

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1020

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 amend and reenact section
4 4-14.2-02 of the North Dakota Century Code, relating to the northern crops council; to provide
5 for transfers; to provide an exemption; and to declare an emergency.

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

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
8 as may be necessary, are appropriated out of any moneys in the general fund in the state
9 treasury, not otherwise appropriated, and from special funds derived from federal funds and
10 other income, to the North Dakota state university extension service, the northern crops
11 institute, the upper great plains transportation institute, the main research center, branch
12 research centers, and agronomy seed farm for the purpose of defraying the expenses of the
13 North Dakota state university extension service, the northern crops institute, the upper great
14 plains transportation institute, the main research center, branch research centers, and
15 agronomy seed farm, for the biennium beginning July 1, 2011, and ending June 30, 2013, as
16 follows:

17 Subdivision 1.

18 NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
21 Extension service	\$47,091,489	\$515,165	\$47,606,654
22 Soil conservation committee	837,800	50,000	887,800
23 Total all funds	\$47,929,289	\$565,165	\$48,494,454
24 <u>Extension service</u>	<u>\$47,091,489</u>	<u>(\$64,835)</u>	<u>\$47,026,654</u>

Sixty-second
Legislative Assembly

1	Soil conservation committee	837,800	150,000	987,800
2	Total all funds	\$47,929,289	\$85,165	\$48,014,454
3	Less estimated income	25,928,877	(2,800,067)	23,128,810
4	Total general fund	\$22,000,412	\$3,365,232	\$25,365,644
5	Full-time equivalent positions	255.75	0.00	255.75
6	Total general fund	\$22,000,412	\$2,885,232	\$24,885,644
7	Full-time equivalent positions	255.75	1.00	256.75

Subdivision 2.

NORTHERN CROPS INSTITUTE

		Adjustments or		
	Base Level	Enhancements	Appropriation	
12	Total all funds	\$3,037,486	\$309,821	\$3,347,307
13	Less estimated income	1,598,265	56,460	1,654,725
14	Total general fund	\$1,439,221	\$253,361	\$1,692,582
15	Full-time equivalent positions	11.00	0.00	11.00

Subdivision 3.

UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

		Adjustments or		
	Base Level	Enhancements	Appropriation	
20	Total all funds	\$23,326,992	\$742,969	\$24,069,961
21	Less estimated income	21,737,199	413,134	22,150,333
22	Total general fund	\$1,589,793	\$329,835	\$1,919,628
23	Full-time equivalent positions	52.30	0.00	52.30

Subdivision 4.

MAIN RESEARCH CENTER

		Adjustments or		
	Base Level	Enhancements	Appropriation	
28	Main research center	\$87,530,418	\$10,862,153	\$98,392,571
29	Main research center	\$87,530,418	\$11,177,153	\$98,707,571
30	Deferred maintenance	0	0	0
31	Grape and wine program committee	0	0	0

Sixty-second
Legislative Assembly

1	Federal fiscal stimulus 2009	<u>0</u>	<u>0</u>	<u>0</u>
2	Total all funds	\$87,530,418	\$10,862,153	\$98,392,571
3	<u>Total all funds</u>	<u>\$87,530,418</u>	<u>\$11,177,153</u>	<u>\$98,707,571</u>
4	Less estimated income	<u>45,013,267</u>	<u>(879,692)</u>	<u>44,133,575</u>
5	Total general fund	\$42,517,151	\$11,741,845	\$54,258,996
6	Full-time equivalent positions	329.26	3.00	332.26
7	<u>Total general fund</u>	<u>\$42,517,151</u>	<u>\$12,056,845</u>	<u>\$54,573,996</u>
8	<u>Full-time equivalent positions</u>	<u>329.26</u>	<u>4.00</u>	<u>333.26</u>

