

**2021 SENATE APPROPRIATIONS**

**SB 2011**

**Department 504 - Highway Patrol  
Senate Bill No. 2011**

**Executive Budget Comparison to Prior Biennium Appropriations**

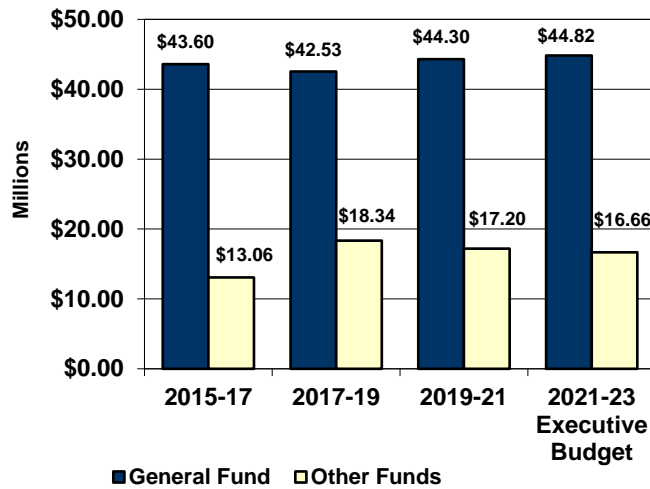
	FTE Positions	General Fund	Other Funds	Total
2021-23 Executive Budget	193.00	\$44,820,848	\$16,656,100	\$61,476,948
2019-21 Legislative Appropriations <sup>1</sup>	197.00	44,295,405	17,198,698	61,494,103
Increase (Decrease)	(4.00)	\$525,443	(\$542,598)	(\$17,155)

<sup>1</sup>The 2019-21 biennium agency appropriation amounts have not been adjusted for additional federal Coronavirus Relief Fund spending authority of \$13,919,094 resulting from Emergency Commission action during the 2019-21 biennium.

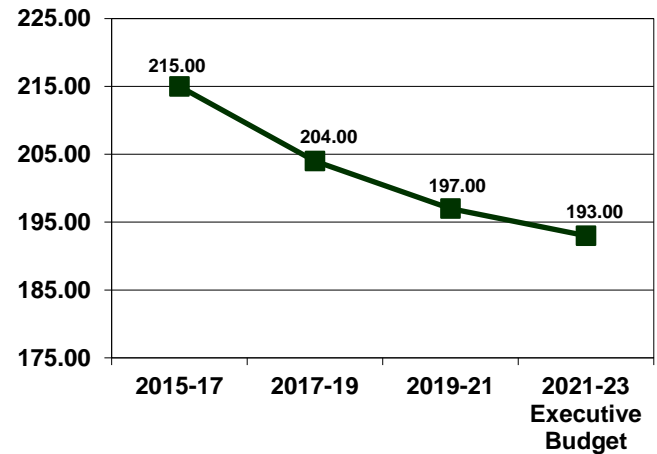
**Ongoing and One-Time General Fund Appropriations**

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2021-23 Executive Budget	\$43,434,848	\$1,386,000	\$44,820,848
2019-21 Legislative Appropriations	44,213,575	81,830	44,295,405
Increase (Decrease)	(\$778,727)	\$1,304,170	\$525,443

**Agency Funding**



**FTE Positions**



**Executive Budget Comparison to Base Level**

	General Fund	Other Funds	Total
2021-23 Executive Budget	\$44,820,848	\$16,656,100	\$61,476,948
2021-23 Base Level	44,213,575	15,373,370	59,586,945
Increase (Decrease)	\$607,273	\$1,282,730	\$1,890,003

Attached as an appendix is a detailed comparison of the executive budget to the agency's base level appropriations.

