.

Devils Lake State Park

Daily use and camping were down at DLSP, especially in the first half of the year which saw a late spring which featured wet, cool windy weather.

The Grahams Island State Park boat ramp was expanded from two to four lanes and the fish cleaning table and grider were replaced with larger units.

Shelvers Grove was officially vacated with relocation of the comfort station and garage to Grahams Island. The old administrative building, signs, play equipment and utility fixtures were removed while power and rural water were disconnected.

Fort Stevenson State Park

The new Garrison Bay Marina saw a lot of progress in 2008, but was slowed by the rise of Lake Sakakawea. It's expected to open in June of 2009.

The North Campground loop was paved completing the final phase in the expansion. Seven miles of the Lewis & Clark Legacy Trail were built, giving FSSP ten miles of interconnecting trails.

Camper and cabin nights were up this year, the highest count since 2001, though summer season visitation was down 3 percent.

Lake Sakakawea State Park

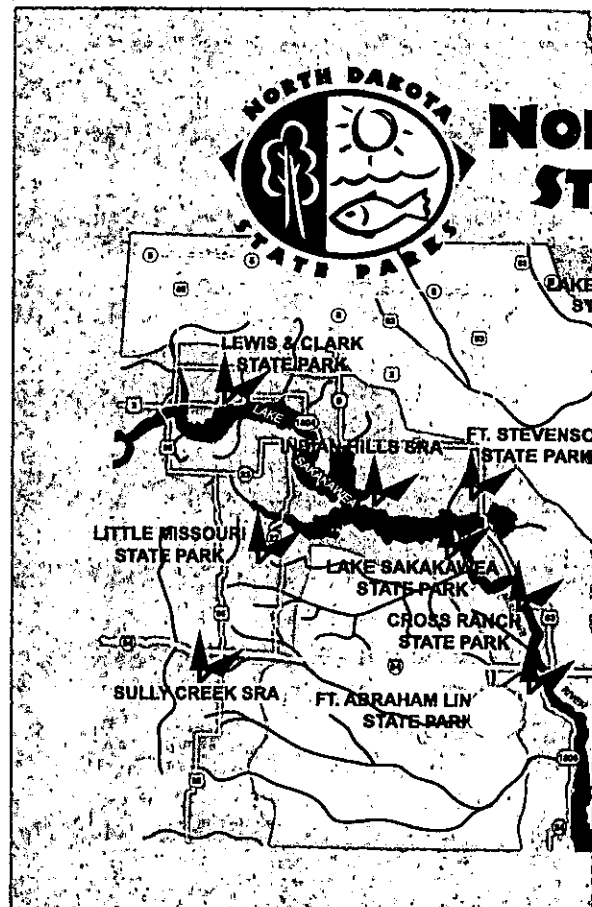
A number of major accomplishments and/or improvements were made in 2008.

The modern campgrounds utility renovation was completed; Elbowoods campground was upgraded; each campsite received a new water hydrant and electrical service; four modern single-pull-through camp

sites, two modern double-pull-through sites and two modern group sites were added.

All the park's paved roads were chip sealed and repaired. A new four-lane camper dump station was constructed which greatly relieved traffic congestion.

In 2009 plans are to expand markets to recruit qualified seasonal staff; define goals and planning efforts of third party lease agreements; continue campground tree replacement program; and secure funding to install a fishing pier.



Fort Ransom State Park

The North Dakota Historical Society recognized the Sodbusters Association with its "Excellence in Local History Award" as FRSP celebrated its 25th Annual Sodbusters Days in 2008.

While daily visitation was down 14 percent from 2007, the park saw a 12 percent increase in campers. The park purchased 60 acres of Pederson property just south of the park. The north Country Trail and Sheyenne Valley Snowmobile Trail were extended into the newly purchased property.

In the coming year plans are to hire a seasonal Administrative Assistant; finish conversion of several camp sites to Group Modern sites; open the north end

of the park to "Doe Only" deer hunting; and work with a trail building contractor to design and built four to six miles of single track, multiple use, non-motorized trail in the park.

Loss Ranch State Park

The park is growing in popularity in North Dakota with 80.5

percent of its campers being residents. Camping nights were up 9 percent and cabin nights up 20 percent.

The visitor center building expansion was complete which included geothermal heating and air conditioning.

Interpreter Chip Cartwright was recognized by the city of Mandan for

his representation of "York and the Black cowboys" and was also taped by PBS TV spots.

This year the Learning Center will be completed and plans are to replace/improve the Sanger boat ramp, along with installing an access ramp and dock at the parks canoe launching site.

Beaver Lake State Park

Nearly five miles of multipurpose trail were established giving visitors access to a portion of the park they didn't have access to in the past.

The new ADA compliant comfort station opened this year, receiving rave reviews by visitors and quickly became the main comfort station for the park. Installation of a new courtesy dock and fishing dock is a great addition to the park and are being used for fish-

ing, boat launching and sight seeing.

Staffing continues to be the number one issue. In 2009 there are plans on adding an extra ranger and maintenance position to the staff. There was also a lack of campground hosts this past year which added to the work load of the already over extended staff.

Icelandic State Park

The park saw a significant increase in Canadian camping as the looney rose to par with the U.S. dollar, nearly 52 percent of the camping permits were sold to Canadians. It was a record year for the number of camper nights sold, basically attributed to additional nights sold to Canadians.

The Pioneer Heritage Center expansion was completed by the end of 2008 with a ground breaking ceremony held. The parks Gunlogson Farmstead was placed on the National Registry of Historic Sites.

In 2009 further funds for the Pioneer Heritage Center expansion are needed. Work will continue with the NRCS and Pembina county Water Resource District on the Renwick Dam rehabilitation project.

Lake Metigoshe State Park

LMSP saw an increase of in-state camper numbers, but a reduction in out-of-state campers, though Canadian visitation did see a significant increase possibly due to the strength of the Canadian dollar.

The maintenance shop was again inhabitable, much to the staff's pleasure and the cold water comfort station near the beach was opened and proved popular with visitations. The Pringle Lodge was brought back online as workers dealt with rot and mold repairs. Six campsites were upgraded as was the swimming area.

Staffing did prove a problem in 2008. Among the projects planned for the upcoming year are updating of the trail system signage; replacement of campsite marker posts; a new park entrance sign; continued campsite renovation; continued shop restoration; and finding quality seasonal staff.

Turtle Lake State Park

Nearly a 100,000 visitors made their way to TLSP in 2008, within 1 percent of last year's visitation.

A new member was added to the staff and the park



Recreation division...

Cooperative project means more opportunities for OHV riders

North Dakota Parks and Recreation acquired 159 acres in the Pembina Gorge area and through the recreation division, is working to provide off-highway vehicle recreational use.

Through a cooperative effort with North Dakota Game and Fish, local community leaders, and adjacent landowners plans are being developed to create trails for outdoor enthusiasts.

The division was able to create about 21 miles in new trails in 2008. Though grant money availability continues to decline, the recreation division found ways to maximize those funds available through the Recreational Trail Program (RTP) and Land & Water Conservation Fund (LWCF).

The 2008-2012 State Comprehensive Outdoor Recreation Plan (SCORP) was completed and nominated for a national "Noteworthy Documents" award by the State Library.

The 2008 Snowmobile User & Volunteer Surveys were completed and used to develop the 2008-2012 Snowmobile Program Strategic Plan. Training for state agencies in the use of OHVs started and initially included ND Game & Fish, ND Department of Transportation and the North Dakota Forest Service.

Hands-on training of OHVs for youth is highly popular and the division is looking for ways to increase access as interest continues to grow. Online OHV and snowmobile training curriculum and certification has been implemented. The division remains on target to meeting its goal of increasing the number of youth OHV safety certifications by 25 percent by the end of biennium.

The recreation division assisted three new National Recreation Trails (Sullys Hill, Scout's Trail, Ft. Totten) in their designation. It also helped coordinate efforts in having the Old Red/Old Ten Trail designated a State Scenic Byway.

In 2009 the division will begin planning for the first-ever North Dakota Trail Summit scheduled for the spring of 2010. It will also work with the Pembina Gorge Planning team to complete land acquisitions and trades to develop a trail system.

Planning division...

Future use of solar and wind energy are being considered by planners

Increased requirements and opportunities for the NDPRD Planning Division in contemporary facility/infrastructure developments require much more work than in the past.

In 2008 nearly all major projects were affected by extremes in petroleum prices. Project upgrades and maintenance in the state parks were implemented where possible.

The planning division developed projects which reduce exterior maintenance on park buildings which includes residences, comfort stations, vault toilets, etc.

Energy conservation is also being taken into consideration which includes interior insulation improvements, addition of light reflective interior sheathing

and changes of light fixtures in selected park shops. Energy conservation work was completed at the Fort Ransom State Park Shop and a similar procedure is being carried out at the Lewis & Clark State Park Shop. Geothermal projects are being implemented at Cross Ranch State Park and Icelandic State Park along with other future development.

Prioritization of 2009-2011 projects will take place based on legislative approved budgets. The planning division will also prioritize projects and funding for park trail projects using Legacy and Recreation Trail Program grant sources.

The division will be involved in the selection of a Garrison Bay Marina concessionaire. It will continue to coordinate the completion of the Marina with the U.S. Army Corps of Engineers.

The use of solar and wind energy in the parks is being studied and will be pursued in an effort to reduce energy consumption by park facilities and infrastructure.

Natural Resources...

Implementation of conservation projects important part of NRP

In 2008, Natural Resource Program (NRP) continued to provide the best available information to guide conservation actions, promote sound stewardship practices and foster awareness of natural resources.

The NRP worked with park staff in the planning and implementation of conservation projects. Program staff conducted inventories and assessment to evaluate vegetation resources. NRP continued to develop databases and geographic information systems for state parks and statewide species of concern and significant ecological communities. NRP continued the promotion of knowledge, enjoyment and stewardship of North Dakota State Park's natural resources through a variety of education and outreach activities.

Development of plans for each park is in the writing and map creation phase. Beaver Lake State Park natural resource plans are nearing completion. Plans should be out for review prior to 2009 field season. NRP staff wrote and reviewed 39 burn plans.

Sufficient vegetation plot data has been collected at

Fort Abraham Lincoln, Lake Sakakawea, Fort Ransom and Butte St Paul to develop grassland management strategies. Beaver Lake State Park's Grassland Conservation and Management Alternatives report was completed in January 2008. This was the first grassland management strategy to be developed and will serve as a template for all other grassland strategic alternatives.

Over 18 percent of NRP staff time was dedicated to the development of natural resource and grassland management planning documents only one document was formally completed. (Beaver Lake). The research, writing and map creation process for these documents.

About 50 percent of NRP staff time was dedicated to conducting inventories, assessments, vegetation mapping and associated field data analysis, interpretation and reporting of findings. The NRP noxious weed control efforts cover inventory, monitoring, mapping of weeds, hiring and supervising two biological technicians, chemical recommendations, annual reporting compilations. Noxious weed monitoring was completed at 50 percent of the targeted sites. Noxious weed inventory and mapping continues on all 2008 targeted sites to complete inventory and mapping.

The NRP continues with the development and revisions of an education trunk series that have been used to enhance outdoor learning experiences at state parks.

Education...

Interpretive programs, learning centers, safety classes a part of NDPRD

The North Dakota Parks and Recreation Department offers a variety of educational opportunities in its parks and through outreach programs.

There were 558 interpretive programs offered by NDPRD from May through September of 2008 with just over 19,000 park visitors participating. Attendance at the Lake Metigoshe State Park Outdoor Learning Center was up 32 percent in 2008.

Interpretive activities included special events, guided tours, and amphitheater programs.

Three North Dakota Outdoor Learning Centers have been created, located at Cross Ranch, Lake Metigoshe

and Turtle River state parks. The centers are dedicated to promoting awareness, understanding and appreciation of the natural environment through hands-on outdoor education that nurtures a sense of place, celebrates diversity and fosters stewardship.

The Outdoor Learning Centers provide educational programs in a natural setting to study the outdoor environment. The three parks allow Outdoor Learning Center participants to experience a wide range of ecosystems with knowledgeable interpretive naturalists.

North Dakota youth ages 12 and older who do not possess a valid driver's license must attend a safety class and pass a written exam in order to legally operate a snowmobile or off-highway vehicle (OHV) on any land not owned or leased by the child's parent or guardian.

The NDPRD offers these safety classes across the state and throughout the year. In 2008, 543 students participated in 50 classes put on by the department.

Volunteers provide over 26,000 hours for North Dakota's state parks

The NDPRD Volunteers in the Parks program was again successful in 2008.

A total of 26,486 hours were provided by volunteers. This was down 9 percent from 2007 which recorded 29,151 total volunteer hours.

At the parks there were 16 host couples from North Dakota and 11 from out-of-state. The host couples provided 7,053 hours of volunteer work.

A total of 19,433 hours were provided by volunteers in areas other than park hosts. These volunteers -- individuals, groups and community service workers -- provided invaluable help in such areas as maintenance and arboretum.

The North Dakota Parks and Recreation Department depends on volunteer help and looks to fill all necessary positions in 2009.

North Dakota Parks *from page 5*

now has an Outdoor Learning Center Coordinator which has increased both the quality and quantity of interpretive programming available.

Significant progress was made on the new Visitor Center with paving, sidewalks, signing and landscaping added.

TRSP will celebrate its 75th year in 2009 and is the focus of the 2009 park permit. A trails master plan will be developed with establishment of trail-head kiosks and trail maps.

Little Missouri State Park

About 69 percent of the visitors to LMSP were North Dakota residents. Nearly 75 percent of the visitors were overnight campers.

Camping numbers were down with 300 fewer camping nights and over 600 fewer horses in the parks. This may be attributed to the remoteness of the park and high gas prices throughout most of the year.

The new ranger cabin/office was completed and visitors took advantage of the new trails that were completed in 2007.

In the upcoming year there are plans for expanding the trail system along with maintaining the existing trails. The information kiosk at the park's entrance should be completed.

Sully Creek State Park

With improvements to the campgrounds, the addition of corrals and a round pen, SCSP saw more campers and horseback riders in 2008.

The administrative cabin was completed along with landscaping around it and the shop yard.

The park is gaining in popularity, mainly due to word of mouth. Most visitors are from out of state and they are impressed with the western life SCSP allows them to get away from the big city.

Building and development is occurring in close proximity to this park and management is keeping a close watch on the developing situation.

NDPRD staffing changes in 2008

- **Tina Harding** hired as Turtle River Outdoor Learning Center Coordinator
- **Jeff Hoffer** resigned as interpreter at Cross Ranch State Park.
- **Donna Schouweiler**, Public Information Officer, retired April 2008
- **Robert Gosselin** hired as Icelandic State Park Maintenance Supervisor, started April 15
- **Justin Robinson** hired as Icelandic State Park manager, started April 14
- **Ray Halverson** hired as Fort Stevenson State Park Maintenance Supervisor, started March 10
- **Eli Schumann** hired as Lake Sakakawea State Park Maintenance Supervisor, started April 15
- **Henry Duray** and **Doug Staples** transferred to Devils Lake, April 1, from Icelandic State Park.
- **Dick Horner**, manager Graham's Island State Park, retired March 2008
- **Gordon Weixel** hired as Public Information Officer, began June 16
- **Steve Best** resigned as ranger at Turtle Lake State park..
- Recreation specialist **Jeremy Losinski** promoted to ranger, transferred to Turtle Lake State park, began October 6
- **Barb Winking** resigned as information technology manager.
- **Lara Anderson** hired as information technology manager, began September 4
- **Matt Gardner** hired as recreation specialist.
- **Al Larsen** resigned as manager at Lewis & Clark State Park.



DISCOVER



NORTH DAKOTA PARKS AND RECREATION NEWS

VOLUME 13 ISSUE 2

FALL/WINTER 2008

Don't let winter keep you from visiting state's parks

North Dakota state parks become veritable "wonderlands" during the winter as Mother

Nature redecorates with blankets of snow, sheets of ice and shimmering frost. The resplendent colors of spring, summer and fall are gone, but the winter scenery just as impressive, though, there aren't as many witnesses to the arctic beauty.

Visitation to the state's parks falls dramatically during the winter months as the often uncomfortable conditions keep visitors snug and warm at home. But there is plenty of activity to partake in at state parks and there is no better time to get a look at the wildlife which visitors only get a quick glimpse of when the foliage is full. Gone are the pesky gnats and mosquitoes along with any chance of wandering into a patch of poison ivy or poison oak.

Fort Ransom

State Park manager John Kwapinski is disappointed there aren't more visitors during the winter. His park, located in the midst of the Sheyenne River Valley, provides six miles of groomed trails

for cross country skiers. It's also a great place for snow shoeing and hiking. Nearby, is the Bears

Den Mountain Ski Area providing downhill skiing, snowboarding and sledding.

"We've got a variety of trails for beginners to the advanced cross country skier. There's one that follows along the river, some up in the hills, some in the woods and some in open areas," Kwapinski relates. "We do have a warming shelter near the visitor center parking lot and we do plow out a campsite or two in the primitive camping area for those who might want to camp. But it's not very often that we see anyone camp during the winter."

Turtle River State Park, near Grand Forks, can be quite busy during winter's "nice days," according to manager Steve

Crandall. There are six miles of cross country ski trails and a sledding hill to go with hiking and snowshoeing opportunities.



Many of the state parks provide trails for cross country skiers.



2009 park permits are available

The 2009 annual North Dakota state parks annual permit is now available for purchase, from the North Dakota Parks and Recreation Department. An annual permit is \$25; senior pass (state residents age 65 and older) \$20; ND Veterans with service-related disability qualify for a discount.

The annual vehicle entrance permit recognizes Turtle River State Park's 75th anniversary. The permit features two of the park's well known structures: the CCC (Civilian Conservation Corps) constructed Memorial Picnic Shelter, formerly the bath house, and fieldstone dam.

The permit is printed on a static cling material which adheres to the inside of a vehicle windshield for easy viewing. The material also allows for removal and may be used on any vehicle registered to the permit holder. The permit is valid at any park or recreation area managed by the ND Parks and Recreation Department.

Continued on page 3

Continued on page 9

News from the director

Enjoy autumn's colors, but be ready for winter

Reflect on the wonderful fall color that has surrounded the state this season. My recollection of a palette of color this late in the year almost goes beyond recall. The prevalence of September and October breezes typically remove the splendor of color rather quickly in our part of the country. An absence of hard frost allowed the leaves to retain their fragile grip giving us the pleasure of this extended season of color. Store the memory for recall during those occasional, gloomy winter days. This fall afforded park staff with those precious days and hours that typically do present the time necessary to prepare for the coming of winter. We count our blessings and also know our residents have benefited from this beautiful fall season to enjoy the outdoors. Get out and play and take the kids with you. Stay fit for the upcoming winter activities.

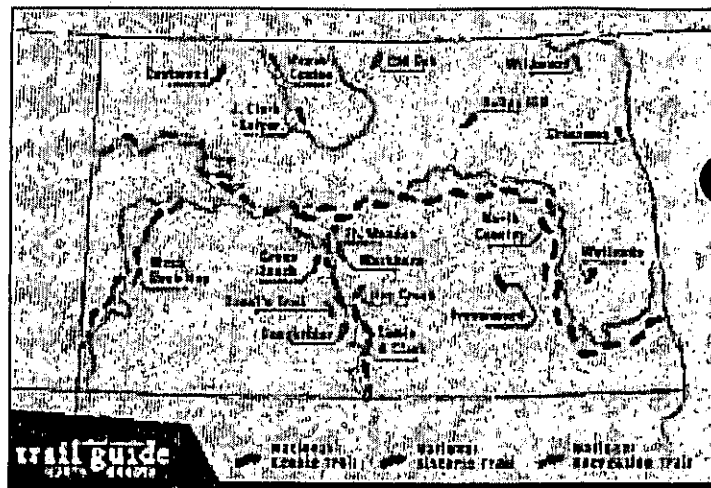
New faces, new and updated facilities, new programs and upcoming activities are reported in this issue for your awareness. Much has happened since the Spring/Summer issue and more is under way. There is the repeated question from someone, each year, "What do you guys do in the winter?" Our standard response has become, "Transition into the next season." Living in North Dakota has the values and the benefits that those living outside our regional borders don't readily understand. I say that because our adjoining neighboring states and provinces are not asking the question, rather those who live beyond our neighboring state borders. We are an acclimated and also a resilient and hardy bunch. Winter recreation is just as important as summer, spring or fall but we may not be outside for as long a period. We do get out and play in the winter and that is what is in front of our staff; preparing for those hardy souls who enjoy engaging in winter sports and adventure.

Another important, seasonal event is the upcoming Legislative Session. Our budgets are prepared and presented to OMB (Office of Management & Budget) for final review and recommendation. The many suggestions you have presented for improvements and expansion of facilities are included in that submittal. Part of that budget request asks for general fund tax dollars to supplement equipment, repairs and operations, inflationary costs as a means to keep park fees at the reasonable rates we have been. A significant part of our budget focuses on maintaining the integrity of the park system and the associated backlog of maintenance and repairs. We continue our biennial effort on updating antiquated utility systems to afford the best service that we can. Accordingly, there are road and bridge repairs within the park system just like across the state. As the budget is finalized we encourage you to contact your local park staff for the final outcome. You are also certainly welcome to call the central office and visit on any of these issues at any time.

Continued on page 9



**NDPRD
director
Douglass
Prchal**



New guide provides info on ND's trails

A new publication being made available by the North Dakota Parks and Recreation Department is a compilation of the state's National Recreational Trails including maps, directions, details and handy tips.

The 44-page "North Dakota National Recreation Trail Guide" includes 18 trails found across the state. The guide provides a brief overview into the terrain, scenery and wildlife that hikers can expect to encounter while using the trail. Contact information for each trail is included.

"Our intent was to make North Dakotans and visitors to the state aware of the trail opportunities they are afforded," said Trails & Byways Coordinator Kevin Stankiewicz.

Trails guides will be made available to each of the trails and will be available at the Convention and Visitor Bureaus in Dickinson, Minot, Fargo, Grand Forks and Bismarck. All of North Dakota's state parks will also have the trail guide available as well as the North Dakota Parks and Recreation Department headquarters.

There will be no charge for the high quality guide being made available through the cooperation of each of the trails, North Dakota Parks and Recreation, and the National Highway Administration.

"The guide is a great tool to showcase the diverse and numerous trail opportunities that our state provides," NDPRD recreation director Arik Spencer said. Whether you are a beginner or a skilled professional, there is a trail for you.

For your trail guide contact the North Dakota Parks and Recreation Department at 701-3285357 or e-mail parkrec@nd.gov.

DISCOVER

Vol. 13, No. 2

Discover is published by the North Dakota Parks & Recreation Department. The North Dakota Parks & Recreation Department's facilities, programs & employment procedures are open to all, regardless of age, sex, race, color, disability, religion, national origin or political affiliation. Contact North Dakota Parks and Recreation if you need an accommodation for a disability or an alternate format of this publication.

North Dakota Parks & Recreation Department

1600 E. Century Avenue, Suite 3, Bismarck, ND 58503

Ph. 701-328-5357

E-mail parkrec@nd.gov www.parkrec.nd.gov

Relay North Dakota TTY Service 800-366-6888

Winter provides plenty of activity in the state's parks

From page 1

"Our trails are groomed and tracked every Friday in anticipation of weekend visitors. We'll see a few winter campers like the Boy Scouts or university students, but it's mainly a novelty," Crandall says. "There are no cabins available, only primitive camping sites. If people anticipate being in the park past dark we like to have them let us know. If we find a vehicle out in the park at 7 p.m. we start worrying that some skier has tipped over somewhere and we begin searching. The warming house is open from 10 a.m. to 5 p.m. and there is self-registration in the vestibule of the Visitor's Center."

Up at Devils Lake, Graham's Island State Park primarily provides a gateway to Devils Lake, though there is some limited cross country skiing to go along with hiking and snowshoeing. Manager Henry Duray notes the Sivert Thompson Center is available for rental, but all the other facilities at the park are closed.

There is no snowmobiling allowed in the park, which is the same for the rest of the state's park system, though there are some snowmobile trails that do pass through some of the parks such as Fort Ransom, Lake Metigoshe and Icelandic.

Ice fishing is very popular on Devils Lake once the ice is strong enough to support fishermen and their amenities. Snowmobiling is also allowed on the lake and there are groomed trails. The Devils Lake chamber of commerce does keep a road system plowed on the lake for vehicles which can be accessed from Graham's Island.