9 Subdivision 5.

10 RESEARCH CENTERS

11		Adjustments or		
12		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13	Dickinson research center	\$5,012,580	\$1,375,982	\$6,388,562
14	Central grasslands research center	2,560,602	305,245	2,865,847
15	Hettinger research center	2,995,155	378,020	3,373,175
16	Langdon research center	2,091,572	287,235	2,378,807
17	North central research center	3,973,952	425,869	4,399,821
18	Williston research center	2,922,183	277,906	3,200,089
19	Carrington research center	6,727,962	2,623,526	9,351,488
20	Total all funds	\$26,284,006	\$5,673,783	\$31,957,789
21	<u>Carrington research center</u>	<u>6,727,962</u>	<u>398,526</u>	<u>7,126,488</u>
22	<u>Total all funds</u>	<u>\$26,284,006</u>	<u>\$3,448,783</u>	<u>\$29,732,789</u>
23	Less estimated income	<u>13,916,816</u>	<u>1,880,765</u>	<u>15,797,581</u>
24	Total general fund	\$12,367,190	\$3,793,018	\$16,160,208
25	<u>Total general fund</u>	<u>\$12,367,190</u>	<u>\$1,568,018</u>	<u>\$13,935,208</u>
26	Full-time equivalent positions	95.49	1.00	96.49

27 Subdivision 6.

28 AGRONOMY SEED FARM

29		Adjustments or		
30		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
31	Agronomy seed farm	<u>\$1,275,238</u>	<u>\$159,930</u>	<u>\$1,435,168</u>

Sixty-second
Legislative Assembly

1	Total special funds	\$1,275,238	\$159,930	\$1,435,168
2	Full-time equivalent positions	3.00	0.00	3.00
3	Subdivision 7.			
4	BILL TOTAL			
5			Adjustments or	
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	Grand total general fund	\$79,913,767	\$19,483,291	\$99,397,058
8	<u>Grand total general fund</u>	<u>\$79,913,767</u>	<u>\$17,093,291</u>	<u>\$97,007,058</u>
9	Grand total special funds	<u>109,469,662</u>	<u>(1,169,470)</u>	<u>108,300,192</u>
10	Grand total all funds	\$189,383,429	\$18,313,821	\$207,697,250
11	<u>Grand total all funds</u>	<u>\$189,383,429</u>	<u>\$15,923,821</u>	<u>\$205,307,250</u>

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

SIXTY-THIRD LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13 one-time funding items included in the appropriation in section 1 of this Act:

16	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
17	Main research center greenhouse project	\$11,450,400	\$9,494,581
18	Carrington research center	0	2,225,000
19	— agronomy laboratory capital project		
20	Deferred maintenance pool	450,000	0
21	Operating pool	925,000	0
22	Dickinson parking lot and landscaping capital project	350,000	0
23	Upper great plains transportation institute center for	3,000,000	0
24	transportation study capital project		
25	Beef research facility	2,612,400	0
26	Grape and wine program committee	250,000	0
27	<u>Grape and wine program committee</u>	<u>250,000</u>	<u>200,000</u>
28	Federal fiscal stimulus 2009	700,000	0
29	North central, Williston, Langdon, and Dickinson	<u>2,937,200</u>	<u>0</u>
30	renovations/additions		
31	Total all funds	\$22,675,000	\$11,719,581

1	<u>Total all funds</u>	<u>\$22,675,000</u>	<u>\$9,694,581</u>
2	Total other funds	4,975,000	2,502,931
3	Total general fund	\$17,700,000	\$9,216,650
4	<u>Total general fund</u>	<u>\$17,700,000</u>	<u>\$7,191,650</u>

5 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the
6 2013-15 biennium. The main research center shall report to the appropriations committees of
7 the sixty-third legislative assembly on the use of this one-time funding for the biennium
8 beginning July 1, 2011, and ending June 30, 2013.

9 **SECTION 3. ADDITIONAL INCOME - APPROPRIATION.** In addition to the amount
10 included in the grand total special funds appropriation line item in section 1 of this Act, any other
11 income, including funds from federal acts, private grants, gifts, and donations, or from other
12 sources received by the North Dakota state university extension service, the northern crops
13 institute, the upper great plains transportation institute, the main research center, branch
14 research centers, and agronomy seed farm, except as otherwise provided by law, is
15 appropriated for the purpose designated in the act, grant, gift, or donation, for the biennium
16 beginning July 1, 2011, and ending June 30, 2013.

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

22 **SECTION 5. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** The board of higher
23 education may adjust or increase full-time equivalent positions as needed for the entities in
24 section 1 of this Act, subject to availability of funds. The board shall report any adjustments to
25 the office of management and budget prior to the submission of the 2013-15 budget request.