**Executive Budget Highlights**

	General Fund	Other Funds	Total
1. Adds funding for state employee salary and benefit increases, of which \$1,054,967 is for salary increases, \$9,108 is for health insurance increases, and \$26,785 is for retirement contribution increases	\$826,280	\$264,580	\$1,090,860
2. Removes 2 FTE positions and adjusts agency operating funding	(\$2,047,239)	\$746,180	(\$1,301,059)
3. Adds funding from the motor carrier electronic permit fund to reclassify 1 FTE permit technician position and 2 FTE administrative assistant positions for 1 FTE records technician position and 2 FTE crash assistance personnel positions	\$0	\$175,709	\$175,709

4. Transfers 2 FTE positions to the Information Technology Department as part of the information technology unification initiative. Salary funding of \$428,137 relating to the positions would be reallocated for information technology processing costs.	\$0	\$0	\$0
5. Adds funding for a computer aided dispatching system subscription fee	\$51,000	\$8,000	\$59,000
6. Adds funding for the state agency Capitol grounds rent proposal	\$96,794	\$0	\$96,794
7. Adds funding for Microsoft Office 365 license expenses	\$16,179	\$5,963	\$22,142
8. Adds <b>one-time funding</b> for hard body armor	\$228,000	\$37,000	\$265,000
9. Adds <b>one-time funding</b> for body and in-car cameras	\$1,158,000	\$0	\$1,158,000

**Other Sections Recommended to be Added in the Executive Budget  
(As Detailed in the Attached Appendix)**

**Highway tax distribution fund** - Section 3 would provide for \$8,429,312 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.

**Motor carrier electronic permit fund** - Section 4 would provide for \$1,519,557 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.

**Highway Patrol officer per diem** - Section 5 would provide for Highway Patrol officer per diem of \$200 per month during the 2021-23 biennium, the same as provided during the 2019-21 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status within the state.

**Continuing Appropriations**

**Highway Patrol assets forfeiture fund** - North Dakota Century Code Section 39-03-18 - Consists of funds obtained from seized assets that may be used for paying expenses associated with the inventory and selling of seized assets, to pay for overtime relating to certain investigations, for purchasing equipment related to criminal interdiction, or to be used to match federal funding for certain programs.

**Motor carrier electronic permit transaction fund** - Section 39-12-02 - An additional fee of up to \$15 is charged for issuing an oversize or overweight vehicle permit electronically. The additional fee is deposited in the motor carrier electronic permit fund and deposits in the fund are appropriated on a continuing basis to the Highway Patrol for the maintenance of the online electronic permitting system.

**Deficiency Appropriation**

No deficiency appropriations are being requested for the Highway Patrol.

**Significant Audit Findings**

There are no significant audit findings for this agency.

**Major Related Legislation**

**Senate Bill No. 2043 - Highway Patrolmen's Retirement System** - Increases the employer contributions to the highway patrolmen's retirement fund from 19.70 to 23.70 percent by increasing contributions by 2 percent effective January 2022, and 2 percent effective January 2023.

**Highway Patrol - Budget No. 504**  
**Senate Bill No. 2011**  
**Base Level Funding Changes**

	<b>Executive Budget Recommendation</b>			
	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
<b>2021-23 Biennium Base Level</b>	197.00	\$44,213,575	\$15,373,370	\$59,586,945
<b>2021-23 Ongoing Funding Changes</b>				
Base payroll changes		\$278,259	\$45,298	\$323,557
Salary increase		799,109	255,858	1,054,967
Health insurance increase		6,895	2,213	9,108
Retirement contribution increase		20,276	6,509	26,785
Operating and FTE position reductions	(2.00)	(2,047,239)	746,180	(1,301,059)
Transfer two FTE positions for IT unification	(2.00)			0
Reallocate funding and positions from motor carrier electronic permit fund			175,709	175,709
Computer aided dispatch fee		51,000	8,000	59,000
Agency Capitol complex rent proposal		96,794		96,794
Microsoft Office 365 license expenses		16,179	5,963	22,142
Total ongoing funding changes	(4.00)	(\$778,727)	\$1,245,730	\$467,003
<b>One-time funding items</b>				
Hard body armor		\$228,000	\$37,000	\$265,000
Body and in-car cameras		1,158,000		1,158,000
Total one-time funding changes	0.00	\$1,386,000	\$37,000	\$1,423,000
<b>Total Changes to Base Level Funding</b>	(4.00)	\$607,273	\$1,282,730	\$1,890,003
<b>2021-23 Total Funding</b>	193.00	\$44,820,848	\$16,656,100	\$61,476,948
<i>Total ongoing changes as a percentage of base level</i>	(2.0%)	(1.8%)	8.1%	0.8%
<i>Total changes as a percentage of base level</i>	(2.0%)	1.4%	8.3%	3.2%