"Ice fishing is really popular here.

During the winter, 80 percent of Graham's Island's use is ice fishermen, either fishing from the shoreline or using the boat ramp to get on the lake," Duray says. "In all the years I've worked in the state parks, which has been over 30 years, I've think I've seen winter campers about twice."

Icelandic State Park offers three miles of groomed ski trails in the Gunlogson Nature Preserve along with another mile in the campground area. There is a sledding hill and ice fishing on Lake Renwick. A spur of the state snowmobile trail passes through the park and snowmobiles are allowed on the lake but not in the park other than on the spur.

"The park sees a fair amount of use for cross country skiing and the sledding hill is pretty popular," park ranger Dennis Clark says. "During the weekends we'll see a number of cars. There is ice fishing... maybe about a dozen ice fishing houses can be found on the lake."

Icelandic's Pioneer Heritage Center is open throughout the year, from 9 a.m. to 5 p.m. on weekdays and 1 to 5 p.m. on



Cross country skiing is a healthy activity that can be enjoyed by yourself or with friends.



Sundays. There are no cabin rentals available during the winter, but electricity is left on in the campground until access is blocked by snow. It is possible to tent camp in the primitive camp area, but it's rare to find campers during the winter, Clark adds. For those cross country skiers unfamiliar with the trails there are maps available to help them from getting confused.

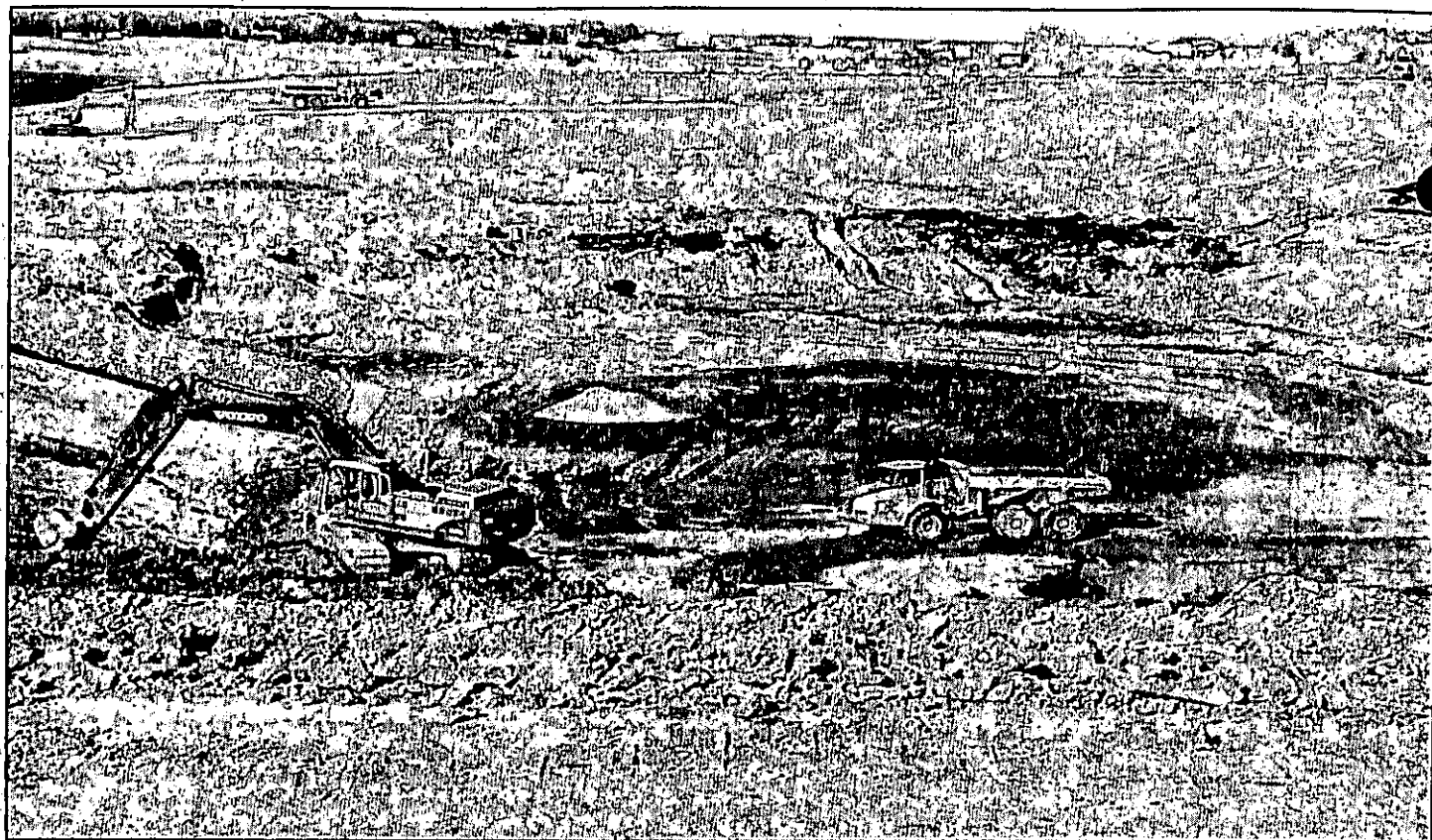
Lake Metigoshe State Park, just north of Bottineau, offers about seven miles of groomed cross country trails along with ski equipment and snowshoe rentals. There is also a sledding hill and warming house. Ice fishing is very popular on Lake Metigoshe where you can catch walleye, perch and northern pike. Snowmobiling isn't allowed in the park, but again, a portion of a snowmobile trail does pass through the park.

"There are a lot of critters to be seen during the winter in the park," says Becky Danski, the park's administrative assistant. "Visitors can see deer, moose, rabbits, foxes and raccoons, just to name a few. I've been up here for six years and it's a good park to visit in the winter."

The \$5 daily entrance fee still applies during the winter months and all the parks have self-registration areas. For those visiting in the winter, make sure to dress appropriately and let someone know their plans and when they expect to return from their winter adventure.

See North Dakota's
beautiful state parks.
Camping and cabin
reservations:
www.parkrec.nd.gov





Heavy equipment will move nearly a million cubic feet of fill for the new marina being built at Fort Stevenson State Park.

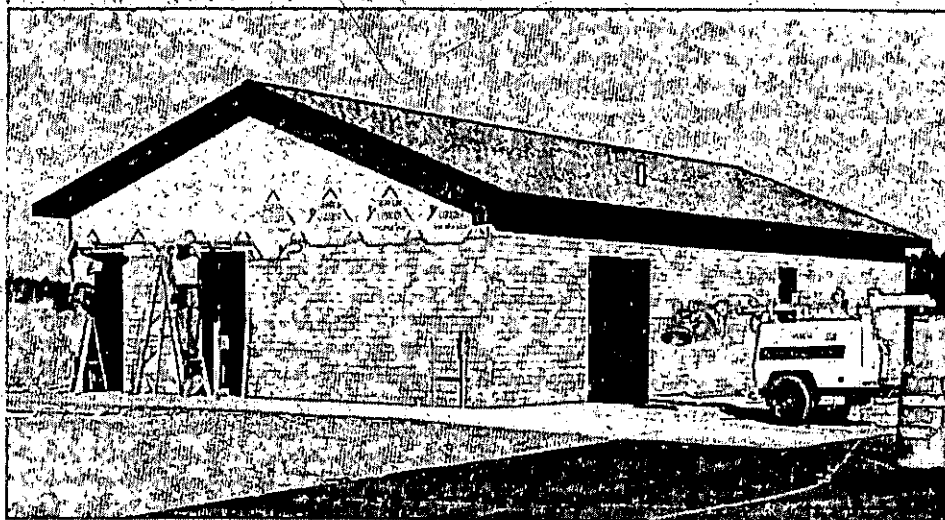
New marina to open at FSSP in 2009

A significant rise in the elevation of Lake Sakakawea slowed progress on a new \$10 million marina at Fort Stevenson State Park, pushing the opening of the six-acre facility from the fall of 2008 to the spring of 2009, according to park manager Dick Messerly.

"The lake came up almost ten feet," Messerly reports. "Originally, the cofferdam for the project was built to 1825 feet above mean sea level, but with the lake peaking over 1826 msl the cofferdam had to be built higher, which meant substantially more time to finish the project."

The project started in September of 2007 with money appropriated by Senator Byron Dorgan, and completion of the marina was set for September 2008. Most of the excavation should be completed by the end of 2008, according to Messerly, with completion of the project sometime in the late spring of 2009. Nearly a million cubic yards of soil will be moved for the marina, which will be 32 feet deeper than the existing marina.

The new marina, built on the west side of the park, will replace the old marina on the park's east end. Low lake levels plagued the old marina which has been of little use to boaters with Lake Sakakawea experiencing historic lows the past several years. The



Workers put siding on new concessions building which will serve the new FSSP marina.

new marina is being dug to a level of 1790 msl, ensuring access during even the driest periods. The concrete ramp adjoining the marina is also built to a level of 1790 and provides lake access from the lake's highest possible level of 1855 to the lowest level.

"The new marina will provide 60 slips, the same number as the old marina. There will be plenty of parking along with a con-

cessions building that will have a camping and fishing supplies store, a full restaurant, and bathroom facility," Messerly describes. "We'll still maintain the ramp at the old marina and we anticipate it will still be used for sailboat mooring."

Continued on page 5

Threatened species found under attack

Western prairie fringed orchid sprayed with herbicide

A federally protected prairie plant was illegally sprayed with a herbicide as discovered by North Dakota Parks and Recreation Department biologist Justin Parks this past summer.

Twenty-five western prairie fringed orchids were killed along a trail in Ransom County, just west of McLeod, ND. U.S. Fish & Wildlife Service authorities, indicated the plants were likely destroyed by someone with the mistaken belief the protected orchid restricts land use.

"Someone has been spraying the orchid with herbicide and has killed about 25 plants," Parks said. "The western prairie fringed orchid is considered a 'threatened' species. Threatened species are those that have a high chance of becoming endangered in the future."

The orchid is found only in Iowa, Kansas, Minnesota, North Dakota, Nebraska and Manitoba, Canada, according to Parks. The greatest threat to the orchid is habitat loss, mostly through conversion of cropland. The Sheyenne national Grasslands in Ransom County are known for one of the



sionally in roadside ditches in southeast North Dakota. The fragrant flowers come alive at night and are pollinated by hawkmoths feeding on irresistible nectar. Besides pollination, the plant relies on a fungus found in the soil that helps carry nutrients to the plant.

"This plant is very unique and reliant on other natural occurrences to survive and reproduce. It's too bad this herbicide spraying had to happen," Parks said. "The reasons why this plant was targeted is unknown, but the fear of having a listed species on your land may have contributed to the problem."

Unlike animal species, plants do not have the same protection on private land, Parks explained.

"The landowners need to understand that these plants are not harming anything and having protected plants on the

properties will not dictate land use of management decisions," Parks added.

The North Dakota Parks and Recreation Department's natural resource division surveys select areas for the orchids annually. The survey information is recorded in a database which houses records dating back to 1982. The division will keep surveying and education the public about this rare species. North Dakota's orchid population has been fairly stable since monitoring began 25 years ago.



Above, a healthy orchid. Left, after it had been sprayed with a herbicide.

largest populations of western fringed prairie orchids, with about 3,000, according to NatureServe Explorer, an online species database. In North America, the orchid is found in 172 places.

Most western prairie fringed orchids are found in wet tallgrass prairies and meadows and occa-

New marina from page 4

The new marina is likely to have a significant impact on the park and the surrounding community, Messerly notes. The nearby community of Garrison is a strong supporter of the project as has been the entire county and its effects will be felt as far away as Bismarck and Minot. Since the old marina has gone dry, park visitation has seen a decrease of nearly 25,000 people, Messerly adds.

"We did some economic surveys and determined that when the old marina was not useable, Garrison had \$2 million less in sales tax revenue," Messerly says. "We're

expecting an increase of 15 to 25 percent in sales tax revenues with completion of the new marina."

Messerly feels that Fort Stevenson State Park is a "jewel" in western North Dakota, but it has struggled in providing access to the big lake. The new marina will be similar in operation to the marina located at Lake Sakakawea State Park on the south shore.

"The nice thing, is we will have a second marina on the lake that will operate during the historic high and low levels that are experienced," Messerly says.

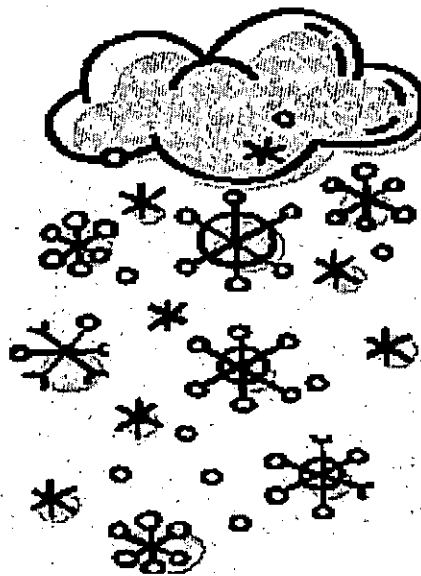
Several big projects have taken place at

Fort Stevenson State Park over the past 15 years, according to Messerly, who has managed the park for 16.5 years.

"The new marina is certainly the most major and expensive project," Messerly concurs. "But we've had a lot of great projects including the north loop of camp sites, the Guard House interpretive center and the new trail system."

The future looks bright indeed as forecasts call for a continued rise in Lake Sakakawea along with improved fishing and recreation opportunities, Messerly concludes.

Just For Kids



ND Wintering Songbirds Fact Scramble

Match the clues with the list of North Dakota winter songbirds.

Clues

1. A large, blue and noisy bird that enjoys nuts, particularly acorns.
2. The male of this species can easily be spotted by bird feeders in the winter, with its brilliant yellow and black body, yellow eye stripe and large white wing.
3. This bird is easily detected by its bright yellow color and black cap.
4. The best way to attract this raspberry or rose-colored finch to your backyard is to offer black oil sunflower seed in a tubular feeder.
5. A common brown and heavily streaked finch when eating likes to hang upside down, especially from the tips of conifer trees.
6. This bird has a long tongue covered with a sticky substance which makes insects easily stick to it.
7. This bird is known for its habit of climbing down trees headfirst in a spiral pattern searching for insect food. This bird is also attracted to suet bird feed.
8. This small bird has a back cap and bib with white cheeks. Its constant chattering of chick-a-dee-dee and fee-bee-bee can be heard all winter long.

A. _____ *Black-capped Chickadee*

B. _____ *Blue Jay*

C. _____ *Evening Grosbeak*

D. _____ *Gold Finch*

E. _____ *House Finch*

F. _____ *Hairy Woodpecker*

G. _____ *Pine Siskin*

H. _____ *Purple Finch*

I. _____ *Redpoll*

J. _____ *White-breasted Nuthatch*

Seeing Double

Fill in the blanks to complete each wintery word. The first letter in each pair is the same as the second.

1. b _____ ts
2. squi _____ els
3. wind chi _____
4. sl _____ ping
5. d _____ r
6. bli _____ ard
7. mi _____ ens
8. sk _____ ng
9. s _____ ds
10. sa _____ lower
11. f _____ ders
12. warm-bl _____ ded
13. fr _____ ze
14. sl _____ t
15. snu _____ le
16. toba _____ an

Answers

- | | |
|------------------|-----|
| 1. Boots | 8-A |
| 2. Squirrels | 7-J |
| 3. Wind chill | 6-F |
| 4. Sleeping | 5-G |
| 5. Door | 4-H |
| 6. Blizzard | 3-D |
| 7. Mittens | 2-C |
| 8. Skating | 1-B |
| 9. Seeds | |
| 10. Safflower | |
| 11. Feeders | |
| 12. Warm-blooded | |
| 13. Freeze | |
| 14. Sleet | |
| 15. Snuggle | |
| 16. Toboggan | |

Songbirds

The cast of ghouls that inhabited the "Custer House"



Haunting good time at Fort Abraham Lincoln State Park

This year the Fort Abraham Lincoln State Park "Haunted Fort" drew a record 1,826 participants on Oct. 21-22 and an additional 187 for the "Children's Bash."



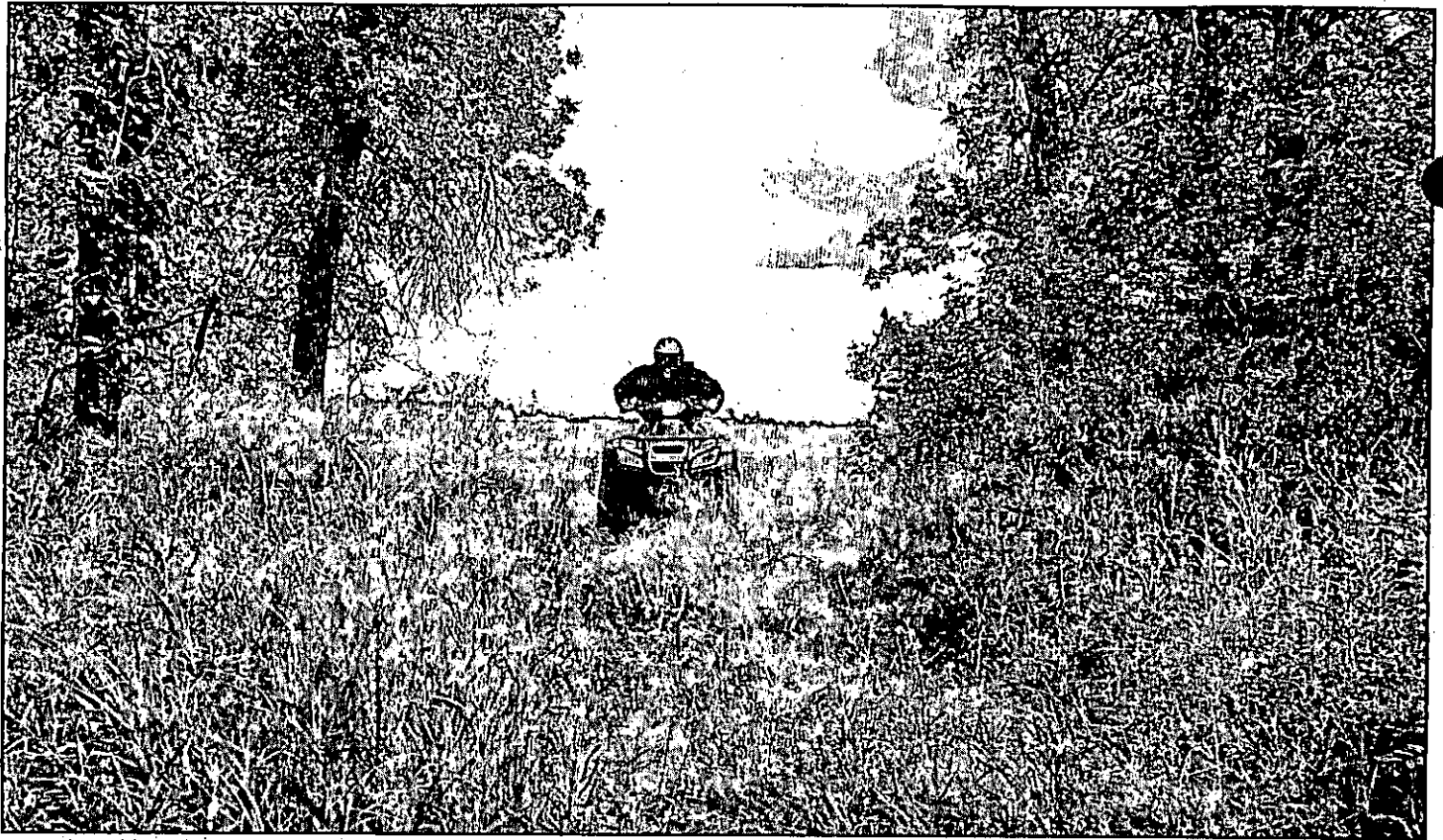
Park manager
Dan Schelske
makes a friend.



Foundation
military expert
Al Johnson
dressed for the
occasion.



It could get down
right creepy at
times...!



With OHV use growing in popularity, landowners and state agencies are working together to ensure preservation of the Pembina Gorge through management and responsible use of the vehicles.
(Photo by Dan Koeck)

OHV use in the Pembina Gorge

The Pembina Gorge is widely recognized as one of the most spectacular areas in North Dakota with its beautiful scenery, abundant wildlife and variety of vegetation.

With its scenic vistas, interesting geology and breathtaking natural beauty, the Pembina Gorge is a natural draw for those who love to get outside and have fun. While much work has been done to allow snowmobiling, hunting and skiing in this area, unmanaged OHV (Off-Highway Vehicle) use has brought landowners, community leaders, the North Dakota Game and Fish Department and North Dakota Parks and Recreation Department (NDPRD) together to find a solution.

For years, a limited number of ATV (All-Terrain Vehicles) and dirt bike -- collectively known as OHVs -- users have ridden in the Gorge, despite a lack of any public trails without drawing too much attention. However in recent years OHV use has grown, keeping pace with the huge increase in the number of OHVs sold and registered in North Dakota. To address this issue the North Dakota Parks and Recreation Department is spearheading an effort to develop an organized trail system in the area while enforcing laws preventing illegal OHV use outside of it.

The effort began in 2005, with the

development of the "Master Plan for Trail Development in the Turtle Mountain and Pembina Gorge." This provided broad strategies and guidelines to for future trail growth. In 2007, the NDPRD hired Michael Duerre as the Pembina Gorge project manager for the department's properties in the Pembina Gorge.

Duerre's duties include coordinating and identifying strategically important land leases, easements, acquisitions and trades which may be needed to stitch together a corridor where a trail can be developed. It is this stage of working with private landowners that the Game and Fish Department is now in, navigating a patchwork of mixed land ownership to establish a feasible corridor.

This can be a challenging and slow process where often several plans are needed to deal with a variety of issues which arise. Despite these challenges, those involved are working together, toward a common sense solution allowing sustainable recreation access to the Pembina Gorge; protection of wildlife habitat; respect for the wishes of private

ND Biennial OHV Registration Growth

Biennium	Registered	Growth
1987-89	2,707	
1989-91	2,425	90%
1991-93	2,440	101%
1993-95	4,137	170%
1995-97	5,189	125%
1997-99	5,974	115%
1999-01	8,123	136%
2001-03	11,681	144%
2003-05	16,751	143%
2005-07	22,577	135%
2007-09	27,172	120%

landowners; and offering an economic benefit to surrounding communities which can cater to a variety of recreation users year round.

ND Scenic Byways & Backways—a perfect 10

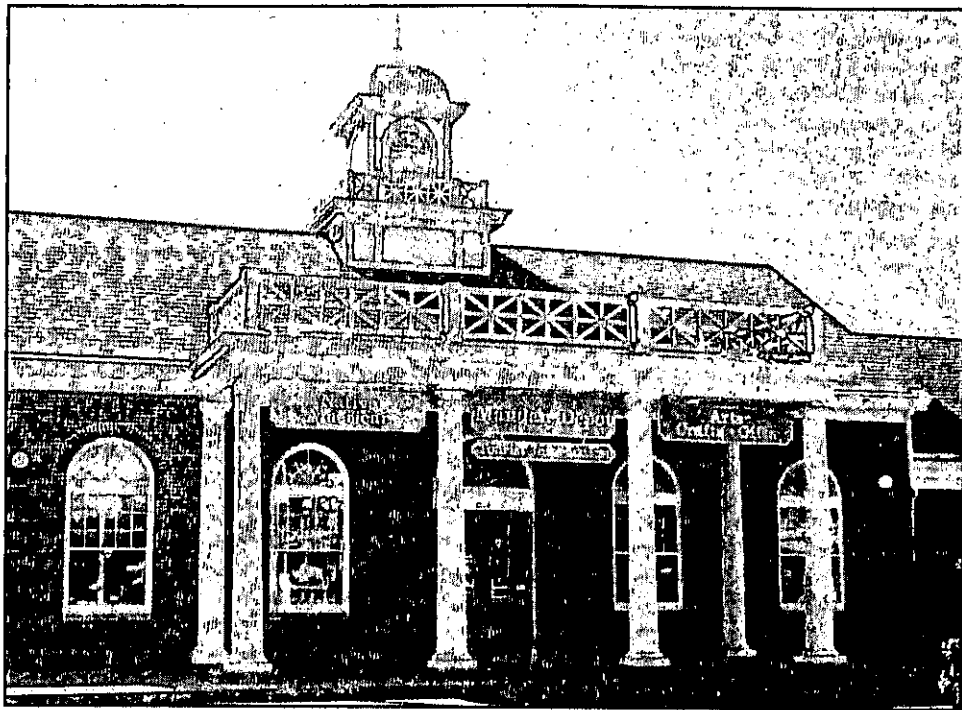
The winding 108-mile stretch of old U.S. Highway 10 from Mandan west to Dickinson, also known as the “Old Red Trail,” is North Dakota’s tenth and newest “Scenic Byway” as designated by North Dakota Department of Transportation (NDDOT) director, Francis Ziegler.

