

**FIRST ENGROSSMENT
with Conference Committee Amendments
ENGROSSED SENATE BILL NO. 2020**

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the extension
2 service, northern crops institute, upper great plains transportation institute, main research
3 center, branch research centers, and agronomy seed farm; to provide legislative intent; to
4 provide for transfers; to provide an exemption; and to declare an emergency.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
7 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and
9 other income, to the North Dakota state university extension service, the northern crops
10 institute, the upper great plains transportation institute, the main research center, branch
11 research centers, and agronomy seed farm for the purpose of defraying the expenses of the
12 North Dakota state university extension service, the northern crops institute, the upper great
13 plains transportation institute, the main research center, branch research centers, and
14 agronomy seed farm, for the biennium beginning July 1, 2009, and ending June 30, 2011, as
15 follows:

16 Subdivision 1.

17 NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> | |
|----|-----------------------------|----------------------------------------|----------------------|-------------------|
| 18 | | | | |
| 19 | | | | |
| 20 | Extension service | \$41,528,035 | \$5,563,454 | \$47,091,489 |
| 21 | Soil conservation committee | <u>737,800</u> | <u>100,000</u> | <u>837,800</u> |
| 22 | Total all funds | \$42,265,835 | \$5,663,454 | \$47,929,289 |
| 23 | Less estimated income | <u>23,863,722</u> | <u>2,065,155</u> | <u>25,928,877</u> |

Sixty-first
Legislative Assembly

| | | | | |
|---|--------------------------------|--------------|-------------|--------------|
| 1 | Total general fund | \$18,402,113 | \$3,598,299 | \$22,000,412 |
| 2 | Full-time equivalent positions | 266.33 | 2.30 | 268.63 |
| 3 | Subdivision 2. | | | |

NORTHERN CROPS INSTITUTE

| | | | | |
|----|--------------------------------|-------------------|---------------------|----------------------|
| 5 | | | Adjustments or | |
| 6 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 7 | Total all funds | \$2,597,969 | \$439,517 | \$3,037,486 |
| 8 | Less estimated income | <u>1,479,657</u> | <u>118,608</u> | <u>1,598,265</u> |
| 9 | Total general fund | \$1,118,312 | \$320,909 | \$1,439,221 |
| 10 | Full-time equivalent positions | 10.20 | 1.00 | 11.20 |
| 11 | Subdivision 3. | | | |

UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

| | | | | |
|----|--------------------------------|-------------------|---------------------|----------------------|
| 13 | | | Adjustments or | |
| 14 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 15 | Total all funds | \$22,071,521 | \$4,255,471 | \$26,326,992 |
| 16 | Less estimated income | <u>20,861,681</u> | <u>3,875,518</u> | <u>24,737,199</u> |
| 17 | Total general fund | \$1,209,840 | \$379,953 | \$1,589,793 |
| 18 | Full-time equivalent positions | 51.95 | 2.00 | 53.95 |
| 19 | Subdivision 4. | | | |

MAIN RESEARCH CENTER

| | | | | |
|----|--------------------------------|-------------------|---------------------|----------------------|
| 21 | | | Adjustments or | |
| 22 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 23 | Main research center | \$78,578,598 | \$25,951,820 | \$104,530,418 |
| 24 | Deferred maintenance | <u>0</u> | <u>450,000</u> | <u>450,000</u> |
| 25 | Total all funds | \$78,578,598 | \$26,401,820 | \$104,980,418 |
| 26 | Less estimated income | <u>42,350,764</u> | <u>2,662,503</u> | <u>45,013,267</u> |
| 27 | Total general fund | \$36,227,834 | \$23,739,317 | \$59,967,151 |
| 28 | Full-time equivalent positions | 347.39 | 5.00 | 352.39 |
| 29 | Subdivision 5. | | | |

RESEARCH CENTERS

| | | | | |
|----|--|--|----------------|--|
| 31 | | | Adjustments or | |
|----|--|--|----------------|--|

Sixty-first
Legislative Assembly

| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> | |
|----|------------------------------------|---------------------|----------------------|-------------------|
| 1 | | | | |
| 2 | Dickinson research center | \$5,375,366 | \$912,214 | \$6,287,580 |
| 3 | Central grasslands research center | 2,267,148 | 293,454 | 2,560,602 |
| 4 | Hettinger research center | 2,440,826 | 554,329 | 2,995,155 |
| 5 | Langdon research center | 1,696,963 | 394,609 | 2,091,572 |
| 6 | North central research center | 3,124,334 | 849,618 | 3,973,952 |
| 7 | Williston research center | 3,134,044 | (211,861) | 2,922,183 |
| 8 | Carrington research center | <u>5,577,338</u> | <u>1,150,624</u> | <u>6,727,962</u> |
| 9 | Total all funds | \$23,616,019 | \$3,942,987 | \$27,559,006 |
| 10 | Less estimated income | <u>13,014,511</u> | <u>2,177,305</u> | <u>15,191,816</u> |
| 11 | Total general fund | \$10,601,508 | \$1,765,682 | \$12,367,190 |
| 12 | Full-time equivalent positions | 95.56 | 1.70 | 97.26 |