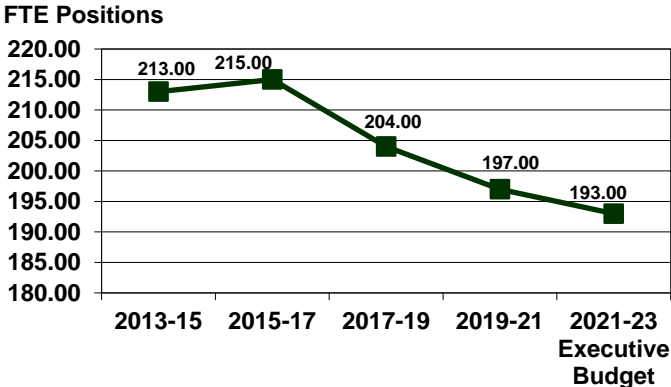
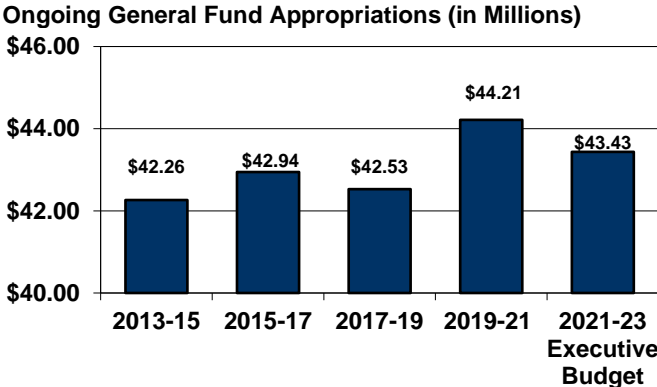
**Other Sections in Highway Patrol - Budget No. 504**

	<b>Executive Budget Recommendation</b>
Highway tax distribution fund	Section 3 would provide for \$8,429,312 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.
Motor carrier electronic permit fund	Section 4 would provide for \$1,519,557 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.
Highway Patrol officer per diem	Section 5 would provide for Highway Patrol officer per diem of \$200 per month during the 2021-23 biennium, the same as provided during the 2019-21 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status in the state.

Department 504 - Highway Patrol

# Historical Appropriations Information

## Ongoing General Fund Appropriations Since 2013-15



Ongoing General Fund Appropriations					
	2013-15	2015-17	2017-19	2019-21	2021-23 Executive Budget
Ongoing general fund appropriations	\$42,261,042	\$42,943,745	\$42,527,428	\$44,213,575	\$43,434,848
Increase (decrease) from previous biennium	N/A	\$682,703	(\$416,317)	\$1,686,147	(\$777,727)
Percentage increase (decrease) from previous biennium	N/A	1.6%	(1.0%)	4.0%	(1.8%)
Cumulative percentage increase (decrease) from 2013-15 biennium	N/A	1.6%	0.6%	4.6%	2.8%

### Major Increases (Decreases) in Ongoing General Fund Appropriations

**2015-17 Biennium**

- 1. Added 2 FTE trooper positions \$472,840
- 2. Increased funding for various operating expenses \$845,723