“The new scenic byway designation provides an opportunity to celebrate the historical significance of the Old Red Trail. It was a vital transportation route as North Dakota was settled and now as the state’s longest scenic byway, giving homage to the beautiful prairie landscape and unique sights intrinsic to North Dakota’s wide-open spaces,” Ziegler said.

Traveling westbound, the Mandan Depot functions as the gateway to the byway with the Joachim Museum in Dickinson serving as the ending terminus. Along the route, visitors are treated to a variety of attractions, from museums to historical churches, artisan pottery to Abbey wine. And from June to November, towns along the route, showcase their community pride and North Dakota cooking with festivals, rodeos and parades.

In October, the Old Red/Old Ten Scenic Byway saw its share of new visitors when First Lady Laura Bush visited the Sims Lutheran Church north of Almont. Located along a spur route of the byway, the Sims Lutheran Church, a demonstration project for Preservation North Dakota, is a must see and one of the many hidden gems along the byway. On hand to greet the First Lady and share with her their historical knowledge of the church were Donna and Joel Johnson, ORT members from Almont.

Named the “Old Red/Old Ten Scenic Byway,” the route includes the 10-mile Almont loop. The designation is the culmination of the efforts of the Old Red Trail Committee, North Dakota Parks and Recreation and NDDOT. The Old Red Trail Committee is represented by volunteers from Mandan, New Salem, Almont,



The former Mandan railroad depot provides the starting point for North Dakota’s newest scenic byway, Old Red Old Ten.

Glen Ullin, Hebron, Schnell Recreation Area, Richardton, Taylor, Gladstone and Dickinson. The group began meeting in an endeavor to develop a rural revitalization project in May of 2006. The committee’s mission is to create awareness of Old Red/Old 10 Scenic Byway as an alternative to Interstate travel.

The Scenic Byways and Backways program is provided through the cooperation of NDDOT and North Dakota Parks and Recreation Department. North Dakota is part of a national effort to identify and promote scenic roadways. Local organizations can nominate, manage and promote a Scenic Byway or Backway. While the program does not provide funding, scenic byway grants are available through the Fed-

eral Highway Administration (FHWA) and the benefits are well worth the investments made locally. Applications for designation are accepted every two years, with the next nomination cycle coming in 2010.

“This action is an indication of the value the Scenic Byways and Backways program brings to local communities,” said ND Parks and Recreation director Doug Prechal. “It’s especially interesting to note that Old Highway 10 becomes the tenth Scenic Byway in the state and is also the longest.”

More information on the Old Red / Old 10 Scenic Byway can be found at www.oldredtrail.org. Further information on the Scenic Byway/Backway program is available at www.parkrec.nd.gov.

2009 park permit

From page 1

Established in 1934, Turtle River State Park was among a number of new parks built in North Dakota through President Franklin Delano Roosevelt’s “New Deal” programs.

CCC construction projects in the park included bridges, roads, parking areas, foot paths and a number of stone and log buildings, many of which are still in use today.

West of Grand Forks just off Highway 2, the 784-acre park draws visitors throughout the year. Guests marvel at the park’s natural beauty which changes with the seasons and

the diverse recreational opportunities.

The entire park is a nature sanctuary and harbors an abundance of plant and animal life. The river was aptly named for the mud and snapping turtles that were once found in abundance in the stream.

The permit is available at any of the state parks, North Dakota Parks and Recreation Department Headquarters in Bismarck online at www.parkrec.nd.gov or by emailing parkrec@nd.gov. The 2009 park permit expires May 1, 2010.

Director’s news

From page 2

Our 2009 park season will usher in the 75th birthday for Turtle River State Park. If you are not aware, the Civilian Conservation Corps undertook development of that park in 1934 along with many other projects all across the state. We are currently finalizing an exhibit within the park visitor center paying tribute to the work and craftsmanship accomplished during that era of national and state history. Much of park development that came about in the 1930s exists today. More detail will appear in the spring issue.

NDPRD News

NDPRD director recognized with Distinguished Service Award

Doug Prchal, director of the North Dakota Parks and Recreation Department, was honored by the National Association of State Park Directors, with presentation of the Distinguished Service Award.

The association annually recognizes a state park director demonstrating a long-term sustained record of professional accomplishment in the field of parks and recreation management. The presentation was made at the national convention in Boise, Idaho, during its Sept. 4 banquet.

"Doug is a true professional," said South Dakota parks director Doug Hofer. "I have worked with Doug on a variety of issues that our two states share and have always been impressed with Doug's commitment to his state and to our profession and believe he is very deserving of this recognition."

The Killdeer, N.D., native has devoted a 25-year career to the state of North Dakota, 11 years as a parks planner and the past 14 years as director. Prchal was nominated for the Distinguished Service Award by department staff who noted the director continues to protect and preserve many of the same projects he designed through establishment of maintenance trust funds.

Recreation opportunities and access remain among the department's top priorities. Prchal works extensively with the Army Corps of Engineers and other agencies to maintain access to areas such as Lake Sakakawea, the Missouri River and Devils Lake.

State park 3rd quarter visitation rebounds slightly

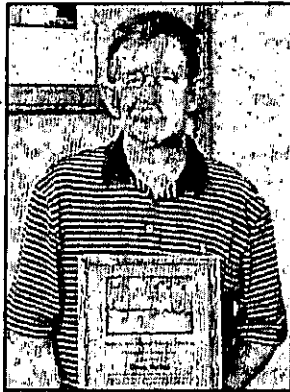
Third quarter visitation was slightly behind 2007 as North Dakota state parks welcomed 438,398 guests in July, August and September as compared to 451,626 last year, a difference of nearly 3 percent.

Doug Prchal, director of the North Dakota Parks and Recreation Department, is generally pleased with visitation numbers explaining the system recovered nicely from a slow second quarter visitation.

"Any number of factors can influence park visitation including the weather, poor fishing, road construction, fuel prices and the economy," Prchal explains. "This year North Dakota parks have experienced a little of everything, from rising prices at the gas pump to cold, wet weather. Despite these setbacks, state parks remain a popular get away, though we are seeing a change in our customers' habits."

Several park managers report that campers came earlier, stayed longer and didn't stray far from the park which can account for a change in the counts of park visitors. Through September, the state parks saw 50,706 campers and cabin use had an occupancy rate of 8,279 people.

With the Labor Day weekend marking the end of summer, North Dakota parks have seen the usual slow down in daily visita-



Director Prchal displays NASPD Distinguished Service Award.

tion and camping. During September state parks saw 76,067 visitors as compared to 162,954 in August.

ITCND awards NDPRD Outstanding Achievement in Digital Government

The Information Technology Council of North Dakota (ITCND) recognized six of North Dakota's IT leaders for outstanding achievements at the eighth annual Information Technology (IT) Awards Program on Oct. 14 in Fargo.

"North Dakota possesses a large pool of highly-qualified and innovative IT business leaders, both individuals and business, that deserve recognition for their achievements," says Gary Inman, ITCND president.

Inman, along with Shane Goettle, ND Department of Commerce commissioner and Mike Eggl, ITCND vice president, presented awards in six categories.

Among the award winners was the North Dakota Parks and Recreation Department, receiving the "Outstanding Achievement in Digital Government" award. NDPRD was honored for its development and implementation of an online management system, which strengthens customer service and promotes North Dakota parks and recreation.

ITCND is the leading IT advocacy organization in the state. It was founded by North Dakota business, government and education leaders to encourage the use, growth and development of information technology in North Dakota.



NDPRD PIO Gordon Weixel accepts award from ITCND's Shane Goettle, Department of Commerce Commissioner and Gary Inman, ITCND President

Fort Ransom Sodbuster Association honored by State Historical Society

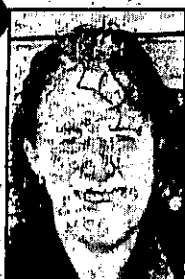
The State Historical Society of North Dakota honored the Fort Ransom Sodbuster Association with its Association for Excellence in Local History Award, presented Nov. 7 at the 20th Annual Governor's Conference on ND History.

The Association For Excellence in Local History Award is given to recognize and honor the many citizens who dedicate their time, talent and effort to local and state history. The award is given to the association/organization whose activity in local and regional history serves as a role model of excellence to others. The award is specifically reserved for those organizations associated with county and local historical efforts that are deemed to have made a significant contribution in preserving, interpreting, promoting, researching, or otherwise extending knowledge and understanding of the history of their locality, county, or region within the state of North Dakota.

For 25 years the Fort Ransom Sodbuster Association has been

dedicated in annually presenting the annual Sodbuster Days at Fort Ransom State Park. The primary focus, presenting the history and story of the horse-drawn agriculture era of North Dakota.

NDPRD personnel changes



Anderson



Gardner



Losinski

There have been a few changes in North Dakota Parks and Recreation Department personnel.

Jeremy Losinski, former NDPRD recreation education specialist, was promoted to park ranger in October and is now serving Turtle River State Park. The Minnesota native is a Minnesota State University, Mankato, majoring in Automotive Engineering Technology and Recreation, Parks and Leisure Services with an emphasis in resource management.

Matt Gardner went to work in November, filling the position left by Losinski. He is originally from Idaho Falls, ID, having attended Idaho State University, moving to North Dakota several years ago for a sales position. Gardner and his wife Laura live in Washburn and have two children, Christian, age eight, and Aubrey, two. Laura works for the Lewis and Clark Fort Mandan Foundation as event coordinator.

Lara Anderson is the new Information Technology coordinator, replacing Barb Winking. Anderson is originally from Wyoming with degrees in Wildlife Management from Virginia Tech and in Information Technology from the Metropolitan State College, of Denver, CO. Prior to the NDPRD, Anderson worked for the state's Attorney General's office as a programmer. She and her husband Kevin have been in North Dakota since 2001.

Gordon Weixel replaces longtime NDPRD public information officer Donna Schouweiler, who retired in May. Weixel is a holds a

degree in Journalism from the University of North Dakota and a former government writer for the Bismarck Tribune and editor of the Devils Lake Journal. He and his wife Diane have three children, Zachary, Joshua and Heather.

Service awards presented

Several ND Parks and Recreation employees were recognized for their years of service at the department's annual winter meeting held Dec. 10.

Fort Ransom State Park manager John Kwapiński, Turtle River State Park manager Steve Crandall and administrative staff officer Kathy Renner have been with NDPRD for 30 years.

Fort Abraham Lincoln State Park manager Dan Schelske is a 25 year department employee.

Lake Metigoshe State Park ranger Bill Demming has 25 years with the NDPRD.

Planner Marc Brown completed his 15th year in September.

Lake Sakakawea State Park ranger Keith Orth and GIS specialist Chris Dirk are in their 10th year with NDPRD.

Icelandic State Park manager Justin Robinson, education specialists Erik Dietrich and Fort Abraham Lincoln State Park carpenter Dennis Gores have been with NDPRD for five years.

Earlier in the year seasonal service awards were presented. These included:

Janice Belohlavek, Fort Lincoln, 20,000 hours; Gerald Brennan, Little Missouri, 12,500; Wayne Weber, Turtle River, 10,000; Becky Danskin, Lake Metigoshe, 10,000; Terri Greenwood, Lake Metigoshe, 5,000; Brad Leingang, Fort Lincoln, 5,000; Ken Hiltner, Lewis & Clark, 5,000; Laurence, Cross Ranch, 5,000; and Chip Cartwright, Cross Ranch, 5,000.



Director Doug Prchal presents Gerald Brennan the seasonal service award.

NDPRD, Fort Lincoln lose a good friend

The North Dakota Parks and Recreation Department and Fort Abraham Lincoln State Park lost one of its best friends with the passing of Ed Leno, who at age 86 succumbed after a courageous battle with lung cancer.

Having served in World War II, Ed returned to North Dakota and farmed near Tuttle for nearly 40 years. He moved to Bismarck in 1983 and in 1988 went to work at Fort Lincoln State Park, bringing a wealth of experience and soon taking charge of the park's maintenance department. In 2006 he retired from park service.

"Ed's knowledge came from a lifetime engaged in farming and ranching," said Doug Prchal, North Dakota Parks and Recreation Department director. "That life experience made an ideal role model for the young staff who worked for him. He was firm with standards, making staff do



Leno

their job correctly and with pride, but he was also a very fair individual. Many young folks learned a work ethic and many positive life lessons from this insightful and gentle man."

Park ranger Maureen Trnka fondly recalls Leno, who was already part of the park's staff when she arrived 20 years ago. While she held the parks maintenance folder, it was Ed that made everything go smoothly, she admitted.

"He pretty much ran the maintenance crew for me. There was nothing he couldn't do and he did everything," Trnka said. "He was just a great guy and made it so easy for me. During the summer I had Tuesday's and Wednesday's off, so I'd meet with him on

Monday and go over what had to be done and he just made it work."

Trnka recalls there was an old CCC (Civilian Conservation Corps) vault toilet at the north end of the campground which was locked up because of its state of disrepair. Because it was on the list of historical buildings, the ramshackle facility couldn't be torn down.

"So Ed just took over and turned it into a picnic shelter which everyone can use and enjoy. It was one of his pet projects and I used to call it the Ed Leno shelter," Trnka said.

Ed will long be remembered by the Parks and Recreation Department and Fort Lincoln for his hard work and the special skills he provided in making Fort Abraham Lincoln State Park one of the state's best.

NORTH DAKOTA RECREATION & PARK ASSOCIATION

PO Box 1091 • Bismarck, ND 58502

Phone: 701-355-4458 • Fax: 701-223-4645 • www.ndrpa.com

**Testimony of Randy Bina, North Dakota Recreation & Park Association
To Education and Environment Division of the House Appropriations Committee
In Support of HB 1019, Parks and Recreation Department Appropriation
Tuesday, January 13, 2009**

Chairman Skarpohl and Members of the Committee, my name is Randy Bina, and I am a member of the North Dakota Recreation & Park Association (NDRPA) and assistant director of the Bismarck Parks and Recreation District. NDRPA represents almost 500 members across the state, including park board members and park district staff, and works to advance parks and recreation for quality of life in North Dakota. I am here on behalf of NDRPA in support of HB 1019, the appropriation bill for the Parks and Recreation Department.

The Department's system of state parks and recreational programs offers excellent opportunities for the state's citizens and tourists, and NDRPA fully supports the Department's appropriation for operating expenses and capital projects as outlined in HB 1019.

NDRPA also asks for the Committee's support of the parks community grant program. This program is modeled after a federal program, the Land and Water Conservation Fund (LWCF), which has provided funding for the acquisition and development of public land for outdoor recreation and open space since 1964. The fund provides 50/50 matching grants-in-aid to states and their political subdivisions. Since its inception, the fund has provided almost 1,300 grants for North Dakota projects with matching funds of more than \$34 million in direct expenditures back into the state's economy.

The parks community grant program is essential because federal funding from Land and Water has been drastically reduced, from a high of \$369 million in 1979 to less than \$28 million in 2007. This means North Dakota's funding has been reduced from a high of \$3 million to only \$200,000 last year. The parks community grant program would fund new development of and enhancements to North Dakota parks and recreation facilities that are valuable community infrastructure, including playgrounds, pools, multi-purpose fields and trails. Further, the state's return-on-investment would be high with these projects, as local communities often match grant funds at a rate of 2:1, much higher than the 50/50 required match.

A key piece of the parks community grant program is the leadership component, which would help communities of 13,000 or less hire professional parks and recreation staff. Leadership grants have been successful in communities such as Grafton, Beulah and Hazen. The program helped keep young professionals like NDRPA's current president – Tyler Jacobson – here in North Dakota. Tyler, who is now director of the Valley City Park District, began his career in Casselton with the help of the grant program. Without it, he would probably have had to leave the state to find a job in the parks and recreation field. It's a great program because it helps small communities jump start recreation programs and facilities by hiring staff, often in partnership with other entities such as school districts. Over the three-year grant period, communities realize the value of expanded parks and recreation opportunities and commit funds to support staff on an ongoing basis. It's a job creation program that leads to long-term community benefits.

With the state's growing economy, now is the time to support investment in public parks and recreation in North Dakota at the state and local level by passing HB 1019. It's a great thing for the state. North Dakota needs to keep being proactive in providing opportunities to expand parks and recreation programs and facilities that enhance quality of life and help attract families to our state.

Thank you for your consideration, and I would be happy to answer any questions.

Value of Parks and Recreation

Parks and recreation is a key component of healthy, livable communities. A livable community is one that offers residents and visitors healthy places to facilitate purposeful and productive lifestyles (at work, school, play, worship and in the neighborhood). Among the many elements of livable communities are:

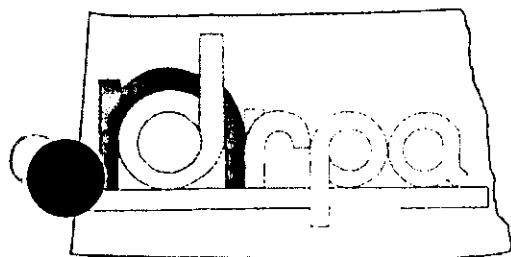
- decent, affordable, well-located housing,
- good schools and educational institutions,
- convenient shops and services,
- accessible parks and open space,
- clean, natural environment,
- places that feel safe and accepting to all users, and
- environments that nurture human community and interaction.

Providing accessible public parks and recreation facilities to encourage healthy lifestyles is imperative to tackling the obesity epidemic. The crisis of inactivity among our children is a significant one with serious implications for the future. According to a recent study, inactivity among children may result in this generation being the first in American history to have a shorter lifespan than their parents. HB1019, through the state park system and parks community grant program, will help facilitate opportunities for children and adults to choose healthy lifestyles.

Park districts partner to increase their impact. They often collaborate with other government entities and organizations to enhance community facilities, expanding the impact of the parks community grant program for North Dakota citizens and visitors.

Parks and recreation – at the local and state levels – also have a positive economic impact in communities by improving property values, increasing the tax base, expanding retail sales, stimulating development, and attracting tourists, businesses and retirees. Further, parks help to alleviate/reduce youth crime, reduce environmental stress and lower the cost of health care.

As the state's economy grows, so does the need for expanded parks, recreation facilities and open space that support healthy lifestyles and livable communities. "Creating place" – where people live, work and play – is an essential piece of economic development. Attracting people to the state depends not only on the availability of jobs, but also on the accessibility and affordability of activities beyond work, including parks and recreation.



NORTH DAKOTA RECREATION & PARK ASSOCIATION

PO Box 1091 • Bismarck, ND 58502
Phone: 701-355-4458 • Fax: 701-223-4645 • www.ndrpa.com

**Testimony of Tyler Jacobson, President of the North Dakota Recreation & Park Association
To Senate Appropriations Committee
In Support of HB 1019, Parks & Recreation Department Appropriation
Monday, March 9, 2009**

Chairman Holmberg and Members of the Committee, my name is Tyler Jacobson. I am president of the North Dakota Recreation & Park Association (NDRPA) and director of the Valley City Park District. NDRPA represents almost 500 members across the state and works to advance parks and recreation for quality of life in North Dakota. I am here on behalf of NDRPA in support of HB 1019.

The Department's system of state parks and recreational programs offers excellent opportunities for the state's citizens and tourists, and NDRPA strongly supports the Department's appropriation for operating expenses and capital projects as outlined in the original HB 1019.

NDRPA also asks for the Committee's support of the parks community grant program's original appropriation of \$700,000 (the House decreased funding to \$400,000). This program is modeled after a federal program, the Land and Water Conservation Fund (LWCF), which has provided funding for the acquisition and development of public land for outdoor recreation and open space since 1964. Land and Water provides 50/50 matching grants-in-aid to states and their political subdivisions. Since inception, it has provided almost 1,300 grants for North Dakota projects with matching funds of more than \$34 million in direct expenditures back into the state's economy.

The grant program is essential because federal funding from Land and Water has been drastically reduced, from a high of \$369 million in 1979 to less than \$28 million in 2007. This means North Dakota's funding has been reduced from a high of \$3 million to only \$200,000 last year. The attached chart shows the drastic decline in Land and Water funding and the significant number of unfunded projects. While the chart shows that the number of eligible projects not funded in recent years has declined, this is not due to fewer projects requiring funds. Rather, park districts around the state are aware of the drastic decline in available funds and therefore have often decided not to submit their qualified and much-needed projects.

The grant program would fund new development of and enhancements to North Dakota parks and recreation facilities that are valuable community infrastructure, including playgrounds, pools, multi-purpose fields and trails, in communities of all sizes across the state. Further, the state's return-on-investment would be high with these projects, as local communities often match grant funds at a rate of 2:1, much higher than the 50/50 required match.

A key piece of the grant program is the leadership component to help small communities hire professional staff. Leadership grants have been successful in communities such as Grafton, Beulah and Hazen. The program is how I got my start 15 years ago in Casselton, and the opportunity kept me in the state. Without it, I may have had to leave North Dakota to find a job in my field. It's a great program because it helps small communities jump-start recreation programs and facilities by hiring staff, often in partnership with other entities such as school districts. Over the three-year grant period, communities realize the value of expanded parks and recreation opportunities and commit funds to support staff on an ongoing basis. This program grows jobs in communities.

North Dakota needs to be proactive in providing opportunities to expand parks and recreation programs and facilities that enhance quality of life and help attract families to our state. With the state's strong economy, now is the time to support investment in public parks and recreation by passing the original HB 1019.

Value of Parks and Recreation

Parks and recreation is a key component of healthy, livable communities. A livable community is one that offers residents and visitors healthy places to facilitate purposeful and productive lifestyles (at work, school, play, worship and in the neighborhood). Among the many elements of livable communities are:

- decent, affordable, well-located housing,
- good schools and educational institutions,
- convenient shops and services,
- accessible parks and open space,
- clean, natural environment,
- places that feel safe and accepting to all users, and
- environments that nurture human community and interaction.

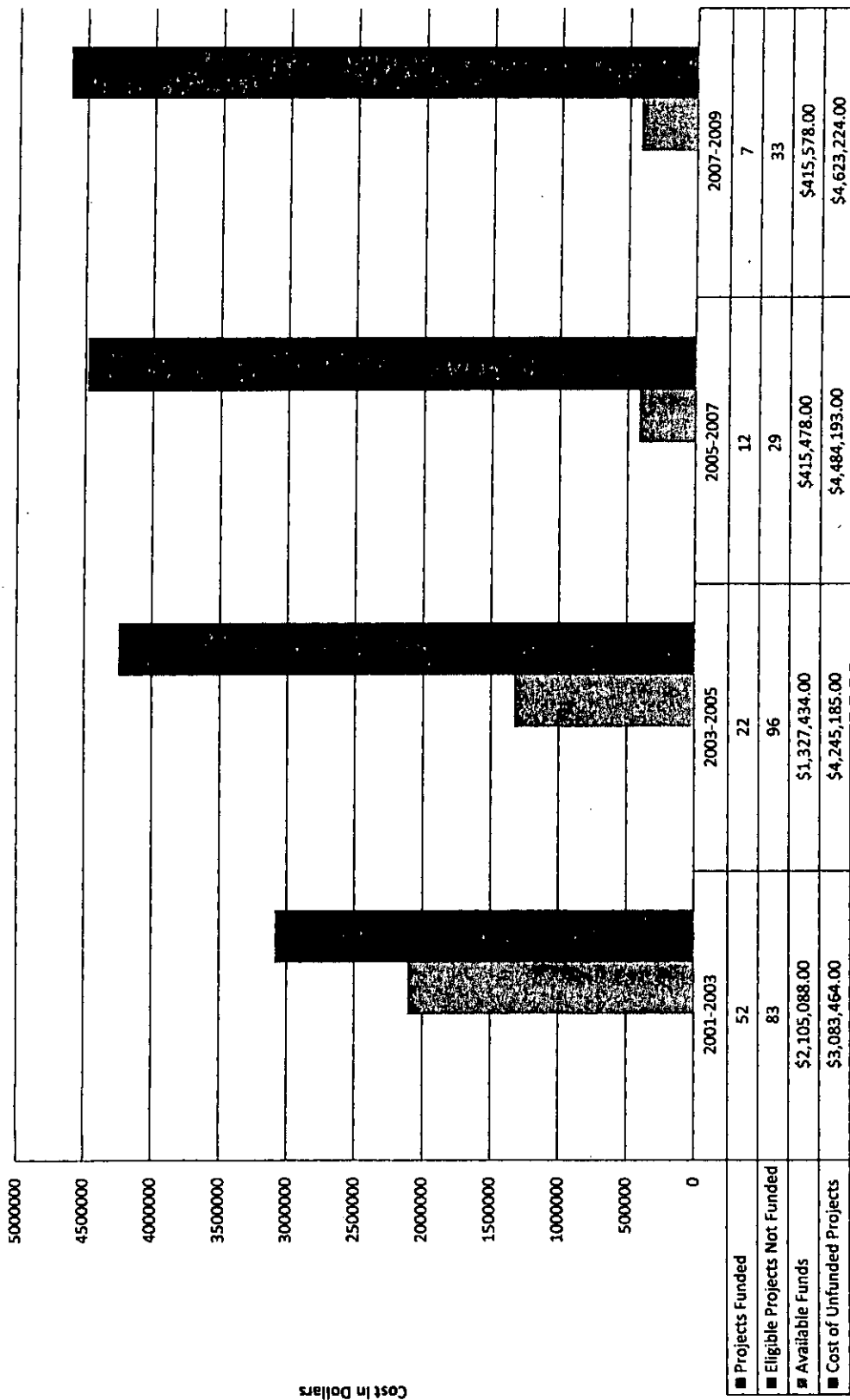
Providing accessible public parks and recreation facilities to encourage healthy lifestyles is imperative to tackling the obesity epidemic. The crisis of inactivity among our children is a significant one with serious implications for the future. According to a recent study, inactivity among children may result in this generation being the first in American history to have a shorter lifespan than their parents. HB 1019, through the state park system and parks community grant program, will help facilitate opportunities for children and adults to choose healthy lifestyles.

