

**FIRST ENGROSSMENT
with Conference Committee Amendments
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 contingent funding; to provide an exemption; and to declare an
6 emergency.

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

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

18 Subdivision 1.

19 NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
22 Extension service	\$47,091,489	(\$64,835)	\$47,026,654
23 Soil conservation committee	<u>837,800</u>	<u>150,000</u>	<u>987,800</u>
24 Total all funds	\$47,929,289	\$85,165	\$48,014,454

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1	Less estimated income	<u>25,928,877</u>	<u>(2,800,067)</u>	<u>23,128,810</u>
2	Total general fund	\$22,000,412	\$2,885,232	\$24,885,644
3	Full-time equivalent positions	255.75	1.00	256.75
4	Subdivision 2.			

NORTHERN CROPS INSTITUTE

6			Adjustments or	
7		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
8	Total all funds	\$3,037,486	\$309,821	\$3,347,307
9	Less estimated income	<u>1,598,265</u>	<u>56,460</u>	<u>1,654,725</u>
10	Total general fund	\$1,439,221	\$253,361	\$1,692,582
11	Full-time equivalent positions	11.00	0.00	11.00
12	Subdivision 3.			

UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

14			Adjustments or	
15		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
16	Total all funds	\$23,326,992	\$742,969	\$24,069,961
17	Less estimated income	<u>21,737,199</u>	<u>413,134</u>	<u>22,150,333</u>
18	Total general fund	\$1,589,793	\$329,835	\$1,919,628
19	Full-time equivalent positions	52.30	0.00	52.30
20	Subdivision 4.			

MAIN RESEARCH CENTER

22			Adjustments or	
23		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
24	Main research center	\$87,530,418	\$11,059,555	\$98,589,973
25	Deferred maintenance	0	0	0
26	Grape and wine program committee	0	0	0
27	Federal fiscal stimulus 2009	<u>0</u>	<u>0</u>	<u>0</u>
28	Total all funds	\$87,530,418	\$11,059,555	\$98,589,973
29	Less estimated income	<u>45,013,267</u>	<u>(879,692)</u>	<u>44,133,575</u>
30	Total general fund	\$42,517,151	\$11,939,247	\$54,456,398
31	Full-time equivalent positions	329.26	4.00	333.26

1 Subdivision 5.

2 RESEARCH CENTERS

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
3				
4				
5	Dickinson research center	\$5,012,580	\$1,375,982	\$6,388,562
6	Central grasslands research center	2,560,602	305,245	2,865,847
7	Hettinger research center	2,995,155	378,020	3,373,175
8	Langdon research center	2,091,572	287,235	2,378,807
9	North central research center	3,973,952	425,869	4,399,821
10	Williston research center	2,922,183	487,906	3,410,089
11	Carrington research center	<u>6,727,962</u>	<u>398,526</u>	<u>7,126,488</u>
12	Total all funds	\$26,284,006	\$3,658,783	\$29,942,789
13	Less estimated income	<u>13,916,816</u>	<u>1,880,765</u>	<u>15,797,581</u>
14	Total general fund	\$12,367,190	\$1,778,018	\$14,145,208
15	Full-time equivalent positions	95.49	2.00	97.49

16 Subdivision 6.

17 AGRONOMY SEED FARM

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
18				
19				
20	Agronomy seed farm	<u>\$1,275,238</u>	<u>\$159,930</u>	<u>\$1,435,168</u>
21	Total special funds	\$1,275,238	\$159,930	\$1,435,168
22	Full-time equivalent positions	3.00	0.00	3.00

23 Subdivision 7.

24 BILL TOTAL

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
25				
26				
27	Grand total general fund	\$79,913,767	\$17,185,693	\$97,099,460
28	Grand total special funds	<u>109,469,662</u>	<u>(1,169,470)</u>	<u>108,300,192</u>
29	Grand total all funds	\$189,383,429	\$16,016,223	\$205,399,652

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

31 **SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding

1 items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13
2 one-time funding items included in the appropriation in section 1 of this Act:

3	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
4	Main research center greenhouse project	\$11,450,400	\$9,494,581
5	Deferred maintenance pool	450,000	0
6	Operating pool	925,000	0
7	Dickinson parking lot and landscaping capital project	350,000	0
8	Upper great plains transportation institute center for	3,000,000	0
9	transportation study capital project		
10	Beef research facility	2,612,400	0
11	Grape and wine program committee	250,000	0
12	Federal fiscal stimulus 2009	700,000	0
13	North central, Williston, Langdon, and Dickinson	<u>2,937,200</u>	<u>0</u>
14	renovations/additions		
15	Total all funds	\$22,675,000	\$9,494,581
16	Total other funds	<u>4,975,000</u>	<u>2,502,931</u>
17	Total general fund	\$17,700,000	\$6,991,650

18 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the
19 2013-15 biennium. The main research center shall report to the appropriations committees of
20 the sixty-third legislative assembly on the use of this one-time funding for the biennium
21 beginning July 1, 2011, and ending June 30, 2013.