**2017-19 Biennium**

- 1. Adjusted the funding source for permit section staff salaries and wages and related expenses from the general fund to the motor carrier electronic permit transaction fund (\$1,269,165)
- 2. Added funding for trooper on-call pay \$323,750
- 3. Removed 11 FTE positions and related funding (\$2,299,602)

**2019-21 Biennium**

- 1. Increased funding for operating expenses \$522,835
- 2. Removed 7 FTE positions (\$573,376)

**2021-23 Biennium (Executive Budget Recommendation)**

- 1. Removes 2 FTE positions and adjusts agency operating funding (\$2,047,239)
- 2. Adds funding for a computer aided dispatching system subscription fee \$51,000
- 3. Adds funding for the state agency Capitol grounds rent proposal \$96,794

# GOVERNOR'S RECOMMENDATION FOR THE HIGHWAY PATROL AS SUBMITTED BY THE OFFICE OF MANAGEMENT AND BUDGET

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the highway patrol for the purpose of defraying the expenses of the highway patrol, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Field Operations	\$59,586,945	\$1,890,003	\$61,476,948
Total All Funds	\$59,586,945	\$1,890,003	\$61,476,948
Less Estimated Income	15,373,370	1,282,730	16,656,100
Total General Fund	\$44,213,575	\$ 607,273	\$44,820,848
Full-time Equivalent Positions	197.00	(4.00)	193.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2019-23</u>
Shooting Range Addition	\$1,729,100	\$ 0
Aircraft Engine Overhaul	81,830	0
Drone Purchase	96,228	0
Hard Body Armor	0	265,000
Body and In-car Cameras	0	1,158,000
Total All Funds	\$1,907,158	\$1,423,000
Total Special Fund	1,825,328	228,000
Total General Fund	\$ 81,830	\$1,195,000

The 2021-23 one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The highway patrol shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 3 . SPECIAL FUNDS TRANSFER – HIGHWAY TAX DISTRIBUTION FUND.** The estimated income line item in section 1 of this Act includes the sum of \$8,429,312, or so much of the sum as may be necessary, from the state highway tax distribution fund which may be transferred at the direction of the superintendent of the highway patrol for the purpose of defraying the expenses of the highway patrol during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. MOTOR CARRIER ELECTRONIC PERMIT TRANSACTION FUND.** The estimated income line item in section 1 of this Act includes \$1,519,557 from the motor carrier electronic permit transaction fund for the purpose of defraying various expenses associated with the issuance of permits and other nonenforcement motor carrier and administrative activities.

**SECTION 5. PAYMENTS TO HIGHWAY PATROL OFFICERS.** Each patrol officer of the state highway patrol is entitled to receive from funds appropriated in section 1 of this Act an amount not to exceed \$200 per month for the biennium beginning July 1, 2021 and ending June 30, 2023. The payments are in lieu of reimbursement for meals and other expenses, except lodging, while in travel status within the state of North Dakota or while at their respective home stations. The amounts must be paid at the time and in the same manner as salaries are paid to members of the highway patrol and may be paid without the presentation of receipts or other memorandums.

# 2021 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2011  
1/11/2021  
Senate Appropriations Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide for a transfer.

Senator Holmberg opened the hearing at 1:47 pm. Senators Holmberg, Krebsbach, Wanzek, Bekkedahl, Poolman, Erbele, Dever, Oehlke, Rust, Davison, Hogue, Sorvaag, Mathern, and Heckaman were present.

## **Discussion Topics:**

- Agency Overview
- Highway Patrol Response/Corrective Action Plan
- 2021-2023 Biennium Goals
- Requested One-Time Funding
- Optional Adjustment Requests
- ND Law Enforcement Training Academy
- Continuing money for the Post Board

**Colonel Brandon Solberg, Superintendent, North Dakota State Highway Patrol** – presented the budget overview – testimony #447 and #448.