Park districts partner to increase their impact. They often collaborate with other government entities and organizations to enhance community facilities, expanding the impact of the parks community grant program for North Dakota citizens and visitors.

Parks and recreation – at the local and state levels – also have a positive economic impact in communities by improving property values, increasing the tax base, expanding retail sales, stimulating development, and attracting tourists, businesses and retirees. Further, parks help to alleviate youth crime, reduce environmental stress and lower the cost of health care.

As the state's economy grows, so does the need for expanded parks, recreation facilities and open space that support healthy lifestyles and livable communities. "Creating place" – where people live, work and play – is an essential piece of economic development. Attracting people to the state depends not only on the availability of jobs, but also on the accessibility and affordability of activities beyond work, including parks and recreation.

Decline in Land & Water Conservation Fund



HB 1019
Feb. 3, 2009
attachment # 2

PARKS BUDGET RECOMMENDATIONS

	General Fund	Federal Fund	Special Funds	Total Funds	FTE
Parks base budget request	\$9,156,807	\$5,979,151	\$4,612,234	\$19,748,192	50.50
Recommended adjustments - Parks					
1. Salary equity	512,866			512,866	
2. Salary funding source switch	550,894		(550,894)	0	
3. Operating and temp increases			558,000	558,000	
4. IT project	30,000			30,000	
5. Equipment - one time			530,000	530,000	
6. Extraordinary repairs - one time			482,500	482,500	
7. Capital projects - one time	2,359,768	200,000	50,000	2,609,768	
8. Maintenance positions	224,934			224,934	2.50
9. Community grant program - one time	700,000			700,000	
10. Executive compensation package	625,599	7,063		632,662	
Total recommended adjustments - Parks	<u>5,004,061</u>	<u>200,000</u>	<u>1,069,606</u>	<u>6,280,730</u>	<u>2.50</u>
Recommended adjustments - IPG					
11. Peace Garden - equipment - one time	55,000			55,000	
Total recommended adjustments - IPG	<u>55,000</u>	<u>0</u>	<u>0</u>	<u>55,000</u>	<u>0.00</u>
Total recommended adjustments	<u>5,059,061</u>	<u>200,000</u>	<u>1,069,606</u>	<u>6,335,730</u>	<u>2.50</u>
Total Recommendation	<u>\$14,215,868</u>	<u>\$6,179,151</u>	<u>\$5,681,840</u>	<u>\$26,083,922</u>	<u>53.00</u>

- Salary equity** - Parks has a compa-ratio of only .88, compared to the state average of .95, with 13.9 years of service, compared to the state average of 13.2 years of service. An analysis shows that their requested amount would allow salary adjustments to be made that would reduce compression within the pay grades and allow staff to reach pay range midpoints at 15 years of service and pay range maximums after 30 years of service.
- Salary funding source switch** - The agency requested a funding source switch (general fund rather than park fees) to fund four positions: a park manager and three maintenance supervisors. This recommendation would replace special fund authority with general fund authority for those four positions, as well as a park trails planner and a carpenter, currently funded with special funds. This would allow all permanent FTE positions to be funded from the general fund and would allow park fees to be used to fund increases in park temporary salaries, operating expenses, equipment purchases, and extraordinary repairs.
- Operating and temp increases** - By providing general fund support for all staff positions, parks special funds are available to fund operating increases, as follows:

Motor pool increases	\$126,000
Utilities and fuel increases	95,000
Equipment < \$5,000	75,000
Noxious weed control	89,000
Temporary salary increases of \$.50 per year	132,000
ITD rate increases	41,000
	<u>\$558,000</u>

4. **IT project** - This funding would be used to provide T1 connections to two parks with critical access issues. Turtle River and Lake Metigoshe offices have dial-up or DSL connections to the state network and T1 lines would provide more stable, reliable, and faster connections. The \$30,000 budget adjustment would provide installation and ongoing ITD charges.

5. **Equipment > \$5,000** - In addition to the \$650,000 base budget for equipment, this adjustment funds the following:

	GF	SF	Total
Base budget	\$450,000	\$200,000	\$650,000
Bobcats and attachments in 8 parks		400,000	400,000
Wood chippers		50,000	50,000
Radio replacements with digital		80,000	80,000
Total	<u>\$450,000</u>	<u>\$730,000</u>	<u>\$1,180,000</u>

6. **Extraordinary repairs** - In addition to the base budget of \$753,400, this adjustment funds the following:

	GF	SF	Total
Base budget	\$753,400		\$753,400
Priorities 1-16 on optional list		\$382,500	382,500
L&C courtesy dock (G&F funds)		20,000	20,000
L&C boat ramp repairs (G&F funds)		80,000	80,000
Total	<u>\$753,400</u>	<u>\$482,500</u>	<u>\$1,235,900</u>

7. **Capital projects**

	GF	FF	SF	Total
Road repair at Turtle River State Park	\$820,000			\$820,000
Road repair at Fort Stevenson	592,468			592,468
Ft. Stevenson infrastructure upgrade II	468,000			468,000
Turtle River infrastructure upgrade II	269,300			269,300
Ft. Ranson land acquisition	50,000			50,000
Sully Creek comfort station	160,000			160,000
Turtle Mtn. trails (SF trails and snowmobile)		200,000	50,000	250,000
Total	<u>\$2,359,768</u>	<u>\$200,000</u>	<u>\$50,000</u>	<u>\$2,609,768</u>

8. **Maintenance positions** - For several bienniums, we have allowed Parks to add FTE maintenance staff at the various parks to allow for better maintenance of state assets and to reduce the reliance on temporary employees and contracted help. Of the ten parks, six have full-time maintenance staff and four do not. This adjustment would provide full time positions at Beaver Lake and Fort Ranson and a half time position at Lewis and Clark. Cross Ranch would continue to operate without a full time maintenance staff.
9. **Community grant program** - Although statutory authority exists for the agency to provide matching grants for community recreation projects or community recreation professional staff, state funds have never been provided to do so. Federal funds provided to communities through the agency have been significantly reduced. These funds will help encourage and support important projects to improve recreational opportunities in all areas of the state with projects such as walking paths, softball fields, etc.
10. **Executive compensation package** - Health insurance increase and 5%/5% salary increases.
11. **Peace Garden equipment** - The IPG has no skid steer loader to be used to clear sidewalks during the winter months and for other maintenance and landscaping issues. Upon completion of the interpretive center, which will be open for year-round use, a Bobcat type piece of equipment is needed.

Agency Name: PARKS AND RECREATION DEPT

Agency Number: 00750

1 Description	2 2005-07 Biennium Expenditures	3 2007-09 Biennium Appropriation	4 2009-11 Budget Recommendation	5 Change from 2007-09	6	7
ADMINISTRATION	2,035,196	2,527,005	2,241,921	(285,084)	0	0
LEWIS AND CLARK BICENTENNIAL	600,630	0	0	0	0	0
NATURAL RESOURCES	9,215,521	14,235,225	14,937,038	701,813	0	0
PEACE GARDEN	602,854	3,169,854	791,854	(2,378,000)	0	0
RECREATION	3,189,734	8,638,764	8,113,109	(525,655)	0	0
TOTAL BY APPROPRIATION ORGS	15,643,935	28,570,848	26,083,922	(2,486,926)	0	0
ADMINISTRATION	2,035,196	2,127,005	2,241,921	114,916	0	0
NATURAL RESOURCES	9,215,521	14,235,225	14,937,038	701,813	0	0
RECREATION	3,189,734	8,638,764	8,113,109	(525,655)	0	0
PEACE GARDEN	602,854	3,169,854	791,854	(2,378,000)	0	0
LEWIS & CLARK BICENTENNIAL	600,630	0	0	0	0	0
MUSIC CAMP CONTINGENCY	0	400,000	0	(400,000)	0	0
TOTAL BY OBJECT SERIES	15,643,935	28,570,848	26,083,922	(2,486,926)	0	0
Federal Funds	3,207,861	8,183,007	6,186,214	(1,996,793)	0	0
General Fund	8,132,833	14,815,455	14,215,868	(599,587)	0	0
Special Funds	4,303,241	5,572,386	5,681,840	109,454	0	0
TOTAL BY FUNDS	15,643,935	28,570,848	26,083,922	(2,486,926)	0	0
FTE	46.50	50.50	49.50	(1.00)	0.00	0.00
VACANT	0.00	0.00	3.50	3.50	0.00	0.00

HB 1019 attachment #6
January 13, 2009

**CRO5R - SPECIAL LINE SUMMARY
PARKS AND RECREATION DEPARTMENT**

Description	Account Code	2005-07		2007-09		2009-11		Change from 2007-09
		Expenditures	Appropriation	Recommendation				
EXPENDITURES								
SALARIES								
SALARIES - PERMANENT	511000	3,165,629	3,775,959	4,236,108		460,149		
SALARY BUDGET ADJUSTMENT	511900	0	0	512,866		512,866		
SALARIES - OTHER	512000	0	0	0		0		
TEMPORARY SALARIES	513000	1,475,714	1,660,000	1,726,000		66,000		
OVERTIME	514000	18,692	38,000	0		(38,000)		
FRINGE BENEFITS	516000	1,282,936	1,606,634	1,986,674		380,040		
TOTAL SALARIES ACCOUNT CODES		\$5,942,971	\$7,080,593	\$8,461,648		\$1,381,055		
OPERATING								
TRAVEL	521000	441,621	390,100	516,100		126,000		
SUPPLIES - IT SOFTWARE	531000	58,361	46,000	56,000		10,000		
SUPPLY/MATERIAL-PROFESSIONAL	532000	89,635	128,150	128,150		0		
FOOD AND CLOTHING	533000	78,800	56,300	56,300		0		
BLDG, GROUND, MAINTENANCE	534000	481,079	384,100	396,100		12,000		
MISCELLANEOUS SUPPLIES	535000	117,046	106,600	106,600		0		
OFFICE SUPPLIES	536000	36,454	56,450	56,450		0		
POSTAGE	541000	50,900	57,550	57,550		0		
PRINTING	542000	82,810	123,100	123,100		0		
IT EQUIP UNDER \$5,000	551000	64,634	30,000	43,500		13,500		
OTHER EQUIP UNDER \$5,000	552000	122,254	84,831	159,831		75,000		
OFFICE EQUIP & FURN SUPPLIES	553000	19,873	35,600	35,600		0		
UTILITIES	561000	451,475	543,500	626,500		83,000		
INSURANCE	571000	131,812	598,500	598,500		0		
RENTALS/LEASES-EQUIP & OTHER	581000	4,208	10,200	10,200		0		
RENTALS/LEASES - BLDG/LAND	582000	222,980	237,600	237,600		0		
REPAIRS	591000	112,086	80,975	80,975		0		
SALARY INCREASE	599110	0	0	350,613		350,613		
BENEFIT INCREASE	599160	0	0	55,020		55,020		
IT - DATA PROCESSING	601000	104,946	87,270	119,570		32,300		
IT-COMMUNICATIONS	602000	130,255	140,446	150,446		10,000		
IT CONTRACTUAL SERVICES AND RE	603000	0	160,000	5,200		(154,800)		
PROFESSIONAL DEVELOPMENT	611000	67,076	47,000	47,000		0		
OPERATING FEES AND SERVICES	621000	110,993	145,100	145,100		0		
FEES - PROFESSIONAL SERVICES	623000	1,726,485	2,773,838	2,962,838		189,000		
MEDICAL, DENTAL AND OPTICAL	625000	1,153	3,000	3,000		0		
OTHER EXPENSES	632000	0	23,691	23,691		0		
TOTAL OPERATING ACCOUNT CODES		\$4,706,936	\$6,349,901	\$7,151,534		\$801,633		
CAPITAL ASSETS								
LAND AND BUILDINGS	682000	473,304	6,358,721	2,609,768		(3,748,953)		

Account Code	2005-07 Expenditures	2007-09 Appropriation	2009-11 Recommendation	Change from 2007-09
683000	1,482,027	17,545	73,630	56,085
684000	295,603	950,000	1,235,900	285,900
691000	263,635	432,500	635,000	202,500
692000	505,379	835,000	600,000	(235,000)
	<u>\$3,019,948</u>	<u>\$8,593,766</u>	<u>\$5,154,298</u>	<u>(\$3,439,468)</u>

Description

OTHER CAPITAL PAYMENTS
EXTRAORDINARY REPAIRS
EQUIPMENT OVER \$5000
MOTOR VEHICLES
TOTAL CAPITAL ACCOUNT CODES

GRANTS

GRANTS, BENEFITS & CLAIMS
TOTAL GRANTS ACCOUNT CODES

TOTAL EXPENDITURES

712000	1,974,080	6,546,588	5,316,442	(1,230,146)
	<u>\$1,974,080</u>	<u>\$6,546,588</u>	<u>\$5,316,442</u>	<u>(\$1,230,146)</u>
	<u>\$15,643,935</u>	<u>\$28,570,848</u>	<u>\$26,083,922</u>	<u>(\$2,486,926)</u>

FUNDING SOURCES

SPECIAL FUNDING SOURCES

SNOWMOBILE FUND - 261
STATE PARKS GIFT FUND - 265
PARKS & RECREATION FUND - 398
TRAIL TAX TRANSFER FUND - 441
TOTAL SPECIAL FUNDS

261	711,266	1,319,558	1,459,558	140,000
265	38,919	189,691	189,691	0
398	3,431,105	3,924,837	3,884,291	(40,546)
441	121,951	138,300	148,300	10,000
	<u>\$4,303,241</u>	<u>\$5,572,386</u>	<u>\$5,681,840</u>	<u>\$109,454</u>

FEDERAL FUNDING SOURCES

LWCF 1992 PROJECTS
PLANT CONSERVATION PROGRAM
ISTEA
RTP
FEMA/DEM
SCENIC BYWAYS
G&F COOPERATIVE AGREEMENT
EPA
BLM CHALLENGE GRANT
ENERGY GRANT
CROSS RANCH VISITOR CENTER
MOSQUITO 2007
N235 FEDERAL
FRIENDS OF LAKE SAKAKAWEA
WOOD BORER - DEPT OF AG
2002LWCF
TOTAL FEDERAL FUNDS

N012	1,539,730	3,104,708	1,924,096	(1,180,612)
N057	102,298	20,000	20,000	0
N083	0	0	200,000	200,000
N125	1,329,557	4,432,546	3,677,500	(755,046)
N133	16,590	0	0	0
N146	48,248	194,547	150,819	(43,728)
N192	110,782	64,399	64,399	0
N202	13,285	25,000	25,000	0
N210	1,657	0	0	0
N217	5,132	50,000	25,000	(25,000)
N223	0	62,500	62,500	0
N227	2,000	0	0	0
N235	5,225	0	0	0
N239	5,329	36,900	36,900	0
N250	54	0	0	0
NO12	27,974	192,407	0	(192,407)
	<u>\$3,207,861</u>	<u>\$8,183,007</u>	<u>\$6,186,214</u>	<u>(\$1,996,793)</u>

STATE GENERAL FUND

001	\$8,132,833	\$14,815,455	\$14,215,868	(\$599,587)
-----	-------------	--------------	--------------	-------------

TOTAL FUNDING SOURCES

	<u>\$15,643,935</u>	<u>\$28,570,848</u>	<u>\$26,083,922</u>	<u>(\$2,486,926)</u>
--	----------------------------	----------------------------	----------------------------	-----------------------------

FTE COUNTS

S100	46.50	50.50	53.00	2.50
------	-------	-------	-------	------

Agency: PARKS AND RECREATION DEPT
 Program: ADMINISTRATION
 Reporting Level: 00-750-100-00-00-00-00000000

1 Object/Revenue Description	2 2005-07 Biennium Expenditures	3 2007-09 Biennium Appropriation	4 2009-11 Budget Recommendation	5 Change from 2007-09	6	7
70 ADMINISTRATION						
SALARIES - PERMANENT	614,177	689,957	702,592	12,635	0	0
SALARY BUDGET ADJUSTMENT	0	0	56,415	56,415	0	0
SALARIES - OTHER	0	0	0	0	0	0
TEMPORARY SALARIES	1,997	0	0	0	0	0
FRINGE BENEFITS	211,918	267,548	280,878	13,330	0	0
TRAVEL	22,114	19,600	19,600	0	0	0
SUPPLIES - IT SOFTWARE	35,275	42,500	52,500	10,000	0	0
SUPPLY/MATERIAL-PROFESSIONAL	5,357	23,050	23,050	0	0	0
FOOD AND CLOTHING	2,886	1,500	1,500	0	0	0
BLDG, GROUND, MAINTENANCE	13,233	17,500	17,500	0	0	0
MISCELLANEOUS SUPPLIES	13,264	2,000	2,000	0	0	0
OFFICE SUPPLIES	9,464	24,800	24,800	0	0	0
POSTAGE	41,707	44,000	44,000	0	0	0
PRINTING	40,741	85,000	85,000	0	0	0
IT EQUIP UNDER \$5,000	56,753	30,000	43,500	13,500	0	0
OTHER EQUIP UNDER \$5,000	2,538	17,500	17,500	0	0	0
OFFICE EQUIP & FURN SUPPLIES	6,978	2,000	2,000	0	0	0
UTILITIES	1,469	5,000	5,000	0	0	0
INSURANCE	3,246	20,000	20,000	0	0	0
RENTALS/LEASES-EQUIP & OTHER	250	0	0	0	0	0
RENTALS/LEASES - BLDG/LAND	148,482	170,500	170,500	0	0	0
REPAIRS	16,063	7,000	7,000	0	0	0
SALARY INCREASE	0	0	56,392	56,392	0	0
BENEFIT INCREASE	0	0	9,059	9,059	0	0
IT - DATA PROCESSING	104,919	87,270	119,570	32,300	0	0
IT-COMMUNICATIONS	119,787	136,446	146,446	10,000	0	0
IT CONTRACTUAL SERVICES AND RE	0	160,000	5,200	(154,800)	0	0
PROFESSIONAL DEVELOPMENT	18,809	16,000	16,000	0	0	0
OPERATING FEES AND SERVICES	12,743	25,000	25,000	0	0	0
FEES - PROFESSIONAL SERVICES	181,046	191,598	191,598	0	0	0
OTHER EXPENSES	0	23,691	23,691	0	0	0

Base

OMB Recommendation Change

jmorrissette / 2009-R-03-00750

[illegible]

imorrisette / 2009-R-03-00750

Agency: PARKS AND RECREATION DEPT
 Program: ADMINISTRATION
 Reporting Level: 00-750-100-00-00-00-00000000

1 Object/Revenue Description	2 2005-07 Biennium Expenditures	3 2007-09 Biennium Appropriation	4 2009-11 Budget Recommendation	5 Change from 2007-09	6	7
TOTAL EXPENDITURES	2,035,196	2,527,005	2,241,921	(285,084)	0	0
FUNDING SOURCES						
SPECIAL FUNDING SOURCES						
STATE PARKS GIFT FUND - 265	38,919	189,691	189,691	0	0	0
PARKS & RECREATION FUND - 398	533,828	318,534	159,534	(159,000)	0	0
TOTAL SPECIAL FUNDS	572,747	508,225	349,225	(159,000)	0	0
FEDERAL FUNDING SOURCES						
N235 FEDERAL	5,225	0	0	0	0	0
TOTAL FEDERAL FUNDS	5,225	0	0	0	0	0
GENERAL FUNDING SOURCES						
STATE GENERAL FUND	1,457,224	2,018,780	1,892,696	(126,084)	0	0
TOTAL GENERAL FUNDS	1,457,224	2,018,780	1,892,696	(126,084)	0	0
TOTAL FUNDING SOURCES	2,035,196	2,527,005	2,241,921	(285,084)	0	0
FTE COUNTS	S100	8.00	8.00	0.00	0.00	0.00

Agency: PARKS AND RECREATION DEPT
 Program: RECREATION
 Reporting Level: 00-750-200-00-00-00-00-00000000

1 Object/Revenue Description	2 2005-07 Biennium Expenditures	3 2007-09 Biennium Appropriation	4 2009-11 Budget Recommendation	5 Change from 2007-09	6	7
72 RECREATION						
SALARIES - PERMANENT	511000 158,407	257,920	220,112	(37,808)	0	0
SALARY BUDGET ADJUSTMENT	511900 0	0	30,772	30,772	0	0
SALARIES - OTHER	512000 0	0	0	0	0	0
TEMPORARY SALARIES	513000 110,416	184,000	206,000	22,000	0	0
OVERTIME	514000 1,215	500	0	(500)	0	0
FRINGE BENEFITS	516000 77,006	49,820	118,688	68,868	0	0
TRAVEL	521000 24,874	60,000	60,000	0	0	0
SUPPLIES - IT SOFTWARE	531000 1,754	1,500	1,500	0	0	0
SUPPLY/MATERIAL-PROFESSIONAL	532000 16,391	4,500	4,500	0	0	0
FOOD AND CLOTHING	533000 6,299	10,500	10,500	0	0	0
BLDG, GROUND, MAINTENANCE	534000 38,684	9,600	9,600	0	0	0
MISCELLANEOUS SUPPLIES	535000 26,476	11,500	11,500	0	0	0
OFFICE SUPPLIES	536000 6,251	9,000	9,000	0	0	0
POSTAGE	541000 941	6,000	6,000	0	0	0
PRINTING	542000 14,159	26,500	26,500	0	0	0
IT EQUIP UNDER \$5,000	551000 3,607	0	0	0	0	0
OTHER EQUIP UNDER \$5,000	552000 16,341	6,500	6,500	0	0	0
OFFICE EQUIP & FURN SUPPLIES	553000 2,676	11,000	11,000	0	0	0
UTILITIES	561000 241	1,500	1,500	0	0	0
INSURANCE	571000 31,861	28,500	28,500	0	0	0
RENTALS/LEASES-EQUIP & OTHER	581000 0	1,500	1,500	0	0	0
RENTALS/LEASES - BLDG/LAND	582000 51,138	55,000	55,000	0	0	0
REPAIRS	591000 386	0	0	0	0	0
SALARY INCREASE	599110 0	0	18,322	18,322	0	0
BENEFIT INCREASE	599160 0	0	2,837	2,837	0	0
IT - DATA PROCESSING	601000 27	0	0	0	0	0
IT-COMMUNICATIONS	602000 4,176	4,000	4,000	0	0	0
PROFESSIONAL DEVELOPMENT	611000 13,805	8,500	8,500	0	0	0
OPERATING FEES AND SERVICES	621000 5,327	3,500	3,500	0	0	0
FEES - PROFESSIONAL SERVICES	623000 578,011	1,639,336	1,739,336	100,000	0	0
MEDICAL, DENTAL AND OPTICAL	625000 238	1,500	1,500	0	0	0

