

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 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

	Base Level	Adjustments or Enhancements	Appropriation
22 Extension service	\$47,091,489	\$515,165	\$47,606,654
23 Soil conservation committee	837,800	50,000	887,800
24 Total all funds	\$47,929,289	\$565,165	\$48,494,454

Sixty-second
Legislative Assembly

1	Extension service	\$47,091,489	(\$64,835)	\$47,026,654
2	Soil conservation committee	837,800	150,000	987,800
3	Total all funds	\$47,929,289	\$85,165	\$48,014,454
4	Less estimated income	25,928,877	(2,800,067)	23,128,810
5	Total general fund	\$22,000,412	\$3,365,232	\$25,365,644
6	Full-time equivalent positions	255.75	0.00	255.75
7	Total general fund	\$22,000,412	\$2,885,232	\$24,885,644
8	Full-time equivalent positions	255.75	1.00	256.75

9 Subdivision 2.

NORTHERN CROPS INSTITUTE

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

17 Subdivision 3.

UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

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

25 Subdivision 4.

MAIN RESEARCH CENTER

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
27				
28				
29	Main research center	\$87,530,418	\$10,862,153	\$98,392,571
30	Main research center	\$87,530,418	\$11,059,555	\$98,589,973
31	Deferred maintenance	0	0	0

Sixty-second
Legislative Assembly

1	Grape and wine program committee	0	0	0
2	Federal fiscal stimulus 2009	<u>0</u>	<u>0</u>	<u>0</u>
3	Total all funds	\$87,530,418	\$10,862,153	\$98,392,571
4	Total all funds	\$87,530,418	\$11,059,555	\$98,589,973
5	Less estimated income	<u>45,013,267</u>	<u>(879,692)</u>	<u>44,133,575</u>
6	Total general fund	\$42,517,151	\$11,741,845	\$54,258,996
7	Full-time equivalent positions	329.26	3.00	332.26
8	Total general fund	\$42,517,151	\$11,939,247	\$54,456,398
9	Full-time equivalent positions	329.26	4.00	333.26

10 Subdivision 5.

RESEARCH CENTERS

		Adjustments or		
	Base Level	Enhancements	Appropriation	
14	Dickinson research center	\$5,012,580	\$1,375,982	\$6,388,562
15	Central grasslands research center	2,560,602	305,245	2,865,847
16	Hettinger research center	2,995,155	378,020	3,373,175
17	Langdon research center	2,091,572	287,235	2,378,807
18	North central research center	3,973,952	425,869	4,399,821
19	Williston research center	2,922,183	277,906	3,200,089
20	Carrington research center	6,727,962	2,623,526	9,351,488
21	Total all funds	\$26,284,006	\$5,673,783	\$31,957,789
22	Williston research center	2,922,183	487,906	3,410,089
23	Carrington research center	6,727,962	398,526	7,126,488
24	Total all funds	\$26,284,006	\$3,658,783	\$29,942,789
25	Less estimated income	<u>13,916,816</u>	<u>1,880,765</u>	<u>15,797,581</u>
26	Total general fund	\$12,367,190	\$3,793,018	\$16,160,208
27	Full-time equivalent positions	95.49	1.00	96.49
28	Total general fund	\$12,367,190	\$1,778,018	\$14,145,208
29	Full-time equivalent positions	95.49	2.00	97.49

30 Subdivision 6.

AGRONOMY SEED FARM

31

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
1			
2			
3	Agronomy seed farm	<u>\$159,930</u>	<u>\$1,435,168</u>
4	Total special funds	\$1,275,238	\$1,435,168
5	Full-time equivalent positions	3.00	3.00
6	Subdivision 7.		
7	BILL TOTAL		
8		Adjustments or	
9		<u>Base Level</u>	<u>Enhancements</u>
10	Grand total general fund	\$79,913,767	\$19,483,291
11	<u>Grand total general fund</u>	<u>\$79,913,767</u>	<u>\$17,185,693</u>
12	Grand total special funds	<u>109,469,662</u>	<u>(1,169,470)</u>
13	Grand total all funds	\$189,383,429	\$207,697,250
14	<u>Grand total all funds</u>	<u>\$189,383,429</u>	<u>\$205,399,652</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:

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

1 renovations/additions

2 ~~Total all funds~~ ~~\$22,675,000~~ ~~\$11,719,581~~

3 Total all funds \$22,675,000 \$9,494,581

4 Total other funds 4,975,000 2,502,931

5 ~~Total general fund~~ ~~\$17,700,000~~ ~~\$9,216,650~~

6 Total general fund \$17,700,000 \$6,991,650

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

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

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

18 **SECTION 4. ADDITIONAL INCOME - APPROPRIATION.** In addition to the amount

19 included in the grand total special funds appropriation line item in section 1 of this Act, any other
20 income, including funds from federal acts, private grants, gifts, and donations, or from other
21 sources received by the North Dakota state university extension service, the northern crops
22 institute, the upper great plains transportation institute, the main research center, branch
23 research centers, and agronomy seed farm, except as otherwise provided by law, is
24 appropriated for the purpose designated in the act, grant, gift, or donation, for the biennium
25 beginning July 1, 2011, and ending June 30, 2013.

26 **SECTION 5. TRANSFER AUTHORITY.** Upon approval of the state board of agricultural

27 research and education and appropriate branch research center directors, the director of the
28 main research center may transfer appropriation authority within subdivisions 1, 2, 4, and 5 of
29 section 1 of this Act. Any amounts transferred must be reported to the director of the office of
30 management and budget.

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

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

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

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

17 **4-14.2-02. Northern crops council - Establishment - Chairman - Meetings -**
18 **Compensation.**

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

1 2. a. The term of office for each member of the council, except the president of North
2 Dakota state university of agriculture and applied science and the agriculture
3 commissioner, is three years, and those members are limited to two 3-year
4 terms. Each term of office begins with the first reorganizational meeting after the
5 date of appointment.

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

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

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

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

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

20 **SECTION 10. EXEMPTION.** The amounts appropriated for the research greenhouse
21 complex project, as contained in subdivision 4, section 3, of chapter 48 of the 2005 Session
22 Laws, and the branch center renovations and research greenhouse complex projects, as
23 contained in subdivision 4, section 1, of chapter 48 of the 2009 Session Laws, are not subject to
24 the provisions of section 54-44.1-11, and any unexpended funds from these appropriations or
25 related revenues are available and may be expended during the biennium beginning July 1,
26 2011, and ending June 30, 2013.

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