**Todd Mitzel, Principal, Icon Architects** – submitted testimony in favor of SB 2011 - #450

**Duane Stanley, ND Post Board** – requested the committee keep the \$200,000 for the Post Board that was not included in the Executive Recommendation.

Senator Holmberg closed the hearing on SB 2011 at 3:12 pm.

*Rose Laning, Committee Clerk*

447

# SENATE BILL 2011

North Dakota Highway Patrol  
Colonel Brandon Solberg  
January 11, 2020



NORTH  
**Dakota** | Highway Patrol  
Be Legendary.™



# AGENCY OVERVIEW

- Two major components
  - Field operations
  - Administration
- 197 authorized employees
  - 159 sworn
  - 38 civilian
- Motor vehicle permit office
- Law Enforcement Training Academy



# CORE FUNCTION

## Proactive law enforcement services

- Proactive versus reactive

## Meet current and future law enforcement demands

- Traffic safety to public safety

## Ensure the safety of citizens and visitors

- North Dakota can become the safest state in the nation



# HIGHWAY PATROL MISSION

- **Mission**

- To make a difference every day by providing high quality law enforcement services to keep North Dakota safe and secure

- **Vision**

- Public safety through quality service

- **We Serve**

- All North Dakota citizens
- All motorists traveling through ND



# HIGHWAY PATROL VALUES



- **Professionalism**
- **Integrity**
- **Loyalty**
- **Accountability**
- **Respect**
- **Commitment**

# FINANCIAL AUDIT FINDINGS

- **Maximize use of federal grant funds**
  - Expend grant funds within a 12-month period
  - Regular reconciliations with PeopleSoft
- **Renew blanket bond coverage biennially**
  - Monitor expiration dates and add renewal reminders
- **Factor trade-in value for capitalization**
  - Ensure every purchase is properly capitalized