Base

OMB Recommendation Change

jmorrisette / 2009-R-03-00750

Agency: 00: PARKS AND RECREATION DEPT
 Program: RECREATION
 Reporting Level: 00:750-200-00-00-00-00-00000000

1 Object/Revenue Description	2 2005-07 Biennium Expenditures	3 2007-09 Biennium Appropriation	4 2009-11 Budget Recommendation	5 Change from 2007-09	6	7
Code						
OTHER CAPITAL PAYMENTS	683000	0	0	0	0	0
EQUIPMENT OVER \$5000	691000	15,000	0	(15,000)	0	0
MOTOR VEHICLES	692000	85,000	200,000	115,000	0	0
GRANTS, BENEFITS & CLAIMS	712000	6,146,588	5,316,442	(830,146)	0	0
TOTAL	3,189,734	8,638,764	8,113,109	(525,655)	0	0
FUNDING SOURCES						
SPECIAL FUNDING SOURCES						
SNOWMOBILE FUND - 261	261	1,319,558	1,434,558	115,000	0	0
TRAIL TAX TRANSFER FUND - 441	441	121,951	123,300	(15,000)	0	0
TOTAL SPECIAL FUNDS	833,217	1,457,858	1,557,858	100,000	0	0
FEDERAL FUNDING SOURCES						
LWCF 1992 PROJECTS	N012	866,923	2,884,708	1,908,242	(976,466)	0
RTP	N125	1,260,655	3,722,546	3,500,000	(222,546)	0
SCENIC BYWAYS	N146	48,248	194,547	150,819	(43,728)	0
ENERGY GRANT	N217	5,132	25,000	0	(25,000)	0
2002LWCF	N012	27,974	192,407	0	(192,407)	0
TOTAL FEDERAL FUNDS	2,208,932	7,019,208	5,559,061	(1,460,147)	0	0
GENERAL FUNDING SOURCES						
STATE GENERAL FUND	001	147,585	161,698	996,190	834,492	0
TOTAL GENERAL FUNDS	147,585	161,698	996,190	834,492	0	0
TOTAL EXPENDITURES	3,189,734	8,638,764	8,113,109	(525,655)	0	0
FUNDING SOURCES						
SPECIAL FUNDING SOURCES						
SNOWMOBILE FUND - 261	261	1,319,558	1,434,558	115,000	0	0
TRAIL TAX TRANSFER FUND - 441	441	121,951	123,300	(15,000)	0	0
TOTAL SPECIAL FUNDS	833,217	1,457,858	1,557,858	100,000	0	0

Base

OMB Recommendation Change

jmorrisette / 2009-R-03-00750

Agency: PARKS AND RECREATION DEPT
 Program: RECREATION
 Reporting Level: 00-750-200-00-00-00-00000000

1 Description	2 2005-07 Biennium Expenditures	3 2007-09 Biennium Appropriation	4 2009-11 Budget Recommendation	5 Change from 2007-09	6	7
FUNDING SOURCES						
FEDERAL FUNDING SOURCES						
LWCF 1992 PROJECTS	N012 866,923	2,884,708	1,908,242	(976,466)	0	0
RTP	N125 1,260,655	3,722,546	3,500,000	(222,546)	0	0
SCENIC BYWAYS	N146 48,248	194,547	150,819	(43,728)	0	0
ENERGY GRANT	N217 5,132	25,000	0	(25,000)	0	0
2002LWCF	NO12 27,974	192,407	0	(192,407)	0	0
TOTAL FEDERAL FUNDS	2,208,932	7,019,208	5,559,061	(1,460,147)	0	0
GENERAL FUNDING SOURCES						
STATE GENERAL FUND	001 147,585	161,698	996,190	834,492	0	0
TOTAL GENERAL FUNDS	147,585	161,698	996,190	834,492	0	0
TOTAL FUNDING SOURCES	3,189,734	8,638,764	8,113,109	(525,655)	0	0
FTE COUNTS	S100 3.00	3.00	3.00	0.00	0.00	0.00

Agency: PARKS AND RECREATION DEPT
 Program: NATURAL RESOURCES
 Reporting Level: 00-750-300-00-00-00-00000000

1 Object/Revenue Description	2 2005-07 Biennium Expenditures	3 2007-09 Biennium Appropriation	4 2009-11 Budget Recommendation	5 Change from 2007-09	6	7
71 NATURAL RESOURCES						
SALARIES - PERMANENT	2,342,414	2,828,082	3,313,404	485,322	0	0
SALARY BUDGET ADJUSTMENT	0	0	425,679	425,679	0	0
SALARIES - OTHER	0	0	0	0	0	0
TEMPORARY SALARIES	1,226,283	1,476,000	1,520,000	44,000	0	0
OVERTIME	17,269	37,500	0	(37,500)	0	0
FRINGE BENEFITS	962,133	1,289,266	1,587,108	297,842	0	0
TRAVEL	394,350	310,500	436,500	126,000	0	0
SUPPLIES - IT SOFTWARE	21,332	2,000	2,000	0	0	0
SUPPLY/MATERIAL-PROFESSIONAL	59,305	100,600	100,600	0	0	0
FOOD AND CLOTHING	69,060	44,300	44,300	0	0	0
BLDG, GROUND, MAINTENANCE	424,094	357,000	369,000	12,000	0	0
MISCELLANEOUS SUPPLIES	71,002	93,100	93,100	0	0	0
OFFICE SUPPLIES	19,756	22,650	22,650	0	0	0
POSTAGE	8,252	7,550	7,550	0	0	0
PRINTING	11,816	11,600	11,600	0	0	0
IT EQUIP UNDER \$5,000	4,274	0	0	0	0	0
OTHER EQUIP UNDER \$5,000	101,646	60,831	135,831	75,000	0	0
OFFICE EQUIP & FURN SUPPLIES	10,219	22,600	22,600	0	0	0
UTILITIES	449,765	537,000	620,000	83,000	0	0
INSURANCE	96,705	550,000	550,000	0	0	0
RENTALS/LEASES-EQUIP & OTHER	3,958	8,700	8,700	0	0	0
RENTALS/LEASES - BLDG/LAND	23,155	12,100	12,100	0	0	0
REPAIRS	92,888	73,975	73,975	0	0	0
SALARY INCREASE	0	0	275,899	275,899	0	0
BENEFIT INCREASE	0	0	43,124	43,124	0	0
IT-COMMUNICATIONS	6,199	0	0	0	0	0
PROFESSIONAL DEVELOPMENT	34,372	22,500	22,500	0	0	0
OPERATING FEES AND SERVICES	89,797	116,600	116,600	0	0	0
FEES - PROFESSIONAL SERVICES	354,557	206,050	295,050	89,000	0	0
MEDICAL, DENTAL AND OPTICAL	915	1,500	1,500	0	0	0
LAND AND BUILDINGS	473,133	3,925,721	2,609,768	(1,315,953)	0	0

Base

OMB Recommendation Change

jmorrisette / 2009-R-03-00750

Agency: PARKS AND RECREATION DEPT
 Program: NATURAL RESOURCES
 Reporting Level: 00-750-300-00-00-00-00000000

1 Object/Revenue Description	2 2005-07 Biennium Expenditures	3 2007-09 Biennium Appropriation	4 2009-11 Budget Recommendation	5 Change from 2007-09	6	7
683000	1,149,986	0	0	0	0	0
EXTRAORDINARY REPAIRS	267,414	950,000	1,235,900	285,900	0	0
EQUIPMENT OVER \$5000	56,218	417,500	580,000	162,500	0	0
MOTOR VEHICLES	373,254	750,000	400,000	(350,000)	0	0
TOTAL	9,215,521	14,235,225	14,937,038	701,813	0	0
FUNDING SOURCES						
SPECIAL FUNDING SOURCES						
SNOWMOBILE FUND - 261	0	0	25,000	25,000	0	0
PARKS & RECREATION FUND - 398	2,897,277	3,606,303	3,724,757	118,454	0	0
TRAIL TAX TRANSFER FUND - 441	0	0	25,000	25,000	0	0
TOTAL SPECIAL FUNDS	2,897,277	3,606,303	3,774,757	168,454	0	0
FEDERAL FUNDING SOURCES						
LWCF 1992 PROJECTS	672,807	220,000	15,854	(204,146)	0	0
PLANT CONSERVATION PROGRAM	102,298	20,000	20,000	0	0	0
ISTEA	0	0	200,000	200,000	0	0
RTP	68,902	710,000	177,500	(532,500)	0	0
FEMADEM	16,590	0	0	0	0	0
G&F COOPERATIVE AGREEMENT	110,782	64,399	64,399	0	0	0
EPA	13,285	25,000	25,000	0	0	0
BLM CHALLENGE GRANT	1,657	0	0	0	0	0
ENERGY GRANT	0	25,000	25,000	0	0	0
CROSS RANCH VISITOR CENTER	0	62,500	62,500	0	0	0
MOSQUITO 2007	2,000	0	0	0	0	0
FRIENDS OF LAKE SAKAKAWEA	5,329	36,900	36,900	0	0	0
WOOD BORER - DEPT OF AG	54	0	0	0	0	0
TOTAL FEDERAL FUNDS	993,704	1,163,798	627,153	(536,646)	0	0
GENERAL FUNDING SOURCES						
STATE GENERAL FUND	5,324,540	9,465,123	10,535,128	1,070,005	0	0
TOTAL GENERAL FUNDS	5,324,540	9,465,123	10,535,128	1,070,005	0	0

Agency: DEPT OF PARKS AND RECREATION
 Program: NATURAL RESOURCES
 Reporting Level: 00-750-300-00-00-00-00000000

1 Description	2 2005-07 Biennium Expenditures	3 2007-09 Biennium Appropriation	4 2009-11 Budget Recommendation	5 Change from 2007-09	6	7
FUNDING SOURCES						
TOTAL	9,215,521	14,235,225	14,937,038	701,813	0	0
TOTAL EXPENDITURES						
FUNDING SOURCES	9,215,521	14,235,225	14,937,038	701,813	0	0
SPECIAL FUNDING SOURCES						
SNOWMOBILE FUND - 261	0	0	25,000	25,000	0	0
PARKS & RECREATION FUND - 398	2,897,277	3,606,303	3,724,757	118,454	0	0
TRAIL TAX TRANSFER FUND - 441	0	0	25,000	25,000	0	0
TOTAL SPECIAL FUNDS	2,897,277	3,606,303	3,774,757	168,454	0	0
FEDERAL FUNDING SOURCES						
LWCF 1992 PROJECTS	672,807	220,000	15,854	(204,146)	0	0
PLANT CONSERVATION PROGRAM	102,298	20,000	20,000	0	0	0
ISTEA	0	0	200,000	200,000	0	0
RTP	68,902	710,000	177,500	(532,500)	0	0
FEMA/DEM	16,590	0	0	0	0	0
G&F COOPERATIVE AGREEMENT	110,782	64,399	64,399	0	0	0
EPA	13,285	25,000	25,000	0	0	0
BLM CHALLENGE GRANT	1,657	0	0	0	0	0
ENERGY GRANT	0	25,000	25,000	0	0	0
CROSS RANCH VISITOR CENTER	0	62,500	62,500	0	0	0
MOSQUITO 2007	2,000	0	0	0	0	0
FRIENDS OF LAKE SAKAKAWEA	5,329	36,900	36,900	0	0	0
WOOD BORER - DEPT OF AG	54	0	0	0	0	0
TOTAL FEDERAL FUNDS	993,704	1,163,799	627,153	(536,646)	0	0
GENERAL FUNDING SOURCES						
STATE GENERAL FUND	5,324,540	9,465,123	10,535,128	1,070,005	0	0
TOTAL GENERAL FUNDS	5,324,540	9,465,123	10,535,128	1,070,005	0	0
TOTAL FUNDING SOURCES	9,215,521	14,235,225	14,937,038	701,813	0	0

Agency: PARKS AND RECREATION DEPT
Program: NATURAL RESOURCES
Reporting Level: 00-750-300-00-00-00-00-00000000

1 Object/Revenue Code	2 2005-07 Biennium Expenditures	3 2007-09 Biennium Appropriation	4 2009-11 Budget Recommendation	5 Change from 2007-09	6	7
Description						

FTE COUNTS	\$100	34.50	39.50	42.00	2.50	0.00	0.00
------------	-------	-------	-------	-------	------	------	------

Agency: PARKS AND RECREATION DEPT
 Program: LEWIS AND CLARK BICENTENNIAL
 Reporting Level: 00-750-400-00-00-00000000

1 Object/Revenue Description	2 2005-07 Biennium Expenditures	3 2007-09 Biennium Appropriation	4 2009-11 Budget Recommendation	5 Change from 2007-09	6	7
76 LEWIS CLARK BICENTENNIAL						
SALARIES - PERMANENT	50,631	0	0	0	0	0
TEMPORARY SALARIES	137,018	0	0	0	0	0
OVERTIME	208	0	0	0	0	0
FRINGE BENEFITS	31,879	0	0	0	0	0
TRAVEL	283	0	0	0	0	0
SUPPLY/MATERIAL-PROFESSIONAL	8,582	0	0	0	0	0
FOOD AND CLOTHING	555	0	0	0	0	0
BLDG, GROUND, MAINTENANCE	5,068	0	0	0	0	0
MISCELLANEOUS SUPPLIES	6,304	0	0	0	0	0
OFFICE SUPPLIES	983	0	0	0	0	0
PRINTING	16,094	0	0	0	0	0
OTHER EQUIP UNDER \$5,000	1,729	0	0	0	0	0
RENTALS/LEASES - BLDG/LAND	225	0	0	0	0	0
REPAIRS	2,749	0	0	0	0	0
IT-COMMUNICATIONS	93	0	0	0	0	0
PROFESSIONAL DEVELOPMENT	90	0	0	0	0	0
OPERATING FEES AND SERVICES	3,126	0	0	0	0	0
FEES - PROFESSIONAL SERVICES	10,017	0	0	0	0	0
LAND AND BUILDINGS	171	0	0	0	0	0
OTHER CAPITAL PAYMENTS	296,636	0	0	0	0	0
EXTRAORDINARY REPAIRS	28,189	0	0	0	0	0
TOTAL	600,630	0	0	0	0	0
FUNDING SOURCES						
GENERAL FUNDING SOURCES						
STATE GENERAL FUND	600,630	0	0	0	0	0
TOTAL GENERAL FUNDS	600,630	0	0	0	0	0
TOTAL EXPENDITURES	600,630	0	0	0	0	0

Agency: PARKS AND RECREATION DEPT
Program: LEWIS AND CLARK BICENTENNIAL
Reporting Level: 00-750-400-00-00-00-00000000

1 Object/Revenue Description	2 2005-07 Biennium Expenditures	3 2007-09 Biennium Appropriation	4 2009-11 Budget Recommendation	5 Change from 2007-09	6	7
------------------------------------	---------------------------------------	--	---------------------------------------	-----------------------------	---	---

FUNDING SOURCES

GENERAL FUNDING SOURCES

STATE GENERAL FUND	001	600,630	0	0	0	0
TOTAL GENERAL FUNDS		600,630	0	0	0	0
TOTAL FUNDING SOURCES		600,630	0	0	0	0

FTE COUNTS	S100	1.00	0.00	0.00	0.00	0.00
------------	------	------	------	------	------	------

Agency: 03: PARKS AND RECREATION DEPT
 Program: PEACE GARDEN
 Reporting Level: 00-750-500-00-00-00-00000000

Reporting Level: 00700-000-00-00-00-00000000													
1 Object/Revenue Description		2 2005-07 Biennium Expenditures Code		3 2007-09 Biennium Appropriation		4 2009-11 Budget Recommendation		5 Change from 2007-09		6		7	
75 PEACE GARDEN													
UTILITIES		561000		0		0		0		0		0	
FEES - PROFESSIONAL SERVICES		623000		602,854		736,854		0		0		0	
LAND AND BUILDINGS		682000		0		0		(2,433,000)		0		0	
EQUIPMENT OVER \$5000		691000		0		55,000		55,000		0		0	
TOTAL				602,854		791,854		(2,378,000)		0		0	
FUNDING SOURCES													
GENERAL FUNDING SOURCES													
STATE GENERAL FUND		001		602,854		791,854		(2,378,000)		0		0	
TOTAL GENERAL FUNDS				602,854		791,854		(2,378,000)		0		0	
TOTAL				602,854		791,854		(2,378,000)		0		0	
TOTAL EXPENDITURES													
FUNDING SOURCES				602,854		791,854		(2,378,000)		0		0	
GENERAL FUNDING SOURCES													
STATE GENERAL FUND		001		602,854		791,854		(2,378,000)		0		0	
TOTAL GENERAL FUNDS				602,854		791,854		(2,378,000)		0		0	
TOTAL FUNDING SOURCES				602,854		791,854		(2,378,000)		0		0	

AB 1019
Feb. 3, 2009
Attachment # 1

CRO5R - SPECIAL LINE SUMMARY
PARKS AND RECREATION DEPARTMENT

Description	Account Code	2005-07 Expenditures	Change from 2005-07	2007-09 Appropriation	Change from 2007-09	2009-11 Recommendation
EXPENDITURES						
SALARIES						
SALARIES - PERMANENT	511000	3,165,629	610,330	3,775,959	460,149	4,236,108
SALARY BUDGET ADJUSTMENT	511900	0	0	0	512,866	512,866
SALARIES - OTHER	512000	0	0	0	0	0
TEMPORARY SALARIES	513000	1,475,714	184,286	1,660,000	66,000	1,726,000
OVERTIME	514000	18,692	19,308	38,000	(38,000)	0
FRINGE BENEFITS	516000	1,282,936	323,698	1,606,634	380,040	1,986,674
SALARY INCREASE	599110	0	0	0	350,613	350,613
BENEFIT INCREASE	599160	0	0	0	55,020	55,020
TOTAL SALARIES ACCOUNT CODES		\$5,942,971	\$1,137,622	\$7,080,593	\$1,786,688	\$8,867,281

OPERATING

TRAVEL	521000	441,621	(51,521)	390,100	126,000	516,100
SUPPLIES - IT SOFTWARE	531000	58,361	(12,361)	46,000	10,000	56,000
SUPPLY/MATERIAL-PROFESSIONAL	532000	89,635	38,515	128,150	0	128,150
FOOD AND CLOTHING	533000	78,800	(22,500)	56,300	0	56,300
BLDG, GROUND, MAINTENANCE	534000	481,079	(96,979)	384,100	12,000	396,100
MISCELLANEOUS SUPPLIES	535000	117,046	(10,446)	106,600	0	106,600
OFFICE SUPPLIES	536000	36,454	19,996	56,450	0	56,450
POSTAGE	541000	50,900	6,650	57,550	0	57,550
PRINTING	542000	82,810	40,290	123,100	0	123,100
IT EQUIP UNDER \$5,000	551000	64,634	(34,634)	30,000	13,500	43,500
OTHER EQUIP UNDER \$5,000	552000	122,254	(37,423)	84,831	75,000	159,831
OFFICE EQUIP & FURN SUPPLIES	553000	19,873	15,727	35,600	0	35,600
UTILITIES	561000	451,475	92,025	543,500	83,000	626,500
INSURANCE	571000	131,812	466,688	598,500	0	598,500
RENTALS/LEASES-EQUIP & OTHER	581000	4,208	5,992	10,200	0	10,200
RENTALS/LEASES - BLDG/LAND	582000	222,980	14,620	237,600	0	237,600
REPAIRS	591000	112,086	(31,111)	80,975	0	80,975
IT - DATA PROCESSING	601000	104,946	(17,676)	87,270	32,300	119,570
IT-COMMUNICATIONS	602000	130,255	10,191	140,446	10,000	150,446
IT CONTRACTUAL SERVICES AND RE	603000	0	160,000	160,000	(154,800)	5,200
PROFESSIONAL DEVELOPMENT	611000	67,076	(20,076)	47,000	0	47,000
OPERATING FEES AND SERVICES	621000	110,993	34,107	145,100	0	145,100

FEES - PROFESSIONAL SERVICES	623000	1,726,485	1,047,353	2,773,838	189,000	2,962,838
MEDICAL, DENTAL AND OPTICAL	625000	1,153	1,847	3,000	0	3,000
OTHER EXPENSES	632000	0	23,691	23,691	0	23,691
TOTAL OPERATING ACCOUNT CODES		\$4,706,936	\$1,642,965	\$6,349,901	\$396,000	\$6,745,901

CAPITAL ASSETS						
LAND AND BUILDINGS	682000	473,304	5,885,417	6,358,721	(3,748,953)	2,609,768
OTHER CAPITAL PAYMENTS	683000	1,482,027	(1,464,482)	17,545	56,085	73,630
EXTRAORDINARY REPAIRS	684000	295,603	654,397	950,000	285,900	1,235,900
EQUIPMENT OVER \$5000	691000	263,635	168,865	432,500	202,500	635,000
MOTOR VEHICLES	692000	505,379	329,621	835,000	(235,000)	600,000
TOTAL CAPITAL ACCOUNT CODES		\$3,019,948	\$5,573,818	\$8,593,766	(\$3,439,468)	\$5,154,298

GRANTS						
GRANTS, BENEFITS & CLAIMS	712000	1,974,080	4,572,508	6,546,588	(1,230,146)	5,316,442
TOTAL GRANTS ACCOUNT CODES		\$1,974,080	\$4,572,508	\$6,546,588	(\$1,230,146)	\$5,316,442
TOTAL EXPENDITURES		\$15,643,935	\$12,926,913	\$28,570,848	(\$2,486,926)	\$26,083,922

FUNDING SOURCES						
SPECIAL FUNDING SOURCES						
SNOWMOBILE FUND - 261	261	711,266	608,292	1,319,558	140,000	1,459,558
STATE PARKS GIFT FUND - 265	265	38,919	150,772	189,691	0	189,691
PARKS & RECREATION FUND - 398	398	3,431,105	493,732	3,924,837	(40,546)	3,884,291
TRAIL TAX TRANSFER FUND - 441	441	121,951	16,349	138,300	10,000	148,300
TOTAL SPECIAL FUNDS		\$4,303,241	\$1,269,145	\$5,572,386	\$109,454	\$5,681,840

FEDERAL FUNDING SOURCES						
LWCF 1992 PROJECTS	N012	1,539,730	1,564,978	3,104,708	(1,180,612)	1,924,096
PLANT CONSERVATION PROGRAM	N057	102,298	(82,298)	20,000	0	20,000
ISTEA	N083	0	0	0	200,000	200,000
RTP	N125	1,329,557	3,102,989	4,432,546	(755,046)	3,677,500
FEMA/DEM	N133	16,590	(16,590)	0	0	0
SCENIC BYWAYS	N146	48,248	146,299	194,547	(43,728)	150,819
G&F COOPERATIVE AGREEMENT	N192	110,782	(46,383)	64,399	0	64,399
EPA	N202	13,285	11,715	25,000	0	25,000
BLM CHALLENGE GRANT	N210	1,657	(1,657)	0	0	0
ENERGY GRANT	N217	5,132	44,868	50,000	(25,000)	25,000
CROSS RANCH VISITOR CENTER	N223	0	62,500	62,500	0	62,500
MOSQUITO 2007	N227	2,000	(2,000)	0	0	0
N235 FEDERAL	N235	5,225	(5,225)	0	0	0
FRIENDS OF LAKE SAKAKAWEA	N239	5,329	31,571	36,900	0	36,900

WOOD BORER - DEPT OF AG	N250	54	(54)	0	0
2002LWCF	NO12	27,974	164,433	192,407	(192,407)
TOTAL FEDERAL FUNDS		\$3,207,861	\$4,975,146	\$8,183,007	(\$1,996,793)
STATE GENERAL FUND	001	\$8,132,833	\$6,682,622	\$14,815,455	(\$599,587)
TOTAL FUNDING SOURCES		\$15,643,935	\$12,926,913	\$28,570,848	(\$2,486,926)
FTE COUNTS	S100	46.50	4.00	50.50	2.50

Explanation of Major Variances 2005-07 to 2007-09
Salaries and Wages

- 4.00 additional FTE for 3 FTE maintenance staff and 1 FTE park manager. The park manager position was added to manage the Pembina Gorge trail system.
 - Health insurance increases and 4%/4% salary increases.
 - Equity pool allocations by HRMS.
 - Inflationary increases in temporary salary rates
 - Other
- Total change - Salaries and wages

Operating

- IT contractual services - Funding to develop on-line reservation system through ITD
 - Insurance - A portion of this variance appears to be attributable to an error in the allocation of the 2007-09 appropriation. The amount shown for insurance includes amounts which should have been allocated to professional services.
 - Fees - professional services - Increased for ATV safety programs, snowmobile safety programs, shift in federal Scenic Byways funding from grants to operating, development of a trails master plan, and federally required statewide parks plan update
 - Utilities - Inflationary increases
 - Miscellaneous decreases
- Total change - Operating

Capital Assets

- Land and buildings - Increased for various projects, including road projects (\$691,915), Icelandic state park visitors center (\$474,500), Peace Garden music camp (\$400,000), Peace Garden interpretive center (\$1,500,000), and Peace Garden deferred maintenance (\$933,000).
 - Other capital payments - Shown as a decrease because 2005-07 expenditures incorrectly coded to this account should have been coded to land a buildings, reducing the variance explained in #1 above.
 - Extraordinary repairs, equipment, and motor vehicles - Increased for one-time projects authorized for the 2007-09 biennium.
- Total change - Capital Assets

\$350,000	
365,000	
130,394	
120,000	
172,228	
<u>\$1,137,622</u>	
\$160,000	
466,688	
1,047,353	
92,025	
(123,101)	
<u>\$1,642,965</u>	
\$5,885,417	
(1,464,482)	
1,152,883	
<u>\$5,573,818</u>	

Grants

1. Grants - Anticipated increase in federal recreational trails (RTP) and land and water conservation fund (LWCF) programs.