26 **SECTION 6. UNEXPENDED GENERAL FUND - EXCESS INCOME.** Any unexpended
27 general fund appropriation authority to and any excess income received by entities listed in
28 section 1 of this Act are not subject to the provisions of section 54-44.1-11, and any
29 unexpended funds from these appropriations or revenues are available and may be expended
30 by those entities, during the biennium beginning July 1, 2013, and ending June 30, 2015.

1 **SECTION 7. PERMANENT OIL TAX TRUST FUND - DICKINSON RESEARCH CENTER -**
2 **OPERATING POOL FUNDING.** The estimated income line item in subdivision 5 of section 1 of
3 this Act includes \$800,000 from the permanent oil tax trust fund. This funding is available only
4 for defraying the costs of operations of the Dickinson research center, for the biennium
5 beginning July 1, 2011, and ending June 30, 2013.

6 **SECTION 8. GRAPE GROWING RESEARCH GRANTS.** The main research center line
7 item in subdivision 4 of section 1 of this Act includes \$200,000 from the general fund for the
8 main research center to provide grants, in consultation with the grape growers association, to
9 in-state research organizations to conduct grape growing research in the state, for the biennium
10 beginning July 1, 2011, and ending June 30, 2013. The main research center shall require one
11 dollar of matching funds for each four dollars of state funds provided on any grant award.

12 **SECTION 9. AMENDMENT.** Section 4-14.2-02 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **4-14.2-02. Northern crops council - Establishment - Chairman - Meetings -**
15 **Compensation.**

- 16 1. The northern crops council is established. The council shall establish policies for the
17 operation of the northern crops institute. The council consists of:
- 18 a. The president of North Dakota state university of agriculture and applied science
19 or the president's designee.
 - 20 b. A representative selected by the North Dakota wheat commission.
 - 21 c. A representative selected by the North Dakota oilseed council.
 - 22 d. A representative selected by the North Dakota barley council.
 - 23 e. A representative selected by the North Dakota soybean council.
 - 24 f. The agriculture commissioner or the commissioner's designee.
 - 25 g. Five to seven producers of northern crops selected by the members designated
26 in subdivisions a through f.
 - 27 h. Up to four representatives of industries that process northern crops selected by
28 the members designated in subdivisions a through f.
- 29 2. a. The term of office for each member of the council, except the president of North
30 Dakota state university of agriculture and applied science and the agriculture
31 commissioner, is three years, and those members are limited to two 3-year

1 terms. Each term of office begins with the first reorganizational meeting after the
2 date of appointment.

3 b. Notwithstanding subdivision a, during the 2011-13 biennium, the council shall:

4 (1) Stagger by lot the terms of the producers of northern crops so that no more
5 than one of the producers' terms expires in June 2013; and

6 (2) Stagger by lot the terms of the representatives of industries that process
7 northern crops so that no more than one of the representatives' terms
8 expires in June 2013.

9 3. The chairman of the council must be a member of the council elected annually by a
10 majority vote of the council. Provided, the members designated in subdivisions a and f
11 of subsection 1 are not eligible to serve as chairman.

12 4. The council shall meet at least three times annually at such times and places as must
13 be determined by the council and may meet in special meeting upon such call and
14 notice as may be prescribed by rules adopted by the council. A council member unable
15 to attend a meeting of the council may be represented by a person who has a written
16 proxy from the member.

17 **SECTION 10. EXEMPTION.** The amounts appropriated for the research greenhouse
18 complex project, as contained in subdivision 4, section 3, of chapter 48 of the 2005 Session
19 Laws, and the branch center renovations and research greenhouse complex projects, as
20 contained in subdivision 4, section 1, of chapter 48 of the 2009 Session Laws, are not subject to
21 the provisions of section 54-44.1-11, and any unexpended funds from these appropriations or
22 related revenues are available and may be expended during the biennium beginning July 1,
23 2011, and ending June 30, 2013.

24 **SECTION 11. EMERGENCY.** The appropriation for capital projects of \$6,991,650 from the
25 general fund and \$2,502,931 from special funds in subdivision 4 of section 1 of this Act is
26 declared to be an emergency measure.