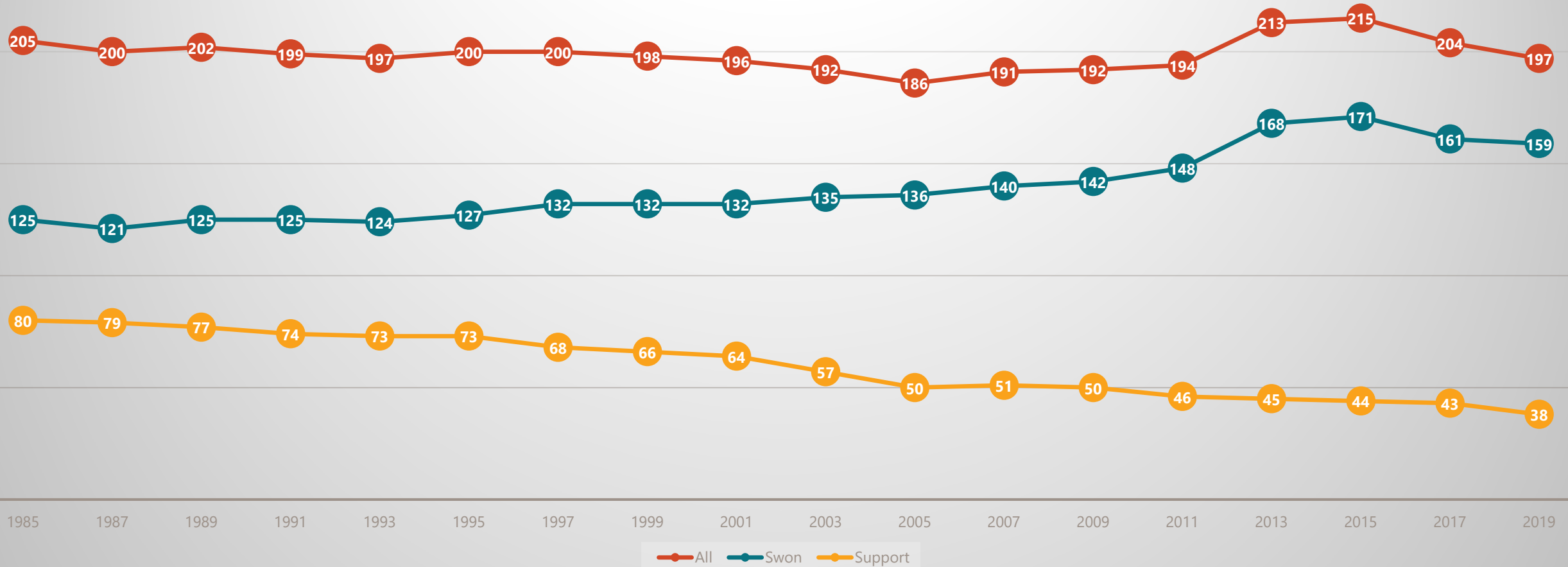
# AGENCY OVERVIEW

- **Accomplishments**
- **Challenges**
- **Goals**



# HISTORICAL STAFFING

NDHP Authorized FTEs per Biennium: 1985-2019



# BUDGET OVERVIEW

## 2019-21 Budget Appropriation

- General Fund: \$44,213,575
- Special Funds: \$8,762,955
- Federal Funds: \$6,610,415
- Total Budget: \$59,586,945

## 2021-23 Executive Budget Limit

- General Fund: \$37,581,539
- Special Funds: \$8,762,955
- Federal Funds: \$6,610,415
- Total Budget: \$52,954,909 (-\$6,632,036 general funds)





# ONE-TIME FUNDING

## ■ **Current Biennium**

- Aircraft engine
- UAS
- Firing range

## ■ **Next biennium**

- Body and in-vehicle cameras
- Hard body armor



# COMPATIBLE BODY AND IN-VEHICLE CAMERAS



Photo courtesy Axon.com

- **\$1,158,000**
  - Total project cost - \$1,458,000
  - NHTSA grant funds - \$300,000
  - Body cameras and back-end - \$542,000
  - Compatible in-vehicle cameras - \$916,000
  - Integration features allow for seamless in-vehicle and body camera synchronization

# HARD BODY ARMOR

- **\$265,000**
  - Hard armor ballistic coverage expires January 2022
  - Estimated cost to replace:
    - Ballistic panels & carrier - \$980
    - Ballistic helmet - \$450
    - Ballistic face shield - \$210
  - Total estimated price: \$1,640 per officer
  - 159 officers at \$1,640 each: \$260,760



# AGENCY COLLECTIONS

<b>Fund</b>	<b>2019-21 Collections (Est.)*</b>	<b>2021-23 Collections (Est.)*</b>
Permit Fund (276)	\$2,683,000	\$2,683,000
Highway Fund (200)	\$20,273,000	\$20,273,000
ID Card Fund (141)	\$18,000	\$18,000
HTDF Fuel Tax (400)	\$130,000	\$130,000
Misc. Gen Rev. (001)	\$21,000	\$0
<b>Total</b>	<b>\$23,125,000</b>	<b>\$23,104,000</b>

*\*Based on biennium to date collections through 11/30/20.*

- Fines for traffic violations are collected by the courts and used “for the benefit of the common schools of the state.”

# APPROPRIATION CONSIDERATIONS

- **Highway Tax Distribution Fund Transfer**
  - \$8,429,312 (approximately 14% of appropriation)
- **Monthly Unvouchered Expense**
  - \$200/month/officer
- **Permit Transaction Fund Transfer**
  - \$1,519,557 (staffing separate from software maintenance)