6,546,588

Explanation of Major Variances 2007-09 to 2009-11

Salaries and Wages

1. Allowance for cost to continue current salaries
2. Health insurance increases
3. Cost of 5%/5%
4. Proposed equity
5. Temporary salary increases
6. Continuation of HRMS 2007-09 equity pool allocation
7. Other

Total change - Salaries and wages

\$84,617
218,487
414,175
512,866
132,000
130,394
294,149
<u>\$1,786,688</u>

Operating

1. Travel - Inflationary increases in travel
2. Utilities - Inflationary increases in utilities
3. Inflationary increase for small equipment purchases
4. IT data processing - ITD rate increases
5. IT contractual services - Completion of 2007-09 online system
6. Professional services - noxious weed control increased costs
7. Professional services - Increase in recreation program for off-highway vehicle and snowmobile safety programs - funded with special fund revenue

8. Other

Total change - Operating

\$126,000
83,000
75,000
42,300
(160,000)
89,000
100,000
40,700
<u>\$396,000</u>

Capital Assets

1. Land and buildings - Remove 2007-09 biennium projects
2. Land and buildings - Add funding for 2009-11 capital projects
3. Other capital payments - Allow for additional 2009-11 bond payments
4. Extraordinary repairs - Remove 2007-09 repairs
5. Extraordinary repairs - Add funding for 2009-11 repairs
6. Equipment and motor vehicles - Remove 2007-09 biennium equipment
7. Equipment and motor vehicles - Add funding for 2009-11 equipment

Total change - Capital Assets

(\$6,358,721)
2,609,768
56,085
(950,000)
1,235,900
(1,267,500)
1,235,000
<u>(\$3,439,468)</u>

Grants

1. Grants - Reduction for federal funds not anticipated to be received and reduction for excess 2007-09 federal authority

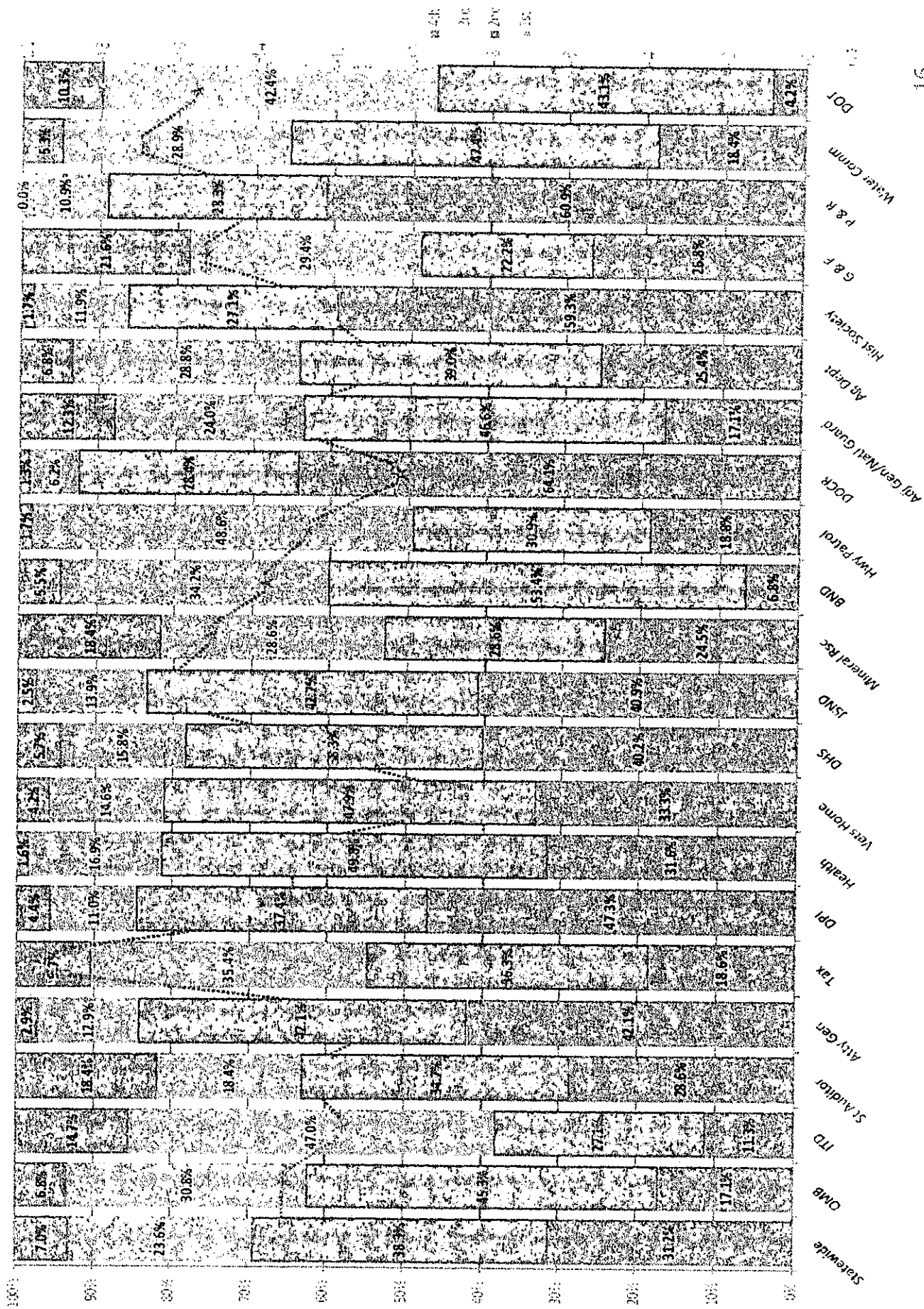
<u>(\$1,230,146)</u>

Attachment C
Parks & Rec.
1/26/09

FTE	Gr	1-Jul-08		New Salary	New Per/Hr	Difference	Low	Mid	High	Yrs	Current C-ratio	New C-ratio
		Salary	Per/Hr									
1.00	6	2150.66	12.41	2150.66	12.41	0.00	1734.00	2312.00	2890.00	8.97	0.93	0.93
1.00	7	2184.00	12.60	2200.00	12.69	16.00	1923.00	2564.00	3205.00	1.90	0.85	0.85
1.00	10	3450.02	19.90	4100.00	23.65	649.98	2588.00	3451.00	4314.00	31.88	1.00	1.19
1.00	9	3138.41	18.11	3700.00	21.35	561.59	2384.00	3179.00	3974.00	29.78	0.99	1.16
1.00	13	4742.10	27.36	5150.00	29.71	407.90	3388.00	4517.00	5646.00	27.41	1.05	1.14
1.00	11	3175.00	18.32	3175.00	18.32	0.00	2818.00	3757.00	4696.00	0.03	0.85	0.85
1.00	12	3184.00	18.37	3800.00	21.92	616.00	3082.00	4109.00	5138.00	8.82	0.77	0.92
						2251.47						
						54035.28						
						900.77						
						64,936.05	11%					
1.00	11	2916.58	16.83	3400.00	19.82	483.32	2818.00	3757.00	4696.00	5.32	0.78	0.90
1.00	13	3428.59	19.78	4100.00	23.65	671.41	3388.00	4517.00	5646.00	7.30	0.78	0.91
1.00	10	2826.07	16.30	2975.00	17.16	148.93	2588.00	3451.00	4314.00	1.37	0.82	0.86
						31,287.84						
						521.57						
						31,809.41	6%					
0.75	12	4517.78	26.08	4725.00	27.28	207.22	3082.00	4109.00	5138.00	28.29	1.10	1.15
1.00	10	2773.00	16.00	3000.00	17.31	227.00	2588.00	3451.00	4314.00	2.57	0.80	0.87
1.00	11	3162.76	18.25	3900.00	22.50	737.24	2818.00	3757.00	4696.00	14.75	0.84	1.04
1.00	10	3290.64	18.98	3750.00	21.84	459.36	2588.00	3451.00	4314.00	20.84	0.95	1.09
1.00	13	4379.18	25.26	5300.00	30.58	920.82	3388.00	4517.00	5646.00	30.38	0.97	1.17
1.00	10	3092.98	17.61	3750.00	21.84	657.02	2588.00	3451.00	4314.00	20.29	0.88	1.09
1.00	9	2681.76	15.47	3175.00	18.32	493.24	2384.00	3179.00	3974.00	10.08	0.84	1.00
1.00	12	3257.00	18.79	3300.00	19.04	43.00	3082.00	4109.00	5138.00	1.32	0.79	0.80
1.00	13	5146.82	29.69	5500.00	31.73	353.18	3388.00	4517.00	5646.00	33.22	1.14	1.22
1.00	12	3792.05	21.88	4400.00	25.39	607.95	3082.00	4109.00	5138.00	18.48	0.92	1.07
1.00	8	2294.00	13.23	2550.00	14.71	256.00	2147.00	2863.00	3579.00	4.89	0.80	0.89
1.00	9	2418.00	13.95	2550.00	14.71	132.00	2384.00	3179.00	3974.00	1.04	0.76	0.80
1.00	9	3058.82	17.85	3200.00	18.46	141.18	2384.00	3179.00	3974.00	11.78	0.96	1.01
1.00	9	2534.39	14.62	2550.00	14.71	15.61	2384.00	3179.00	3974.00	1.20	0.80	0.80
1.00	13	4165.55	24.03	5150.00	29.71	984.45	3388.00	4517.00	5646.00	27.34	0.92	1.14
1.00	9	2418.00	13.95	2750.00	15.87	332.00	2384.00	3179.00	3974.00	2.31	0.76	0.87
1.00	14	4793.75	27.66	5750.00	33.17	956.25	3748.00	4997.00	6246.00	28.95	0.98	1.15
1.00	9	2543.00	14.67	2550.00	14.71	7.00	2384.00	3179.00	3974.00	0.12	0.80	0.80
1.00	12	3780.33	21.81	3780.33	21.81	0.00	3082.00	4109.00	5138.00	3.44	0.92	0.92
1.00	12	3580.60	20.66	4800.00	27.69	1219.40	3082.00	4109.00	5138.00	30.26	0.87	1.17
1.00	9	2539.00	14.65	2850.00	16.44	311.00	2384.00	3179.00	3974.00	5.68	0.80	0.90
1.00	12	3244.00	18.72	3800.00	20.77	356.00	3082.00	4109.00	5138.00	3.06	0.79	0.88
1.00	12	3262.00	18.82	3600.00	20.77	338.00	3082.00	4109.00	5138.00	3.15	0.79	0.88
1.00	12	3457.60	19.95	4425.00	25.53	967.40	3082.00	4109.00	5138.00	19.33	0.84	1.08
1.00	13	4060.21	23.42	4750.00	27.40	689.79	3388.00	4517.00	5646.00	16.29	0.90	1.06
1.00	10	2743.00	15.83	2875.00	17.18	232.00	2588.00	3451.00	4314.00	1.82	0.79	0.88
1.00	10	2940.42	16.96	3450.00	19.90	509.58	2588.00	3451.00	4314.00	10.40	0.85	1.00
1.00	11	2954.36	17.04	3300.00	19.04	345.64	2818.00	3757.00	4696.00	3.90	0.79	0.88
0.75	8	2530.18	14.60	2950.00	17.02	419.82	2147.00	2863.00	3579.00	13.38	0.88	1.03
1.00	14	5533.10	31.92	6100.00	35.19	566.90	3748.00	4997.00	6246.00	33.24	1.11	1.22
1.00	10	2893.00	16.89	3525.00	20.34	632.00	2588.00	3451.00	4314.00	12.49	0.84	1.02
1.00	13	3744.00	0.00	4050.00	23.37	306.00	3388.00	4517.00	5646.00	5.24	0.83	0.90
1.00	9	2765.93	15.98	2765.93	15.98	0.00	2384.00	3179.00	3974.00	2.37	0.87	0.87
1.00	13	4092.21	23.81	5050.00	29.14	957.79	3388.00	4517.00	5646.00	25.36	0.91	1.12
1.00	9	2737.20	15.79	2825.00	16.30	87.80	2384.00	3179.00	3974.00	3.29	0.86	0.89
1.00	9	2418.00	13.95	2550.00	14.71	132.00	2384.00	3179.00	3974.00	1.32	0.78	0.80
1.00	9	2794.00	16.12	3300.00	19.04	506.00	2384.00	3179.00	3974.00	14.16	0.88	1.04
1.00	10	3369.65	19.44	3900.00	22.50	530.35	2588.00	3451.00	4314.00	26.03	0.98	1.13
1.00	13	4615.08	26.63	5400.00	31.15	784.92	3388.00	4517.00	5646.00	32.36	1.02	1.20
1.00	9	2400.00	13.85	2400.00	13.85	0.00	2384.00	3179.00	5138.00	0.00	0.75	0.75
49.50						17463.91						
		163,927.88		184,946.92		419,133.84		185,544.00		13.72	0.88	1.00
						8986.96						
						425,120.80						
						512,866.26						

attachment F
January 26, 2009
HB 1019

Employees by Quartile - Selected Agencies



HB 1019 February 10, 2009
ND Parks Equip attachment # 1

One Time Purchase of Equipment

Bobcats and attachments (8) – CRSP, FSSP, L&CSP, FALSP, FRSP, ISP, TRSP, LSSP	8 X 50,000	= \$ 400,000
Wood Chippers (2)	2 X 25,000	= \$ 50,000
Rescue Boats on Lake Sakakawea (2) FSSP, LSSP	2 X 62,000	= \$ 124,000
Total		\$ 574,000.00

AB 1019 Attachment #1a
February 10, 2009

Equipment Under \$5000

Effluent Pump - FLSP	\$1,600
Trailer - 18 ft. - SCSP	3,000
Generator - SCSP, TRSP (\$3000)	6,000
3-Pt Broom - LSSP	4,500
ATV Weed Sprayer - LSSP, FRSP, TRSP (4000)	12,000
Post Hole Digger - LSSP	1,500
3-Pt Blade - LSSP	3,100
Drill Press - LSSP	2,600
Shop Vac - LSSP	800
Snowmobile Trailer - FRSP, LSSP, ISP, CRSP, TRSP (\$3000)	15,000
Commercial Fridge - FRSP	3,000
Air Compressor - ISP, FSSP (\$2,500)	5,000
Dumpsters (2) BLSP	1,000
Brush Mower - L&CSP, BLSP, SCSP, FLSP (\$3000)	12,000
Wirefeed Welder - LMSP, BLSP (\$1800)	3,600
Auger for Bobcat - TRSP, DLSP (\$1000)	2,000
10' Wheel Box Scraper - FRSP, DLSP (\$3200)	6,400
Projector for Amphitheater Computer - FRSP, LSSP, ISP, DLSP (\$4000)	16,000
Paint Sprayer - ISP, DLSP (\$1500)	3,000
Pressure Washer - TRSP, DLSP (\$750)	1,500
Floor Scrubber - DLSP	1,300
Vehicle Siren & PA - ISP, FRSP, 2-DLSP (\$3000)	12,000
Digital Camera - ISP, DLSP (\$750)	1,500
Metal Safety Cabinet - ISP, DLSP (\$2500)	5,000
Sewage Wagon & Pump - DLSP	2,500
Copier - DLSP	2,500
Video Camera - ISP	2,500
3-Pt Tiller - ISP	1,500
Map Storage Unit - TRSP	2,500
Employee Lockers - TRSP	1,800
Upright Grills - 2-TRSP (\$2500)	5,000
Snow Blower, Walk Behind - TRSP	2,500
Shop Vac - TRSP	1,500
Ergonomic Office Furniture - LMSP	1,000
Portable Grill - LMSP	4,000
<hr/>	
TOTAL	\$150,700.00

Equipment Over \$5000

Radio System for 10 Parks (\$8000)	\$ 80,000
Utility Vehicle – BLSP, FRSP, LSSP, FSSP, LMSP TRSP, DLSP, ISP (\$15000)	120,000
Manure Spreader – LMoBSP	5,000
Mower 72" Toro – BLSP, FSSP, DLSP (\$19000)	57,000
ATV – FSSP, LMSP, FRSP, LSSP (\$8000)	32,000
Utility Tractor – SCSP, FLSP, BLSP, LSSP, DLSP, L&CSP, LSSP (\$25000)	175,000
Alpine Snowmobile – ISP, DLSP, FRSP (\$15000)	45,000
Fire Unit for Pick-up – ISP, DLSP, CRSP (\$14000)	42,000
Boat – BLSP, LMSP (\$10000)	20,000
Fish Grinder & Motor- DLSP	5,000
Snow Blower for Bobcat – DLSP	5,500
Security System for Heritage Center – ISP	7,000
Electric ULV Mosquitoes Sprayer – TRSP	10,000
Clam Bucket for Case 570 – TRSP	10,000
Plasma Cutter – TRSP	7,500

TOTAL	\$ 621,000
-------	------------

NDPRD Capital/Equipment List

Capital projects

	GF	FF	SF	Total
Road repair at Turtle River State Park	\$820,000			\$820,000
Road repair at Fort Stevenson	592,468			592,468
Ft. Stevenson infrastructure upgrade II	468,000			468,000
Turtle River infrastructure upgrade II	269,300			269,300
Ft. Ranson land acquisition	50,000			50,000
Sully Creek comfort station	160,000			160,000
Total	\$2,359,768			\$2,359,768

Turtle Mtn. trails (SF trails and snowmobile)		200,000	50,000	250,000
---	--	---------	--------	---------

Grand Total	\$2,359,768	\$200,000	\$50,000	\$2,609,768
--------------------	--------------------	------------------	-----------------	--------------------

Equipment

	GF	FF	SF	Total
Base budget				
Mower 72" Toro (BL, FS, DL, 19,000)	\$ 57,000		\$	57,000
ATV (FS, LM, FR, LS, 8,000)	\$ 32,000		\$	32,000
Utility tractor (SC, FL, BL, LS, DL, LC, LM, 25,000)	\$ 175,000		\$	175,000
Alpine snowmobile (ISP, DL, FR, 15000)	\$ 45,000		\$	45,000
Snowmobile for enforcement (TR, FL, FR, 14,000)	\$ 42,000		\$	42,000
Fire Unit for pickup (ISP, DL, CR, 14,000)	\$ 42,000		\$	42,000
Boat (BL, LM, ISP, 10,000)	\$ 30,000		\$	30,000
Fish Grinder & Motor (DL)	\$ 5,000		\$	5,000
Security System for Heritage Center (ISP)	\$ 7,000		\$	7,000
Electric ULV Mosquito & Sprayer (TR)	\$ 5,000		\$	5,000
Clam Bucket for Case 750 (TR)	\$ 5,000		\$	5,000
Manure Spreader (LMB)	\$ 5,000		\$	5,000
Groomers (Snowmobile)			\$ 200,000	\$ 200,000
	\$ 450,000	\$ -	\$ 200,000	\$ 650,000

One-Time funding

Bobcats and attachments in 8 parks			400,000	400,000
Wood chippers			50,000	50,000
Radio replacements with digital			80,000	80,000
Total			\$530,000	\$530,000
Grand Total	\$ 450,000	\$ -	\$ 730,000	\$ 1,180,000

North Dakota

Tourism Alliance Partnership

P.O. Box 2599
Bismarck, ND 58502
(701) 355-4458
FAX (701) 223-4645

2008-2009 MEMBERS

Basin Electric
Power Cooperative

Bismarck-Mandan CVB

Buffalo City Tourism

Destination Marketing
Association of North Dakota

Devils Lake CVB

Dickinson CVB

Fargo-Moorhead CVB

Abraham
Lincoln Foundation

Greater Grand Forks CVB

International Peace Garden

Lewis & Clark Fort
Mandan Foundation

Municipal Airport Authority
of the City of Fargo

ND Aeronautics Commission

ND Tourism Division

Newman Outdoor Advertising

Norsk Hostfest Association

Odyssey Communications Group

Select Inn of Bismarck

Spirit Lake Casino and Resort

State Historical Society of
North Dakota Foundation

More Roosevelt
Foundation

Woodland Resort, Inc.

Testimony of Dana Bohn
Tourism Alliance Partnership Executive Director
HB 1019
March 9, 2009

Chairman Holmberg and members of the committee, my name is Dana Bohn. As executive director of the Tourism Alliance Partnership (TAP), I would like to ask for your support of HB 1019. TAP is a coalition of tourism-related industries, including CVBs, state attractions, businesses and other interested stakeholders.

The North Dakota Parks and Recreation Department is a very important component of the tourism industry that helps us attract visitors. North Dakota is known as the Peace Garden state, and we strongly encourage you to help maintain the International Peace Garden as one of our premier attractions.

In 2008, TAP hosted eight regional meetings and one statewide meeting in an effort to bring industry stakeholders together to identify what needed to be done to continue to grow the tourism industry. More than 500 people attended these meetings and they identified infrastructure development as one of the top priorities for industry growth.

The Parks and Recreation budget, the International Peace Garden and the community grant program will all help advance our industry. We encourage you to support the development of our state's tourism infrastructure by appropriately funding the Parks and Recreation Department.

HB 1019
January 13, 2009
attachment
#5

Prchal, Douglass A.

Subject: FW: One Fulfillment Reports & Invoice for December
Attachments: State Parks Invoice.doc; State Parks.xls

-----Original Message-----

From: Jennifer Kalkman [mailto:jkalkman@onefulfillment.com]
Sent: Monday, January 05, 2009 8:06 AM
To: Weixel, Gordon G.
Subject: One Fulfillment Reports & Invoice for December

Happy New Year Gordon! I hope that 2009 is off to a great start for you!
This message is about your brochure's orders for the month of December in the One Fulfillment program on the ND Tourism web site.

As in the previous two years, December was a relatively slow month for brochure orders, but orders began to pick up on December 26th and have been increasing since. For the entire month, the average number of brochures per day was 31. But after Christmas Day, the average number of orders per day has increased to 48! Last year, January was the busiest month and it looks like we're on the same track again this year.

There were a total of 960 orders during the month in the overall program.
We received 426 orders for your brochure in the last week of December.

The top states that you received orders from were Texas, California, Pennsylvania, Indiana and Wisconsin. You received orders from all 50 states.

The age group that you received the most orders from was the 35-54 age group with 43% of your total orders. Thirty-two percent of your orders came from the 55+ age category and 16% came from the 25-34 age category.

Slightly more of your orders came from females with 55% of your total orders while 45% were from males.

The top interests among your recipients were Scenic Drives, Historic Sites, State Parks, Roosevelt NP/Badlands/Medora, and Camping/Outdoors.

We appreciate your participation in the One Fulfillment program and would love to hear any suggestions or ideas you might have for how we can continue to improve the program.

Jennifer Kalkman, President
One Fulfillment, LLC
877-818-5195
www.onefulfillment.com



INTERNATIONAL PEACE GARDEN

CANADA - USA

Budget Testimony HB1019

Good Morning,

In 2004, the Members of the International Peace Garden (IPG) Joint American/Canadian Board advanced a motion to move forward with the plans elaborated in the Vision Planning Session. They were consistent with the mandate of the gardens and seen as a vital development serving the needs of all of North Dakotans.

