

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2019**

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 parks and
2 recreation department; to provide a 2013-15 appropriation; to provide a grant to the
3 International Peace Garden; to provide funding for the Lewis and Clark interpretive center; to
4 provide an exemption; to amend and reenact section 43-30-05.2 of the North Dakota Century
5 Code, relating to the private investigative and security board and peace officers; to provide an
6 effective date; and to declare an 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 parks and recreation department for the purpose of defraying the expenses
12 of the parks and recreation department, for providing funding to the Lewis and Clark interpretive
13 center, and for providing a grant to the International Peace Garden, for the biennium beginning
14 July 1, 2015, and ending June 30, 2017, as follows:

Subdivision 1.

PARKS AND RECREATION DEPARTMENT

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
19 Administration	\$2,573,593	\$623,129	\$3,196,722
20 Accrued leave payments	181,577	(181,577)	0
21 Park operations and maintenance	15,045,525	18,378,406	33,423,931
22 Recreation	<u>5,585,875</u>	<u>2,021,544</u>	<u>7,607,419</u>
23 Total all funds	\$23,386,570	\$20,841,502	\$44,228,072
24 Less estimated income	<u>10,505,431</u>	<u>4,357,404</u>	<u>14,862,835</u>

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1	Total general fund	\$12,881,139	\$16,484,098	\$29,365,237
2	Full-time equivalent positions	55.00	11.00	66.00

3 Subdivision 2.

4 INTERNATIONAL PEACE GARDEN

5			Adjustments or	
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	International Peace Garden	<u>\$973,699</u>	<u>\$535,297</u>	<u>\$1,508,996</u>
8	Total general fund	\$973,699	\$535,297	\$1,508,996

9 Subdivision 3.

10 LEWIS AND CLARK INTERPRETIVE CENTER

11			Adjustments or	
12		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13	Lewis and Clark interpretive center	<u>\$0</u>	<u>\$1,005,279</u>	<u>\$1,005,279</u>
14	Total general fund	\$0	\$1,005,279	\$1,005,279

15 Subdivision 4.

16 BILL TOTAL

17			Adjustments or	
18		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
19	Grand total general fund	\$13,854,838	\$18,024,674	\$31,879,512
20	Grand total special funds	<u>10,505,431</u>	<u>4,357,404</u>	<u>14,862,835</u>
21	Grand total all funds	\$24,360,269	\$22,382,078	\$46,742,347

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

23 **SIXTY-FIFTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
 24 items approved by the sixty-third legislative assembly for the 2013-15 biennium and the
 25 2015-17 one-time funding items included in the appropriation in section 1 of this Act:

26	<u>One-Time Funding Description</u>	<u>2013-15</u>	<u>2015-17</u>
27	Parks enhancements	\$3,897,800	\$13,000,000
28	Parks equipment	350,000	600,000
29	Lewis and Clark interpretive center grant	1,350,000	0
30	Parks strategic plans	100,000	0

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1	Community grant program	500,000	0
2	International Peace Garden capital projects	1,250,000	335,297
3	Trail lease renewals	0	200,000
4	Web application for snowmobile registration	0	310,299
5	Statewide comprehensive outdoor recreation plan	0	90,000
6	Repairs at Lewis and Clark interpretive center	0	75,000
7	50th anniversary	0	25,000
8	Retirement leave payouts	0	100,000
9	State park study	0	25,000
10	International Peace Garden demolition project	0	200,000
11	Community grant program	<u>0</u>	<u>500,000</u>
12	Total all funds	\$7,447,800	\$15,460,596
13	Less estimated income	<u>1,270,300</u>	<u>345,000</u>
14	Total general fund	\$6,177,500	\$15,115,596

15 The 2015-17 one-time funding amounts are not a part of the entity's base budget for the
16 2017-19 biennium. The parks and recreation department shall report to the appropriations
17 committees of the sixty-fifth legislative assembly on the use of this one-time funding for the
18 biennium beginning July 1, 2015, and ending June 30, 2017.

19 **SECTION 3. GAME AND FISH OPERATING FUND - TRANSFER - BOAT RAMP**

20 **OPERATION AND MAINTENANCE.** The sum of \$122,000, or so much of the sum as may be
21 necessary, included in the park operations and maintenance line item in subdivision 1 of
22 section 1 of this Act, is from the game and fish operating fund, or federal or other funds
23 available to the game and fish department, and must be transferred to the parks and recreation
24 department for maintenance, operating, and extraordinary repairs expenses relating to boat
25 ramps at state parks for the biennium beginning July 1, 2015, and ending June 30, 2017.

26 **SECTION 4. DEFERRED MAINTENANCE AND ONE-TIME EQUIPMENT.** The sum of
27 \$535,297 in subdivision 2 of section 1 of this Act is allocated for certain deferred maintenance,
28 one-time equipment purchases, and one-time costs for the peace tower demolition project for
29 the International Peace Garden. The parks and recreation department shall assist with
30 specification review for the deferred maintenance projects, the one-time equipment purchases,

1 and the one-time costs of the peace tower demolition project before releasing the funds to the
2 International Peace Garden.