# EXECUTIVE BUDGET GUIDELINES

- 5% Reprioritization of Special Funds
- 15% Reduction of General Funds



# 5% SPECIAL FUNDS REPRIORITIZATION

- **\$443,983 Permit Fund Reduction**

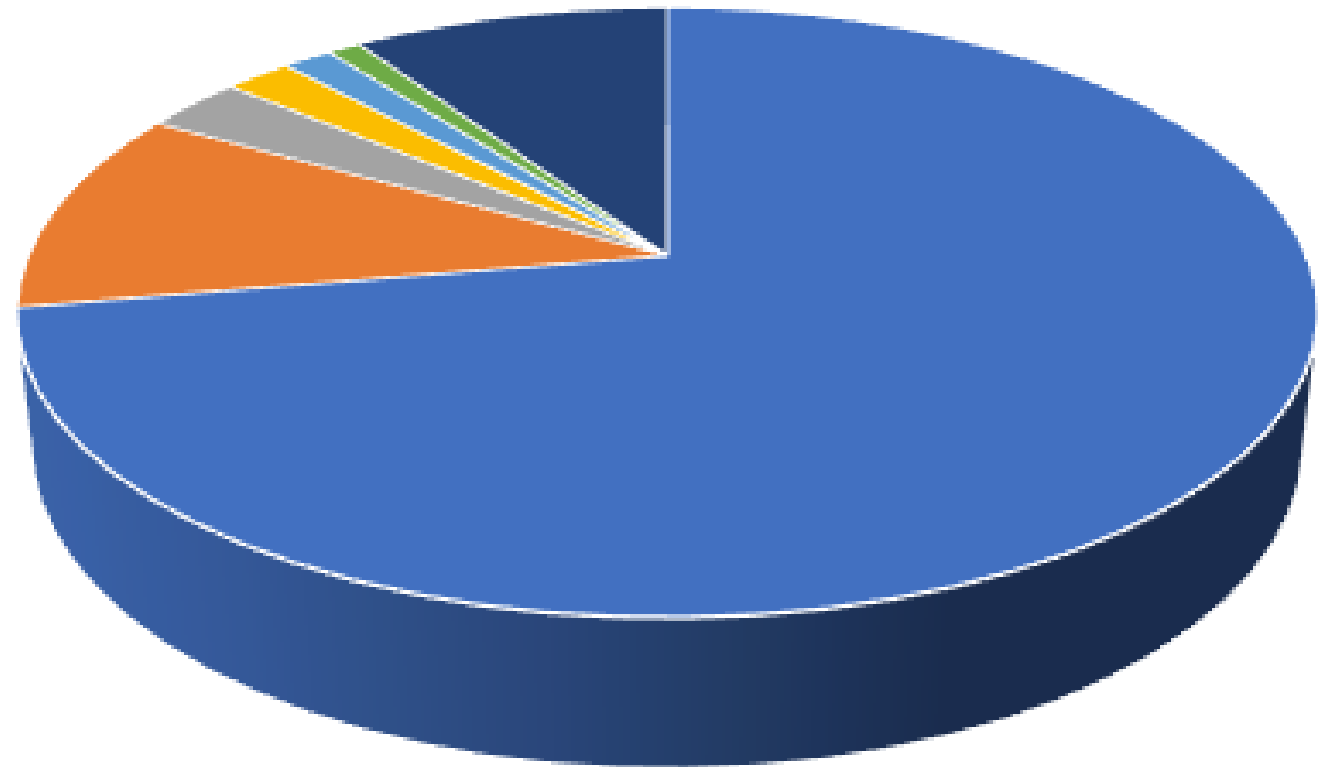
- One (1) Permit Technician - \$148,669
- Two (2) Field Administrative Assistants - \$282,134
- Permit Office Lease Space - \$12,179

- **\$618,691 Permit Fund Increase**

- One (1) Records Technician - \$155,203
- Two (2) Crash Assistance Program Positions - \$463,488

# HIGHWAY PATROL BUDGET BREAKDOWN

- 73% salaries and benefits (FTEs)
- 11% motor pool
- 3% equipment
- 2% data processing
- 1.5% leases
- 1% vehicle installations
- Others <1% each area