22 **SECTION 3. CONTINGENT FUNDING - WILLISTON RESEARCH CENTER DIRECTOR.**

23 Of the funds appropriated to the Williston research center in subdivision 5 of section 1 of this
24 Act, \$210,000 from the general fund is contingent and subject to the provisions of this section. If
25 funding for fifty percent of the 2011-13 biennium costs relating to the director position at the
26 Williston research center is not provided by the Montana state university eastern agricultural
27 research center, the Williston research center may spend up to \$210,000 and hire one full-time
28 equivalent director position for the biennium beginning July 1, 2011, and ending June 30, 2013.

29 **SECTION 4. ADDITIONAL INCOME - APPROPRIATION.** In addition to the amount
30 included in the grand total special funds appropriation line item in section 1 of this Act, any other
31 income, including funds from federal acts, private grants, gifts, and donations, or from other

1 sources received by the North Dakota state university extension service, the northern crops
2 institute, the upper great plains transportation institute, the main research center, branch
3 research centers, and agronomy seed farm, except as otherwise provided by law, is
4 appropriated for the purpose designated in the act, grant, gift, or donation, for the biennium
5 beginning July 1, 2011, and ending June 30, 2013.

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

11 **SECTION 6. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** The board of higher
12 education may adjust or increase full-time equivalent positions as needed for the entities in
13 section 1 of this Act, subject to availability of funds. The board shall report any adjustments to
14 the office of management and budget prior to the submission of the 2013-15 budget request.

15 **SECTION 7. UNEXPENDED GENERAL FUND - EXCESS INCOME.** Any unexpended
16 general fund appropriation authority to and any excess income received by entities listed in
17 section 1 of this Act are not subject to the provisions of section 54-44.1-11, and any
18 unexpended funds from these appropriations or revenues are available and may be expended
19 by those entities, during the biennium beginning July 1, 2013, and ending June 30, 2015.

20 **SECTION 8. PERMANENT OIL TAX TRUST FUND - DICKINSON RESEARCH CENTER -**
21 **OPERATING POOL FUNDING.** The estimated income line item in subdivision 5 of section 1 of
22 this Act includes \$800,000 from the permanent oil tax trust fund. This funding is available only
23 for defraying the costs of operations of the Dickinson research center, for the biennium
24 beginning July 1, 2011, and ending June 30, 2013.

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

27 **4-14.2-02. Northern crops council - Establishment - Chairman - Meetings -**
28 **Compensation.**

29 1. The northern crops council is established. The council shall establish policies for the
30 operation of the northern crops institute. The council consists of:

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- 1 a. The president of North Dakota state university of agriculture and applied science
- 2 or the president's designee.
- 3 b. A representative selected by the North Dakota wheat commission.
- 4 c. A representative selected by the North Dakota oilseed council.
- 5 d. A representative selected by the North Dakota barley council.
- 6 e. A representative selected by the North Dakota soybean council.
- 7 f. The agriculture commissioner or the commissioner's designee.
- 8 g. Five to seven producers of northern crops selected by the members designated
- 9 in subdivisions a through f.
- 10 h. Up to four representatives of industries that process northern crops selected by
- 11 the members designated in subdivisions a through f.
- 12 2. a. The term of office for each member of the council, except the president of North
- 13 Dakota state university of agriculture and applied science and the agriculture
- 14 commissioner, is three years, and those members are limited to two 3-year
- 15 terms. Each term of office begins with the first reorganizational meeting after the
- 16 date of appointment.
- 17 b. Notwithstanding subdivision a, during the 2011-13 biennium, the council shall:
- 18 (1) Stagger by lot the terms of the producers of northern crops so that no more
- 19 than one of the producers' terms expires in June 2013; and
- 20 (2) Stagger by lot the terms of the representatives of industries that process
- 21 northern crops so that no more than one of the representatives' terms
- 22 expires in June 2013.
- 23 3. The chairman of the council must be a member of the council elected annually by a
- 24 majority vote of the council. Provided, the members designated in subdivisions a and f
- 25 of subsection 1 are not eligible to serve as chairman.
- 26 4. The council shall meet at least three times annually at such times and places as must
- 27 be determined by the council and may meet in special meeting upon such call and
- 28 notice as may be prescribed by rules adopted by the council. A council member unable
- 29 to attend a meeting of the council may be represented by a person who has a written
- 30 proxy from the member.

1 **SECTION 10. EXEMPTION.** The amounts appropriated for the research greenhouse
2 complex project, as contained in subdivision 4, section 3, of chapter 48 of the 2005 Session
3 Laws, and the branch center renovations and research greenhouse complex projects, as
4 contained in subdivision 4, section 1, of chapter 48 of the 2009 Session Laws, are not subject to
5 the provisions of section 54-44.1-11, and any unexpended funds from these appropriations or
6 related revenues are available and may be expended during the biennium beginning July 1,
7 2011, and ending June 30, 2013.

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