We would like to thank Chairman, Skarpohl and the committee members for hearing us today. We would also like to thank North Dakota Parks and Recreation Director Doug Prchal for his invitation to participate today and his continued support and advice.

In the Governors December Executive Budget, he recommended that, the International Peace Garden maintain its current operational grant of \$736,854,000 and that the IPG receive a one-time capital grant of \$55,000 for the purchase of equipment.

In addition to these two items, the IPG also requested \$1,900,000 in capital for its current project the Interpretive Center and Conservatory and \$130,000 increase to its operational grant to offset ongoing increases to utility and fuel costs.

During the last session, the Legislature increased the IPG operational grant by \$384,000, provided \$933,000 in maintenance funding and supplied \$1,500,000 in capital funding. These steps allowed the IPG to make great strides forward.

Presently we have completed \$633,000 of maintenance work with the remaining \$300,000 scheduled to be completed in the spring of 2009. The capital funding allowed the IPG access matching Canadian funds to renovate and reconstruct the entire drainage basin for the formal garden and upper terrace areas, design and landscape the sunken garden area as well as complete all the construction design details for the Interpretive Center and Conservatory.

During the last legislative session in 2006, both Governor and the Legislature suggested that the IPG seek Federal funding for the current capital project. Without further funding from the USA, we would be unable to acquire the matching Canadian funds to complete the project.

CONFLICT
RESOLUTION
INITIATIVE
28 M

American Office
Route 1, Box 116
Dunseith, ND 58329
(701) 263-4390
Fax (701) 263-3169

Visit us at www.peacegarden.com
Toll Free 1-888-432-6733

Canadian Office
Box 419
Boissevain, MB R0K 0E0
(204) 534-6964

From 2005 to date, we have tried to acquire federal funding for our project working very closely with the ND congressional delegation of Senator Dorgan, Senator Conrad and Congressman Pomeroy. In 2008, we succeeded in receiving a congressional earmark for \$290,000 from a HUD EDI grant. It appears that there is no effective way to access federal funding for our project.

Historically, both the US and Canada have shared equally in the costs of development at the International Peace Gardens. In the fall of 2008, the IPG initiated a loan from Security State Bank of Dunseith, ND to match Canadian funding already in place. The loan is secured with an 80% guarantee from the USDA Rural Development and the State Bank of North Dakota. Without taking this step the IPG would not be able to match Canadian funds and move ahead with the construction of the Interpretive Center and Conservatory targeting completion for fall 2009.

We would now like to call on the Legislature to include along with the appropriation from the current Executive Budget our initial funding request for \$1,900,000 in capital for the completion of the Interpretive Center and Conservatory. This money would be used to retire the USDA loan and remove considerable financial burden for the IPG.

1.85 M
LOAN
\$156,000
ANNUAL LOAN
PMT.
\$312,000

Since the last session in 2006, Manitoba has taken steps further supporting the IPG providing a one-time \$974,000 grant for maintenance and adding \$200,000 to our operating revenue annually.

We have included layouts of a rendition of the Interpretive Center and Conservatory, its floor plan, and drawings of the newly renovated "Sunken Garden Landscape for your review.

Whether it is our stunning landscapes or the historic and cultural sites that trace man's impact on the land and each other – The International Peace Garden means many things to many people. We will close by again thanking you for allowing us to participate in the budget process.

Respectfully,



D Hevenor, CEO

International Peace Garden
www.peacegarden.com
dhevenor@peacegarden.com
(888) 432-6733





INTERNATIONAL PEACE GARDEN

CANADA - USA

2

Budget HB1019

Senate Testimony

March 5, 2009

Good Morning,

We would like to thank Chairman, Holmberg, and the committee members for hearing us today. We would also like to thank North Dakota Parks and Recreation Director Doug Prchal for his invitation to participate today.

In 2004, the Members of the International Peace Garden (IPG) Joint American/Canadian Board advanced a motion to move forward with the plans elaborated in the Vision Planning Session. They were consistent with the mandate of the gardens and seen as a vital development serving the needs of all of North Dakotans. Our goals haven't changed as we continue to create a garden which symbolizes humanities greatest ambitions and highest ideals. Founder Henry Moore conceived the idea of creating a garden "where the people of the two countries could share the glories found in a lovely Garden and the pleasures found in warm friendship."

The IPG is a very special garden in fact only two other gardens in the entire world share the same linear, the Palace Garden at Versailles in France and the Washington Common in DC. The distance from the entrance Cairn to the Peace Towers is the same distance as from the Palace Steps to the Fountain Garden in Versailles and the same distance as from the Lincoln Memorial to the Jefferson Memorial on the Common.

In 2008, Federal Legislation was passed allowing US Residents to enter the IPG without a passport after June 1, 2009. This is extremely significant as the Dunseith, ND Port of Entry is the only Port of Entry in the entire USA that will not enforce WHTI documentation requirements on returning visitors from the IPG. This was accomplished through great collaborative work from the Governors Office and the ND Congressional Delegation.

In the Governors December Executive Budget, he recommended that, the International Peace Garden maintain its current operational grant of \$736,854 and that the IPG receive a one-time capital grant of \$55,000 for the purchase of equipment.

In addition to these two items, the IPG also requested a Capital Appropriation for its current project the Interpretive Center and Conservatory and modest increase to its operational grant to offset ongoing increases to utility and fuel costs.

Similarly to our testimony in the House we are requesting that the Legislature consider a one time appropriation of \$1,850,000 for the repayment of our guaranteed loan for the Interpretive Center and Conservatory. By doing this \$1,650,000 in annual interest payments can be saved by the State over the next 20-years, there is no penalty for early repayment of the loan.

American Office
Route 1, Box 116
Dunseith, ND 58329
(701) 263-4390
Fax (701) 263-3169

Visit us at www.peacegarden.com
Toll Free 1-888-432-6733

Canadian Office
Box 419
Boissevain, MB R0K 0E0
(204) 534-6964

In the House HB1019 recommended that the IPG receive an additional \$349,254 to finance the annual loan payment for the Interpretive Center and Conservatory. The IPG Board of Directors is very appreciative of this legislation and asks that if the entire repayment of the loan is not available at this time that the Senate supports the IPG request for loan funding. However it is not our intention to have this appropriation create a negative impact on the ND Parks & Recreation Budget.

Historically, both the US and Canada have shared equally in the costs of development at the IPG. In the fall of 2008, the IPG initiated a loan from Security State Bank of Dunseith, ND to match Canadian funding already in place. The loan is secured with an 80% guarantee from the USDA Rural Development and the State Bank of North Dakota. Without taking this step the IPG would not be able to match Canadian funds and move ahead with the construction of the Interpretive Center and Conservatory targeting completion for fall 2009.

During the last session, the Legislature increased the IPG operational grant by \$384,000, provided \$933,000 in maintenance funding and supplied \$1,500,000 in capital funding. These steps allowed the IPG to make great strides forward.

Presently we have completed \$633,000 of maintenance work with the remaining \$300,000 scheduled to be completed in the spring of 2009. The capital funding allowed the IPG access matching Canadian funds to renovate and reconstruct the entire drainage basin for the formal garden and upper terrace areas, design and landscape the sunken garden area as well as complete all the construction design details for the Interpretive Center and Conservatory and begin construction for the new facility.

During the last legislative session in 2006, both Governor and the Legislature suggested that the IPG seek Federal funding for the current capital project. Without further funding from the USA, we would be unable to acquire the matching Canadian funds to complete the project.

From 2005 to date, we have tried to acquire federal funding for our project working very closely with the ND congressional delegation of Senator Dorgan, Senator Conrad and Congressman Pomeroy. In 2008, we succeeded in receiving a congressional earmark for \$290,000 from a HUD EDI grant. It appears that there is no effective way to access federal funding for our project.

Since the last session in 2006, the Manitoba Government has taken steps further supporting the IPG providing a one-time \$974,000 grant for maintenance and adding \$200,000 to our operating revenue annually.

We have included layouts of a rendition of the Interpretive Center and Conservatory, its floor plan, and drawings of the newly renovated "Sunken Garden Landscape for your review as well as an overview of the project.

Whether it is our stunning landscapes or the historic and cultural sites that trace man's impact on the land and each other – The International Peace Garden means many things to many people. We will close by again thanking you for allowing us to participate in the budget process.

Respectfully,



D Hevenor, CEO
International Peace Garden
www.peacegarden.com
dhevenor@peacegarden.com
(888) 432-6733

1.0 THE GARDEN DEVELOPMENT CONCEPT

The Vision for the garden is described as a “garden development” because the concept involves a series of gardens and interpretive components, rather than one botanic entity. The Development will include gardens from a variety of cultures, spiritual backgrounds and historic time periods, together with interpretation and explanation of the rationale for the style of garden and its significance – focusing, in particular, on how each garden contributes to wellness and inner/outer peace and harmony

1.1 Benefits of a Garden Development

There are many benefits to developing the Garden Development as described in this document including:

1.1.1 Fulfilling IPG's Mandate and Vision

Including various types of gardens strengthens the International Peace Garden's historic mandate to bring people together and fulfils the IPG's Vision: *to promote and encourage improved understanding and acceptance of humanitarian concerns between people of different cultures, nations and backgrounds*. The Garden Development will allow people to understand and appreciate other people's cultures through the development of their gardens – something that is very much needed in these times. Providing insight into other cultures' gardens will allow visitors to appreciate that “they are just like me” – even those who may be perceived as opponents, appreciate beauty, serenity, tranquility and spirituality.

1.1.2 Developing a Unique Complex

In developing the Garden Development, the Complex will be unique in the world in emphasizing the role of the garden in peace and reconciliation. Other peace centres have gardens, but they are incidental to the other function/activities of the centres. Other locations have examples of different types of gardens, but no other centre has a variety of different garden types in one location. And, no other centre has its garden integrally designed into its mandate.

1.1.3 IPG's Key Marketing Focus

The IPG Board has decided that the development of the Interpretive Center/Conservatory (IC&C) and garden complex is the IPG's unique selling point (USP). Focusing on the garden, together with appropriate interpretive development, is the best strategy to attract potential visitors to drive significant distances from major centres.

A garden that is simply a “bunch of pretty flowers” will not be sufficiently, unique to capitalize on the garden's potential to be a destination location and to serve the objectives of the Centre. There are many lovely botanical centres in both the US and Canada that are a “must see” when someone is in that city or region. However, they are usually not the sole reason that the public would visit a specific area. In order for the IPG garden complex to be a “must see” in its own right (and to overcome distance and seasonality), the IPG will develop the garden to be a unique and substantive garden complex that is integrally linked to the IC&C objectives and activities. For example, it is expected that some of the programming will formally integrate the use of the gardens and that all of those who attend or participate in the IC&C's programs will feel the influence of the gardens.

The building design also enhances the influence of nature and the gardens even when indoors. The IC&C, will exhibit the clear connection between the garden and its historic role in promoting peace. Throughout history, the garden has symbolized the ideal world or paradise, a place for rebirth and regeneration, a refuge from stress and upheaval – very much the place to find peace and resolve conflict. By expanding on the garden's relationship to interpretation and learning, the IC&C will create a substantive basis on which to build a “must see” destination facility.

Summer Bulbs

The collection will feature the genus *Lilium* flowering plants normally growing from bulbs, comprising a genus of about 110 species in the lily family, Liliaceae. Lilies are important as large showy cold hardy perennial flowering garden plants, make great cut flowers, and provide gorgeous color shows during most of the summer season. Most lily species are reliably hardy as low as Zone 3. There are about 80 species and several hundred cultivars available ranging in height from 2 to 8 feet. They are available in white, yellow, red, pink, orange, maroon and bicolors.

Given prairie environmental conditions, adapted plant material will have to be used in place of non-native species in some of the gardens. Recognizing the constraints placed on the garden complex by climate, the IC&C will play an important role in supplementing the visitors' learning experience regarding the physical garden and plant material – especially in telling the story of the gardens during the “off-season”. Additionally, the IC&C will be able to educate and inform visitors about aspects of the garden complex story that cannot be done in the physical garden because of climatic/plant material constraints.

There is great potential for the **Conservatory** and it will have the ability to be grown incrementally out the south end of the original building as future funding allows. The space will include a varied collection of tropical plants and will be connected with a vast array of tropical foliage and highlighted with Orchids, Bromeliads, a varied selection of temperate to tropical bulbs and many other distinct flowering plants. Winter visitors will have the opportunity to stroll through this tropical oasis located near the Garden Complex above the frozen prairie.

The **IC&C** will indeed act as the “knowledge gateway” for visitors that are looking for information regarding the IPG history, facilities, and programs. The facility will be a LEED Silver rated building demonstrating energy efficient design and construction. This area will act as the delivery space for traveling exhibits from across the USA and Canada. Other amenities that will be part of the Interpretive Center will include Restaurant/coffee shop facilities, Visitor orientation/interpretation facilities, and a new Gift/souvenir shop.

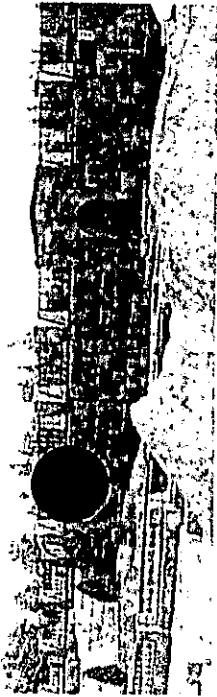
In addition, the **IC&C** will include stories regarding the roles that gardens have played throughout history in peace or conflict resolution and explanations of some basic landscape design theories regarding how the placement of shape, size, and color can affect the “feeling” of a garden. Here, we will be able to share the rich history and heritage of many different facets of prairie life including the research and development of ornamental plants and the role plants played with respect to culinary, medicinal and spiritual uses by Native people and settlers to the prairie.

A key objective of this “marketing strategy” is to develop a significant educational component that will make people want to come to visit the IPG to learn about the role of gardens in human development, rather than only to learn about gardening. This strategy will provide many opportunities to weave messages about peace and conflict resolution into the information about the historical and cultural significance of gardens.

In addition to an educational experience, which will provide people with something to ponder, the garden will offer a variety of places for individuals to contemplate the role that gardens could play in their own lives and in the lives of nations and peoples' contemplation, stress relief and conflict resolution. This further ties the garden together with the mandate of the Centre and its programs and activities. It will be marketed as a feature to draw people to visit and stay at the Centre.

1.1.4 Creating “Buy-in” and Enhancing Funding Opportunities

While the ongoing marketing focus of the Complex will be on attracting people, an additional near-term focus will be on attracting funding. There is real competition among all the players in the peace/conflict reconciliation field for funding, partly because there are many players and

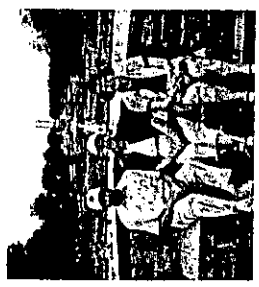


History

Since 1932, the International Peace Garden has been a unique tribute to the peace and friendship between the people of Canada and the United States of America. The Peace Garden was the dream of Henry T. Moore. In 1931, Moore said the garden would be "not merely a memorial to the long period of peace which had been enjoyed by both countries, but as an example to the warring nations of the world that there is a better way to settle international differences than through recourse to bloody war, and as a memorial to international friendship that shall endure to all time."

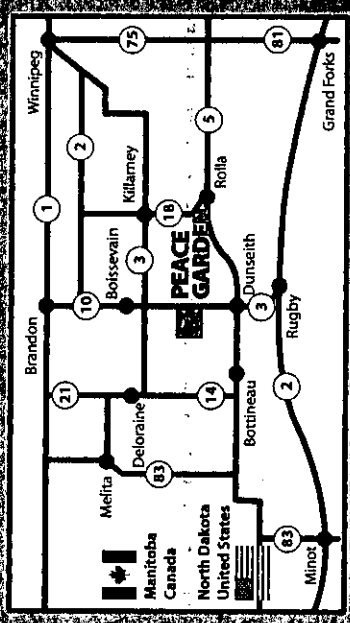
In 1932 his idea became reality and the site was chosen. It is located on the longest north south road in the world, and on the North Dakota and Manitoba border. The Peace Garden was dedicated on July 14, 1932 with a Cairn, which states,

"To God in his Glory we two nations dedicate this garden and pledge ourselves that as long as men shall live we will not take up arms against each other."



- Admission 2008 Season**
Prices given apply for both Canadian / U.S. Dollars
- Daily Pass (per vehicle) \$10.00
 - Season Pass \$25.00
 - Pedestrians / Peddling Bikes \$5.00
 - Motorcycles \$10.00
 - School Buses / Shuttle Vans \$25.00
 - Tour Buses \$125.00

Toll Free
1.888.432.6733



327 km from Winnipeg, Manitoba
106 miles from Minot, North Dakota
GPS Co-ordinates for IFC Entrance:
49 deg 00' 00" North 100 deg 3' 10" West



Wheelchairs available at the front gate



Manitoba
Star Attraction

*Like no other
place on earth*

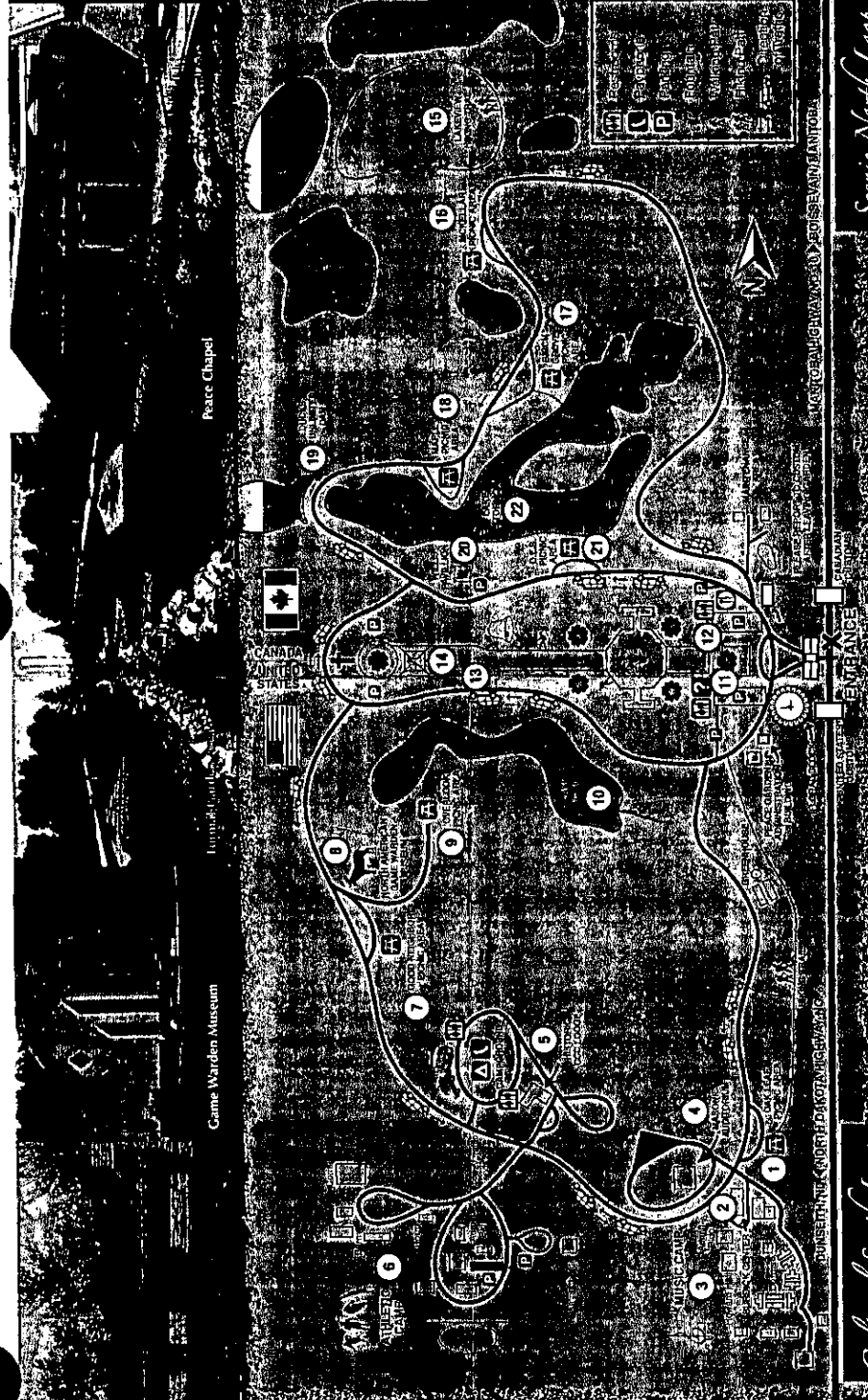


INTERNATIONAL
Peace Garden

www.PeaceGarden.com

Dunseith, North Dakota & Boissevain, Manitoba





Cultural South Loop

1 Floral Clock: 18 feet high and displays a fresh floral design every year.

2 Oak Leaf Picnic Area

3 Burdick Auditorium

4 International Music Camp: One of the leading fine arts summer schools in North America. Instructing more than 2,900 annually.

5 Masonic Auditorium:

Dedicated by the Grand Lodge of Masons from North Dakota and Manitoba in 1981. It was built in the shape of the Masonic symbol and serves as a facility that is used by many organizations with a seating capacity of 2,000.

6 Historic CCC Lodge: The oldest building in the garden built by the CCC's in the 1930's. The logs came from Manitoba and the rocks

came from North Dakota, making it a truly international effort.

7 Legion Athletic Camp:

Canada's best sports camp hosting over 1,200 athletes annually with instruction in 11 sports.

8 Campground: Enjoy the serenity of the garden with all amenities to make your stay comfortable.

9 Good Neighbor Picnic Area

10 N.A. Game Warden Wildlife Museum: Most recent addition to the garden. It is a joint effort of fish and wildlife officers from the entire North American Continent.

11 Overlook Picnic Area

12 Lake Udall: Hand dug by the CCC's in the 1930's and named after a newspaper editor from Boisevain, MB, who was involved in the development of the Garden.

Formal Garden Area

1 Nurses' Plot

Peace Poles: Donated by the Japanese Government, hand crafted with the slogan: "May peace prevail" in 28 languages.

2 Gift Shop, Restrooms

3 Formal Garden Area: Featuring over 1,500 flowers set amid gazebos, boardwalks and bubbling streams.

4 Peace Garden Cafe: Light meals, ice cream and more

5 Interpretive Center,

Visitor Information, Restrooms

6 Bell Tower

Scenic North Loop

15 Lakeview Hiking Trail:

A 1.5 mile trail offering a wonderful view of birds, wildlife and wildflowers.

16 McKellar Picnic Area

17 Birch Grove Picnic Area

18 Maple Picnic Area

19 Ducks Unlimited Dam

20 Erick F. Willis Pavilion: Constructed in honor of a former lieutenant governor of Manitoba, the Pavilion hosts weddings, gatherings and Sunday noon buffets, held June through August.

21 OES Picnic Area

22 Lake Stormon: Named in honor of Judge John Stormon of Rolla, North Dakota, who assisted in the early development of the garden.

Peace Chapel

Formal Garden

Game Warden Museum

Lake Stormon

Peace Garden Cafe

Attachment B
1-26-07
Parks & Rec

SPEAKER DAVID MONSON'S TESTIMONY ON HOUSE BILL 1019

Icelandic State Park is one of North Dakota's premier parks as far as visitor numbers and revenue to the North Dakota Parks and Recs.

The dam (water behind it) is an integral part of the Icelandic State Park recreation facilities. It provides boating and swimming opportunities for the campers.

The dam also provides the last link in a comprehensive flood prevention program to protect the city of Cavalier. Since the failure of this dam could cause severe loss of property and jeopardize many lives, it is at or near the top of the nation's dam repair projects.

Renwick Dam is in dire need of repairs. It is one of the few projects being funded at the federal level even during this time of budget problems. \$4.5 million in federal funds will provide 65% of the repairs. The costs of repairing this dam are going up all the time, it seems, so we want to get this dam done as soon as possible. The local share of \$689,095 is nearly impossible to raise in a short period of time. Thus, there is a need for more funds to assure this gets done now.