3 **SECTION 5. LEWIS AND CLARK INTERPRETIVE CENTER.** The sum of \$455,000 from
4 subdivision 3 of section 1 of this Act must be allocated for use at the Lewis and Clark
5 interpretive center. Of this amount \$380,000 may be used only for building and maintenance
6 costs, and \$75,000 for one-time exterior building painting and staining costs. The total funds in
7 this section must remain with the parks and recreation department and be released, on a
8 reimbursement basis, based upon expenses agreed to between the Lewis and Clark
9 interpretive center and the parks and recreation department.

10 **SECTION 6. 2013-15 BIENNIUM APPROPRIATION - LEWIS AND CLARK**

11 **INTERPRETIVE CENTER OPERATING COSTS.** There is appropriated out of any moneys in
12 the general fund in the state treasury, not otherwise appropriated, the sum of \$125,000, or so
13 much of the sum as may be necessary, to the parks and recreation department for the purpose
14 of defraying operating costs of the Lewis and Clark interpretive center, for the period beginning
15 with the effective date of this Act, and ending June 30, 2015.

16 **SECTION 7. STATE PARK ENHANCEMENTS.** The park operations and maintenance line
17 item in subdivision 1 of section 1 of this Act includes one-time funding of \$13,000,000 for state
18 park enhancements. Of this amount, \$3,000,000 is for the Lewis and Clark interpretive center,
19 of which \$2,050,000 is for a grant for debt repayment which results in receiving all assets and
20 inventory from the Lewis and Clark foundation, and \$950,000 is for operating costs of the Lewis
21 and Clark interpretive center, \$100,000 is for repair and replacement of a timber bridge at the
22 Roughrider Bridge trail, and \$9,900,000 is for state park enhancements as determined
23 necessary by the director of the parks and recreation department, for the biennium beginning
24 July 1, 2015, and ending June 30, 2017.

25 **SECTION 8. DAKOTA INSTITUTE OF THE LEWIS AND CLARK FORT MANDAN**

26 **FOUNDATION - DISSOLUTION AND DISTRIBUTION OF INVENTORY.** Upon acquisition of the
27 Dakota institute of the Lewis and Clark Fort Mandan foundation by the state of North Dakota,
28 the state shall dissolve the entity. All rights, title, interests, copyrights, and remaining inventory
29 of any Dakota institute publication, book, and other document or production, regardless of
30 format excluding video, after transfer of the institute must be granted to the author or producer
31 of the document or production.

1 **SECTION 9. EXEMPTION.** Up to \$500,000 of community grants funding from the general
2 fund included in the recreation line item contained in section 30 of chapter 15 of the 2013
3 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from
4 this appropriation may be expended during the biennium beginning July 1, 2015, and ending
5 June 30, 2017, for the purposes provided in section 55-08-14.1.

6 **SECTION 10. EXEMPTION.** The sum of \$1,250,000 appropriated in the international peace
7 garden line for repair of the peace tower at the International Peace Garden, in subdivision 2 of
8 section 30 of chapter 15 of the 2013 Session Laws is not subject to section 54-44.1-11 and any
9 unexpended funds are available for completing the project during the biennium beginning
10 July 1, 2015, and ending June 30, 2017. Funding available for use by the International Peace
11 Garden in this section will be subject to the International Peace Garden raising dollar for
12 matching funds from nonstate of North Dakota sources consistent with the 2013 North Dakota
13 legislative language. The parks and recreation department shall review and accept engineering
14 proposals and specifications before committing additional funds to the project and shall assist
15 with bidding and construction of any work associated with this section.

16 **SECTION 11. EXEMPTION.** Up to \$200,000 of Pembina gorge area project funding from
17 the general fund included in the natural resources line item contained in section 30 of chapter
18 15 of the 2013 Session Laws is not subject to the provisions of section 54-44.1-11. Any
19 unexpended funds from this appropriation may be expended during the biennium beginning
20 July 1, 2015, and ending June 30, 2017, for renting property in the Pembina gorge area for the
21 purpose of providing office space for employees or individuals responsible for monitoring or
22 patrolling the trail systems in the area, developing a plan for continued monitoring and patrolling
23 of the trail systems, and to determine the feasibility of establishing an interpretive center.

24 **SECTION 12. AMENDMENT.** Section 43-30-05.2 of the North Dakota Century Code is
25 amended and reenacted as follows:

26 **43-30-05.2. Peace officers.**

27 Notwithstanding section 12.1-13-04, the board may issue a license to an individual who is a
28 peace officer if the license issued to that peace officer under chapter 12-63 is on inactive status.
29 The board may issue a registration to provide private security service to an active duty peace
30 officer.

1 **SECTION 13. EMERGENCY.** Funding of \$13,000,000 from the general fund in the park
2 operations and maintenance line item in subdivision 1 of section 1 of this Act, relating to the
3 enhancements at the state parks, and section 6 of this Act are declared to be an emergency
4 measure.