13 Subdivision 6.

14 AGRONOMY SEED FARM

| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> | |
|----|--------------------------------|---------------------|----------------------|--------------------|
| 15 | | Adjustments or | | |
| 16 | | | | |
| 17 | Agronomy seed farm | <u>\$1,230,162</u> | <u>\$45,076</u> | <u>\$1,275,238</u> |
| 18 | Total special funds | \$1,230,162 | \$45,076 | \$1,275,238 |
| 19 | Full-time equivalent positions | 3.00 | 0.00 | 3.00 |

20 Subdivision 7.

21 BILL TOTAL

| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> | |
|----|---------------------------|---------------------|----------------------|--------------------|
| 22 | | Adjustments or | | |
| 23 | | | | |
| 24 | Grand total general fund | \$67,559,607 | \$29,804,160 | \$97,363,767 |
| 25 | Grand total special funds | <u>102,800,497</u> | <u>11,644,165</u> | <u>114,444,662</u> |
| 26 | Grand total all funds | \$170,360,104 | \$41,448,325 | \$211,808,429 |

27 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
 28 **SIXTY-SECOND LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time
 29 funding items approved by the sixtieth legislative assembly for the 2007-09 biennium and the
 30 2009-11 one-time funding items included in the appropriation in section 1 of this Act:

| <u>One-Time Funding Description</u> | <u>2007-09</u> | <u>2009-11</u> |
|-------------------------------------|----------------|----------------|
| 31 | | |

Sixty-first
Legislative Assembly

| | | | |
|----|-------------------------------------------------------|------------------|------------------|
| 1 | Main research center greenhouse project | \$7,000,000 | \$11,450,400 |
| 2 | Carrington, North central, and Hettinger | 907,750 | 0 |
| 3 | headquarters additions | | |
| 4 | Deferred maintenance pool | 100,000 | 450,000 |
| 5 | North central laboratory and greenhouse project | 400,000 | 0 |
| 6 | North Central equipment storage facility | 300,000 | 0 |
| 7 | Operating pool | 750,000 | 925,000 |
| 8 | Dickinson parking lot and landscaping capital project | 350,000 | 350,000 |
| 9 | Dickinson waste management facility capital project | 351,000 | 0 |
| 10 | Upper great plains transportation institute center | 5,500,000 | 3,000,000 |
| 11 | for transportation study capital project | | |
| 12 | Northern crops institute extraordinary repairs | 25,000 | 0 |
| 13 | Beef research facility | 0 | 2,612,400 |
| 14 | North central, Williston, Langdon and | 0 | 2,937,200 |
| 15 | Dickinson renovations/additions | _____ | _____ |
| 16 | Total all funds | \$15,683,750 | \$21,725,000 |
| 17 | Total special funds | <u>6,951,000</u> | <u>4,275,000</u> |
| 18 | Total general fund | \$8,732,750 | \$17,450,000 |

19 The 2009-11 one-time funding amounts are not a part of the entity's base budget for the
 20 2011-13 biennium. The extension service, northern crops institute, upper great plains
 21 transportation institute, main research center, branch research centers, and agronomy seed
 22 farm shall report to the appropriations committees of the sixty-second legislative assembly on
 23 the use of this one-time funding for the biennium beginning July 1, 2009, and ending June 30,
 24 2011.

25 **SECTION 3. ADDITIONAL INCOME - APPROPRIATION.** In addition to the amount
 26 included in the grand total special funds appropriation line item in section 1 of this Act, any
 27 other income, including funds from federal acts, private grants, gifts, and donations, or from
 28 other sources received by the North Dakota state university extension service, the northern
 29 crops institute, the upper great plains transportation institute, the main research center, branch
 30 research centers, and agronomy seed farm, except as otherwise provided by law, is

1 appropriated for the purpose designated in the act, grant, gift, or donation, for the biennium
2 beginning July 1, 2009, and ending June 30, 2011.