Since the dam and the water behind it are key to Icelandic State Park, we feel it is appropriate for the state through Parks and Rec's budget to try to move this project forward quickly. The \$100,000 added to this budget will help insure that the interruption of revenue back to the park and the state are minimized.

The other \$20,000 amount I'm asking you to add to this budget is for signs and maps in the Icelandic State Park or Rendezvous Region area. As you may or may not know, northeast ND has a very comprehensive trail system for snowmobiles. Local snowmobile clubs

and the state do a pretty good job maintaining, patrolling, signing, and mapping these trails. The problem is that people come from all over the state and nation to take advantage of all the tourist attractions and recreational opportunities in the area in the summer too. The ND Tourism Department has done a great job advertising these....bird watching, horseback riding, hiking, ATV riding, canoeing and kayaking opportunities. The people of my area are most grateful and appreciative of the great job they've been doing. But, they have done too good a job in a sense on that end in relation to the signage and mapping. People show up and there are no maps or directions to get these tourists to the trails and public areas of access. Local farmers have to pull out tourists who make a wrong turn and get stuck, etc. The tourists and farmers are not enjoying this part of their experience. Better signs and maps will make everyone happier and pay back big dividends, I believe.

I'm not sure if the \$20,000 is the right amount or if it should be split between Tourism and Parks and Rec. However, I trust your judgment on this as to how you want to handle it.

Thank you for your time and consideration.

1-26-09

Tongue River Dam Rehabilitation

Summary of Project

- Construct 500-foot wide auxiliary Roller Compacted Concrete (RCC) Spillway through the center of the existing dam.
- Raise Auxiliary spillway 0.5 ft.
- Road to be located on upstream slope, approximately 11-feet above the permanent pool.
- Raise principal spillway from 970' to 971' adding 1-foot rise in permanent pool.
- Raise top of dam 5.4 ft.
- Construct Dike to close existing grass auxiliary spillway.

Construction Time Line

- 2009 - Construct Temporary Access Road - work begins early Summer 2009
- 2009 - Award Contract - Work begins after Labor Day 2009
- 2010 - 2011 - Full Construction - Completion expected in 2011

Tongue River Dam Rehabilitation

Estimated 2009 Cost Distribution

With 15% Contingency

Renwick Dam Rehabilitation Project	7,256,380.00
65% Federal Cost-share: ... (Feb 2008 - \$4.5 million) ...	4,500,000.00
State Cost-share: ... (June 13, 2008 -)	1,378,190.00
50% of remaining balance after Federal Cost-share	
Red River Joint Board Cost-share: ... (April 10, 2007) ...	689,095.00
50% of remaining balance after Federal cost-share and State Cost-share	

Local Share:	689,095.00
Less Credit for payment In-kind,	
Currently approximately \$99,200.00	
+ approx. \$33,711 CD	132,911.00
City of Cavalier Additional Commitment	58,658.00

Balance remaining for Local's Share: \$237,535.00
 Since we are having difficulty securing the entire local amount, the additional state commitment of \$100,000 would help to make the amount needed from local taxpayers feasible to obtain.

Percentage of Estimated Cost

65% Federal Funding
17.5% State Funding
8.75% Red River Joint
8.75% Local

One Million in Increased Cost

Federal Share	\$650,000.00
State Share	\$175,000.00
Red River Joint Share	\$87,500.00
Local Share	\$87,500.00

Local Cost Share (Not including Taxation)

Estimated to February 2008

Administration	\$32,500
Land Costs, (Rise & Rehabilitation)	1,500
State Water Commission, survey costs	4,200
CD	30,711
City of Cavalier Additional Commitment	\$99,200
Total	\$191,779

RENWICK DAM

Total Damaging Area	191,300 Acres
Stutsen County	9,600 Acres
Waller County	53,700 Acres

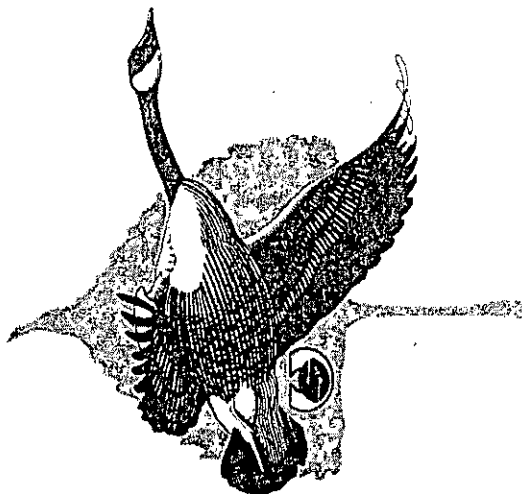
TONGUE RIVER WATERSHED

Total Taxable Acres	292,747
Stutsen County	239,047
Waller County	53,700

Blackman A
 1-26-09
 Park - Res

#B1019 current
January 13, '09 #4

United Sportsmen *Of* North Dakota



PO Box 272
Bismarck, ND 58502
(701) 222-3499
www.unitedsportsmen-nd.org

United Sportsmen
Of North Dakota
PO Box 272
Bismarck, ND 58502

Membership Application

United Sportsmen of North Dakota - P.O. Box 272, Bismarck, ND 58502
Your lifeline to continued hunting and fishing in North Dakota

Be a part of this great organization – Your \$10 membership provides representation for you at the legislative session.
Together we can make a difference for the future of sportsmen.

Name: _____

Address _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-Mail: _____

_____	Yearly Membership	\$10.00
_____	Life Membership	\$150.00
_____	Scholarship Fund Contribution	
_____	Legislative Fund Contribution	
_____	Total Enclosed	

United Sportsmen of North Dakota (USND)

The United Sportsmen of North Dakota (USND) was organized in 1975 to provide representation at the legislature for sportsmen. Today, the fate of all outdoor activity, particularly hunting and trapping, lies in the hands of the political process. Legislative sessions continue to have a flood of bills, good and bad, dealing with outdoor issues. To have any impact on these bills, sportsmen have to be politically active.

USND provides two annual scholarships to deserving students majoring in the Wildlife or Biology field.

USND will continue to support all efforts, public and private, to improve and expand good wildlife habitat.

Who are the members of USND?

- We are businessmen, farmers, ranchers, government employees, salesmen, trappers, fishermen, conservationists and others.
- We are men and women who share a deep concern for wildlife and its future in North Dakota; who pursue field sports, especially hunting and fishing and who abide by the code of fair play.

Purposes & Objectives:

- To provide a state-wide organization that will encompass all individuals interested in environment, habitat, conservation, hunting, ranching, farming, fishing, trapping, hiking, or any other outdoor activity.
- To promote the welfare and conservation of all game animals and birds, and the preservation of their existing habitat and improvement thereof.
- To promote and encourage better landowner/sportsmen relationships.
- To promote a healthy and satisfying outdoor and recreational potential for everyone in North Dakota.
- To protect and preserve an individuals constitutional right to keep and bear arms.
- To encourage, above all, good sportsmanship; respect for all game animals, birds and fish; respect for game laws; respect for private as well as public property; and a deep and sincere regard for the natural beauties of our state.

What does USND offer you...

- USND is one of the few sportsmen organizations in the state that hires a full time lobbyist to track bills and testify on the sportsmen's behalf during the legislative sessions.
- USND has up-to-date information on outdoor related bills and furnishes its members with a legislative report outlining the outcome of legislation affecting sportsmen.
- USND participates in Game & Fish Advisory meetings and maintains a liaison with the Game & Fish Department.
- USND has a centralized State Office with local Area Chapters to provide statewide communications.
- USND provides a strong, unified voice in outdoor issues affecting North Dakota sportsmen.
- USND is recognized as one of the leading sportsmen's organizations in the state.

- 1) Send all completed application forms and annual reports to the Game and Fish Department.
- 2) Aerial hunting permits are issued to pilots at the discretion of the Director of the Game & Fish Department.
- 3) Aerial hunting permits may be obtained for any 6-month period between February 1 and October 30 if a livestock producer has suffered livestock losses or damages within the past 12 months. All required documents must be re-submitted each time an application is completed for an aerial hunting permit.
- 4) Permits for other periods during the year may be issued if a livestock producer has sustained loss or damage by predators during the previous 30 days and this loss or damage is documented by Wildlife Services. These permits will be issued for a 30-day period unless otherwise determined by the Director of the Game & Fish Department.
- 5) Aerial hunting may occur only on land where written permission is obtained from the landowner, renter or lessee.
- 6) Both state and federal low-flying waivers, the completed "Pilot Application for Aerial Hunting", signed "Landowner Request (petition)", and a map designating locations of lands to be hunted are required to be submitted to the Game and Fish Department prior to issuance of an aerial hunting permit. All documents must have current dates and all documents dated from earlier applications will not be accepted.
- 7) Shotguns only may be used in the airplane.
- 8) Species bag limits and dates for permits will be determined by the Director of the Game & Fish Department.
- 9) Pilots and gunners are required to possess a current North Dakota furbearer license when aerial hunting to alleviate livestock damage.
- 10) According to the ND Century Code, a report of kill is required within one week after the permit expires. The report must include numbers of animals taken by species, location and dates the animals were taken. Any additional data requested by the Director also must be submitted.
- 11) Pilots/gunners must provide their own liability insurance coverage. The Game and Fish Department will not accept responsibility for liability from accidents or damages from aerial hunting.
- 12) Pelts may be disposed of in any legal manner.

AERIAL HUNTING IN NORTH DAKOTA

THE FOLLOWING DOCUMENTS MUST BE ATTACHED: (A permit will not be issued if any of these documents are not submitted.)

- 1) Copies of both state and federal low flying waivers
- 2) Landowner Request (petition) from each landowner requesting aerial hunting (see enclosed form); including legal description of proposed hunting area
- 3) Pilot Application for Aerial Hunting Permit
- 4) A county map with the proposed hunting area outlined

Send Completed Application Materials to:

North Dakota Game and Fish Department
100 North Bismarck Expressway
Bismarck, ND 58501-5095

LANDOWNER REQUEST (Petition)

I, the undersigned livestock producer do request that the North Dakota Game & Fish Department authorize _____ to aerial hunt the land that is listed on this form. This land is either: 1) under my ownership or control; or 2) is owned by someone else but holding predators causing me damages. I have sustained livestock loss/damage from predators within the past 30 days OR I have a past history of livestock loss/damage within the past 12 months. I understand that Wildlife Services may discontinue aerial hunting during the permit period to avoid conflict with the private aerial hunter.

Type of loss/damage incurred during past 30 days or past history of loss/damage within the past 12 months: _____

Please circle appropriate species: COYOTE FOX

Legal description of land to be hunted:

County	Twp	Range	Sections

County	Twp	Range	Sections

Period of time pilot is requested to aerial hunt:

Beginning _____ / _____ / _____
Mo Day Year
Ending _____ / _____ / _____
Mo Day Year

Name (landowner/lessee/renter): _____

Address _____ Phone: _____

Signature _____ Date: _____

USDA/Wildlife Services will provide applicable documentation that this landowner/lessee/renter has sustained livestock loss or damage from coyotes/fox during the past 30 days; or has a past history of livestock loss/damage within the past 12 months.

PILOT APPLICATION FOR AERIAL HUNTING PERMIT

North Dakota Game and Fish Department
100 North Bismarck Expressway
Bismarck, North Dakota 58501-5095

I hereby apply for a permit to hunt from aircraft for the sole purpose of aiding in the protection of livestock in North Dakota.

FULL NAME OF APPLICANT (Pilot) _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

HOME PHONE NUMBER: _____ WORK PHONE NUMBER: _____

Please circle appropriate species: COYOTE FOX

Period of time permit is requested: Beginning date _____
Ending date _____

Name and address of landowner, renter, or lessee(s) whose land will be hunted (Note - A separate landowner request (petition) is required for each different landowner).

- 1) _____
- 2) _____
- 3) _____

Pilot Certification Data:

Certification No.: _____

Type of Certificate: _____

Type of Rating: _____

Limitations: _____

Medical Certificate:

Date of Issue: _____

Issued by: _____

Date of Birth: _____

Pilot Signature

Date

Aircraft Data:

Make & Model: _____

Total Time Aircraft: _____

Annual Inspection Date: _____

Name and Address of Aircraft Owner:

Serial No.: _____

ND Aircraft Registration No.: _____

FAA Aircraft No.: N- _____

Aircraft Owner Signature

Date

AIRBORNE HUNTING ACT

16 U.S.C. § 742j-1, November 18, 1971, as amended 1972.

Overview. The Act, a section of the Fish and Wildlife Act of 1956, prohibits harassing, capturing or killing birds, fish and other animals from aircraft, with certain limited exceptions.

Selected Definitions. Aircraft: any contrivance used for flight in the air. § 742j-1(c).

Prohibitions and Exceptions. The Act imposes fines, imprisonment for up to one year, or both on a person who: while airborne in an aircraft shoots or attempts to shoot to capture or kill any bird, fish or other animal; uses an aircraft to harass any bird, fish or other animal; knowingly participates in using an aircraft for any of these purposes. (See the summary of the Sentencing Reform Act of 1984 for more information on criminal penalties.)

These prohibitions do not apply to state or federal employees, authorized agents, or persons acting under a license or permit, who are authorized to administer or protect land, water, wildlife, livestock, domesticated animals, human life or crops. Each person authorized under a license or permit must report to the issuing authority each calendar quarter the number and type of animals taken. Each state that issues permits must file with the Secretary of Interior an annual report listing permit holders, animals authorized to be taken, the animals actually taken and the reason for issuing the permits. § 742j-1(a) and (b).

Enforcement. The Secretary of Interior is responsible for enforcing this Act and issuing regulations. Authorized Department of the Interior employees who witness a violation of the Act may arrest the violator without a warrant, take the person to an officer or court, execute warrants to enforce the Act, and conduct searches. Any federal judge or magistrate may issue warrants upon probable cause. The Secretary may enter into cooperative agreements with state fish and wildlife agencies or other authorities to facilitate enforcement of the Act, and may delegate enforcement authority to state law enforcement personnel. § 742j-1(d).

Forfeiture. All animals taken, and all guns, aircraft and other equipment used in violation of this Act, are subject to forfeiture to the federal government. Federal laws relating to the forfeiture of vessels for violation of custom laws apply to forfeitures under this Act. § 742j-1(e) and (f).

Chapter 4 - Statute Summaries

Federal Wildlife & Related Laws Handbook

16 USC 742j1
Airborne Hunting Act

CHAPTER 9—FISH AND WILDLIFE SERVICE

Release date: 2004-04-30

- § 742j-1. Airborne hunting

§ 742j-1. Airborne hunting**(a) Prohibition; penalty**

Any person who—

- (1) while airborne in an aircraft shoots or attempts to shoot for the purpose of capturing or killing any bird, fish, or other animal; or
 - (2) uses an aircraft to harass any bird, fish, or other animal; or
 - (3) knowingly participates in using an aircraft for any purpose referred to in paragraph (1) or (2);
- shall be fined not more than \$5,000 or imprisoned not more than one year, or both.

(b) Exception; report of State to Secretary

(1) This section shall not apply to any person if such person is employed by, or is an authorized agent of or is operating under a license or permit of, any State or the United States to administer or protect or aid in the administration or protection of land, water, wildlife, livestock, domesticated animals, human life, or crops, and each such person so operating under a license or permit shall report to the applicable issuing authority each calendar quarter the number and type of animals so taken.

(2) In any case in which a State, or any agency thereof, issues a permit referred to in paragraph (1) of this subsection, it shall file with the Secretary of the Interior an annual report containing such information as the Secretary shall prescribe, including but not limited to—

- (A) the name and address of each person to whom a permit was issued;
- (B) a description of the animals authorized to be taken thereunder, the number of animals authorized to be taken, and a description of the area from which the animals are authorized to be taken;
- (C) the number and type of animals taken by such person to whom a permit was issued; and
- (D) the reason for issuing the permit.

(c) "Aircraft" defined

As used in this section, the term "aircraft" means any contrivance used for flight in the air.

(d) Enforcement; regulations; arrest; search; issuance and execution of warrants and process; cooperative agreements

The Secretary of the Interior shall enforce the provisions of this section and shall promulgate such regulations as he deems necessary and appropriate to carry out such enforcement. Any employee of the Department of the Interior authorized by the Secretary of the Interior to enforce the provisions of this section may, without warrant, arrest any person committing in his presence or view a violation of this section or of any regulation issued hereunder and take such person immediately for examination or trial before an officer or court of competent jurisdiction; may execute any warrant or other process issued by an officer or court of competent jurisdiction for the enforcement of the provisions of this section; and may, with or without a warrant, as authorized by law, search any place. The Secretary of the Interior is authorized to enter into cooperative agreements with State fish and wildlife agencies or other appropriate State authorities to facilitate enforcement of this section, and by such agreements to delegate such enforcement authority to State law enforcement personnel as he deems appropriate for effective enforcement of this section. Any judge of any court established under the laws of the United States, and any United States magistrate judge may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases.

(e) Forfeiture

All birds, fish, or other animals shot or captured contrary to the provisions of this section, or of any regulation issued hereunder, and all guns, aircraft, and other equipment used to aid in the shooting, attempting to shoot, capturing, or harassing of any bird, fish, or other animal in violation of this section or of any regulation issued hereunder shall be subject to forfeiture to the United States.

**16 USC 742j1
Airborne Hunting Act**

(f) Certain customs laws applied

All provisions of law relating to the seizure, forfeiture, and condemnation of a vessel for violation of the customs laws, the disposition of such vessel or the proceeds from the sale thereof, and the remission or mitigation of such forfeitures, shall apply to the seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this section, insofar as such provisions of law are applicable and not inconsistent with the provisions of this section; except that all powers, rights, and duties conferred or imposed by the customs laws upon any officer or employee of the Treasury Department shall, for the purposes of this section, be exercised or performed by the Secretary of the Interior or by such persons as he may designate.

Digest of Federal Resource Laws of Interest to the U.S. Fish and Wildlife Service

Airborne Hunting Act

This Act, Public Law 92-159, approved November 18, 1971 (85 Stat. 480) and subsequently amended by P.L. 92-502, approved October 28, 1972 (86 Stat. 905) added to the Fish and Wildlife Act of 1956 a new section 13 ([16 U.S.C. 742j-l](#)), which is commonly referred to as the Airborne Hunting Act or Shooting from Aircraft Act, prohibits shooting or attempting to shoot or harrassing any bird, fish, or other animal from aircraft except for certain specified reasons, including protection of wildlife, livestock, and human life as authorized by a Federal or State issued license or permit. States authorized to issue permits are required to file reports with the Secretary of the Interior containing information on any permits issued.

[Return to Resource Laws](#)

[Return to List of Resource Laws](#)

[Home Page](#) > [Executive Branch](#) > [Code of Federal Regulations](#) > [Electronic Code of Federal Regulations](#)

Electronic Code of Federal Regulations

e-CFR

TM

e-CFR Data is current as of January 26, 2009

Title 50: Wildlife and Fisheries

[Browse Previous](#) | [Browse Next](#)

PART 19—AIRBORNE HUNTING

Section Contents

Subpart A—Introduction

[§ 19.1 Purpose of regulations.](#)

[§ 19.2 Scope of regulations.](#)

[§ 19.3 Relation to other laws.](#)

[§ 19.4 Definitions.](#)

Subpart B—Prohibitions

[§ 19.11 General prohibitions.](#)

[§ 19.12 Exceptions to general prohibitions.](#)

Subpart C—Federal Permits

[§ 19.21 Limitation on Federal permits.](#)

Subpart D—State Permits and Annual Report Requirements

[§ 19.31 State permits.](#)

[§ 19.32 Annual reporting requirements.](#)

Authority: Fish and Wildlife Act of 1956, 85 Stat. 480, as amended, 86 Stat. 905 (16 U.S.C. 742a—j—1).

Source: 39 FR 1177, Jan. 4, 1974, unless otherwise noted.

Subpart A—Introduction



[top](#)

§ 19.1 Purpose of regulations.



[top](#)

The regulations contained in this part provide rules relative to the prohibition against shooting or harassing of wildlife from any aircraft, provide the requirements for the contents and filing of annual reports by the States regarding permits issued for such shooting or harassing, and provide regulations necessary for effective enforcement of the Fish and Wildlife Act of 1956 as amended (16 U.S.C. 742a—j-1).

§ 19.2 Scope of regulations.



The regulations contained in this part apply to all persons within the territorial jurisdiction of the United States, to all United States citizens whether within the territorial jurisdiction of the United States or on the high seas or on board aircraft in flight over the high seas, and to all persons on board aircraft belonging in whole or in part to any United States citizen, firm, or partnership, or corporation created by or under the laws of the United States, or any State, territory or possession thereof.

§ 19.3 Relation to other laws.



The exemptions to general prohibitions of the Fish and Wildlife Act of 1956, that permit airborne hunting in certain circumstances (See subpart B of this part) do not supersede, or authorize the violation of, other laws designed for the conservation or protection of wildlife, including those laws prohibiting the shooting or harassing of bald and golden eagles, polar bears and other marine mammals, migratory birds, and other wildlife, *except to the extent that airborne hunting is authorized by regulations or permits issued under authority of those laws.* (See e.g., §21.41 of this subchapter.)

§ 19.4 Definitions.



In addition to definitions contained in part 10 of this subchapter, and unless the context otherwise requires, in this part 19:

Harass means to disturb, worry, molest, rally, concentrate, harry, chase, drive, herd or torment.

Subpart B—Prohibitions



§ 19.11 General prohibitions.



(a) Except as otherwise authorized by the Fish and Wildlife Act of 1956 as amended, no person shall:

(1) While airborne in any aircraft shoot or attempt to shoot for the purpose of capturing or killing any wildlife;

(2) Use an aircraft to harass any wildlife; or

(3) Knowingly participate in using an aircraft whether in the aircraft or on the ground for any purpose referred to in paragraph (a) (1) or (2) of this section.

(b) The acts prohibited in this section include, but are not limited to, any person who:

(1) Pilots or assists in the operation of an aircraft from which another person shoots or shoots at wildlife

while airborne, or

(2) While on the ground takes or attempts to take any wildlife by means, aid, or use of an aircraft.

§ 19.12 Exceptions to general prohibitions.



The prohibitions of the preceding section shall not apply to any person who:

(1) Is acting within the scope of his official duties as an employee or authorized agent of a State or the United States to administer or protect or aid in the administration or protection of land, water, wildlife, livestock, domesticated animals, human life or crops; or

(2) Is acting within the limitations of a permit referred to in §19.21 or §19.31 of this part.

Subpart C—Federal Permits



§ 19.21 Limitation on Federal permits.



No Federal permits will be issued to authorize any person to hunt, shoot, or harass any wildlife from an aircraft, except for Federal permits to scare or herd migratory birds referred to in §21.41 of this subchapter.

Subpart D—State Permits and Annual Report Requirements



§ 19.31 State permits.



(a) Except as provided in §19.3, States may issue permits to persons to engage in airborne hunting or harassing of wildlife for purposes of administering or protecting land, water, wildlife, livestock, domestic animals, human life or crops. States may not issue permits for the purpose of sport hunting.

(b) Upon issuance of a permit by a State to a person pursuant to this section, the issuing authority will provide immediate notification to the Special Agent in Charge having jurisdiction according to §10.22.

§ 19.32 Annual reporting requirements.



(a) Any State issuing permits to persons to engage in airborne hunting or harassing of wildlife or any State whose employees or agents participate in airborne hunting or harassing of wildlife for purposes of administering or protecting land, water, wildlife, livestock, domestic animals, human life or crops, shall file with the Director, an annual report on or before July 1 for the preceding calendar year ending December 31.

(b) The annual report required by this section shall contain the following information as to each such permit issued:

- (1) The name and address of each person to whom a permit was issued.
 - (2) Permit number and inclusive dates during which permit was valid.
 - (3) The aircraft number of the aircraft used and the location where such aircraft was based.
 - (4) Common name and number of the wildlife for which authorization to take was given and a description of the area from which the wildlife were authorized to be taken.
 - (5) The purpose for which the permit was issued, specifically identifying whether the permit was issued to protect land, water, wildlife, livestock, domestic animals, crops, or human life.
 - (6) The common name and number of wildlife taken by permittees and State employees or agents.
- (c) A compilation of all annual reports required by this section shall be made by the Director and furnished to any State filing such annual report.

[Browse Previous](#) | [Browse Next](#)

For questions or comments regarding e-CFR editorial content, features, or design, email ecfr@nara.gov.

For questions concerning e-CFR programming and delivery issues, email webteam@gpo.gov.

[Section 508 / Accessibility](#)