3 **SECTION 4. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS.** There is
4 appropriated from federal fiscal stimulus funds made available to the state under the federal
5 American Recovery and Reinvestment Act of 2009, not otherwise appropriated, the sum of
6 \$700,000, or so much of the sum as may be necessary, to the main research center for the
7 purpose of installing a geothermal heating system in the main research center greenhouse
8 project, for the biennium beginning July 1, 2009, and ending June 30, 2011.

9 **SECTION 5. FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING -**
10 **APPROVAL.** The main research center may seek emergency commission and budget section
11 approval under chapter 54-16 for authority to spend any additional federal funds received under
12 the federal American Recovery and Reinvestment Act of 2009 for the construction of the third
13 phase of the main research center greenhouse project, for the biennium beginning July 1,
14 2009, and ending June 30, 2011.

15 Any federal funds received and spent under this section are not a part of the agency's
16 2011-13 base budget. Any program expenditures made with these funds will not be replaced
17 with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are
18 no longer available.

19 **SECTION 6. DEFERRED MAINTENANCE - TRANSFERS.** The main research center
20 may transfer from the deferred maintenance line to the main research center line, contained in
21 subdivision 4 of section 1 of this Act, amounts necessary to address extraordinary repair needs.
22 Any amounts transferred must be reported to the director of the office of management and
23 budget.

24 **SECTION 7. TRANSFER AUTHORITY.** Upon approval of the state board of
25 agricultural research and education and appropriate branch research center directors, the
26 director of the main research center may transfer appropriation authority within subdivisions 1,
27 2, 4, and 5 of section 1 of this Act. Any amounts transferred must be reported to the director of
28 the office of management and budget.

29 **SECTION 8. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** The board of
30 higher education may adjust or increase full-time equivalent positions as needed for the entities

1 in section 1 of this Act, subject to availability of funds. The board shall report any adjustments
2 to the office of management and budget prior to the submission of the 2011-13 budget request.

3 **SECTION 9. UNEXPENDED GENERAL FUND - EXCESS INCOME.** Any unexpended
4 general fund appropriation authority to and any excess income received by entities listed in
5 section 1 of this Act are not subject to the provisions of section 54-44.1-11, and any
6 unexpended funds from these appropriations or revenues are available and may be expended
7 by those entities, during the biennium beginning July 1, 2011, and ending June 30, 2013.

8 **SECTION 10. PERMANENT OIL TAX TRUST FUND - DICKINSON RESEARCH**
9 **CENTER - OPERATING POOL FUNDING.** The estimated income line item in subdivision 5 of
10 section 1 of this Act includes \$925,000 from the permanent oil tax trust fund. This funding is
11 available only for defraying the costs of operations of the Dickinson research center, for the
12 biennium beginning July 1, 2009, and ending June 30, 2011.

13 **SECTION 11. LEGISLATIVE INTENT - BEEF SYSTEMS CENTER OF**
14 **EXCELLENCE.** It is the intent of the sixty-first legislative assembly that the beef systems
15 center of excellence authorized by the fifty-eighth legislative assembly has met the funding
16 requirements as outlined in section 9 of chapter 20 of the 2003 Session Laws for collection of
17 both federal and special funds by private contributions through the creation of the North Dakota
18 agricultural innovation center and the capitalization for the creation of North Dakota natural
19 beef, LLC, which was approved by the office of management and budget when it released
20 \$800,000 to the North Dakota state university agricultural experiment station in 2006 pursuant
21 to section 8 of chapter 20 of the 2003 Session Laws. It is also the intent of the sixty-first
22 legislative assembly that this center is subject to requirements outlined in chapter 136 of the
23 2003 Session Laws and not those enacted later as a part of the center of excellence program
24 administered by the department of commerce pursuant to chapter 15-69.

25 **SECTION 12. EXEMPTION.** The amounts appropriated for the center for
26 transportation study, as contained in subdivision 3 of section 3 and the research greenhouse
27 complex project, as contained in subdivision 4 of section 3, of chapter 20 of the 2007 Session
28 laws, are not subject to the provisions of section 54-44.1-11, and any unexpended funds from
29 these appropriations or related revenues are available and may be expended during the
30 biennium beginning July 1, 2009, and ending June 30, 2011.

1 **SECTION 13. EMERGENCY.** The appropriation for a capital project of \$3,000,000
2 from special funds in subdivision 3 and the appropriation for industrial hemp research of
3 \$200,000 from special funds, for deferred maintenance of \$450,000 from the general fund, and
4 for capital projects of \$17,000,000 from the general fund and \$350,000 from special funds in
5 subdivision 4 of section 1 of this Act are declared to be an emergency measure.