■ Salaries ■ Mileage ■ Equipment ■ DP ■ Leases ■ Installation ■ Other



# 15% GENERAL FUNDS REDUCTION

<b>General Funds Reduction</b>	<b>Amount</b>
Two capitol security officers - \$130,102.60 each	\$260, 205.20
One sergeant position and operating expenses	314,481.64
21 entry-level troopers, op. expenses - \$239,407 each	5,027,558.13
Motor pool	500,000.00
Leases (Fargo 137k, Bismarck 287k, Dickinson 30k)	454,000.00
POST Board training funds	30,000.00
Professional development	10,000.00
Equipment under \$750	15,790.00
Clothing	10,000.00
Repairs	10,000.00
<b>Total Reductions</b>	<b>\$6,632,034.97</b>

# OPTIONAL ADJUSTMENT REQUESTS

1. Restoration of Pay Plan Funding - \$323,557
2. FTE Requests - \$5,330,976 (\$4,186,976 salaries; \$1,144,000 operating expenses)
3. Equity Pay Increases - \$1,532,000
4. On-Call and Location-Based Pay - \$1,056,000
5. Hard Body Armor Funding - \$265,000
6. SIRN Radio Funding - \$2,612,000
7. CAD User Fees - \$59,000
8. Body Cameras - \$1,158,000
9. Law Enforcement Training Academy (LETA) Project - \$27,104,000
10. LETA Maintenance/Capital Improvements (SitelogIQ) - \$875,000 (OMB)
11. Restoration of ND POST Board Training Funds - \$55,000



# ADDITIONAL CHANGES REQUESTED

<b>Additional Appropriation</b>	<b>Amount</b>
Lease Rate Increase – Judicial Wing	\$96,794
Office 365 Software Upgrades	\$16,179
Executive Compensation Recommendation	\$1,090,860
<b>Total Additions</b>	<b>\$1,203,833</b>

- **Executive Budget Recommendation**
  - 2% salary increases each year
  - Fully funded health insurance

# BILLS IMPACTING AGENCY

- SB 2097 – CMV Updates
- SB 2098 – Abandoned Motor Vehicles
- SB 2099 – Bond Envelopes, Notification Form
- SB 2100 – Title 39 Clean-Up
- HB 1098 – Crash Reporting
- SB 2043 – PERS Highway Patrol Plan
- SB 2046 – PERS Main Plan

# CORONAVIRUS RELIEF FUNDING

## ▪ **Request 1993 – June 2020**

- \$312,000 – mobile laptops with cameras and mics
- \$92,094 – miscellaneous costs such as temperature scanners, overtime, PPE, cleaning supplies, and software to enhance a virtual environment

## ▪ **Request 2026 – October 2020**

- \$13,500,000 – salaries, March 1 through December 31
- \$15,000 – kiosk screening at Capitol

**NORTH DAKOTA  
LAW ENFORCEMENT  
TRAINING ACADEMY**

**NORTH DAKOTA LAW ENFORCEMENT  
TRAINING ACADEMY**

## **LEGISLATIVE MANAGEMENT STUDY ND LAW ENFORCEMENT TRAINING ACADEMY**

SECTION 8. RELOCATION OF LAW ENFORCEMENT TRAINING ACADEMY - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. During the 2019-20 interim, the highway patrol shall develop alternatives to relocate the housing and classroom portions of the law enforcement training academy. In developing the alternatives, the highway patrol shall review locations for a new facility, evaluate the proper capacity of the facility to serve future law enforcement training needs, and obtain estimated costs of each alternative. The highway patrol shall report to the appropriations committees of the sixty-seventh legislative assembly regarding the alternatives to relocate the training academy.

# | OPTIONS EVALUATED

## OPTION 1

Build a new LETA facility located within the Bismarck, ND area that would replace the current facility with its current needs.

## OPTION 2

Build Option 1 plus provide additional space for the NDHP Southwest Regional Office and NDHP Headquarters.

## OPTION 3

Build Option 2 plus provide additional space for the Attorney General's Office.

## OPTION 4

Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.

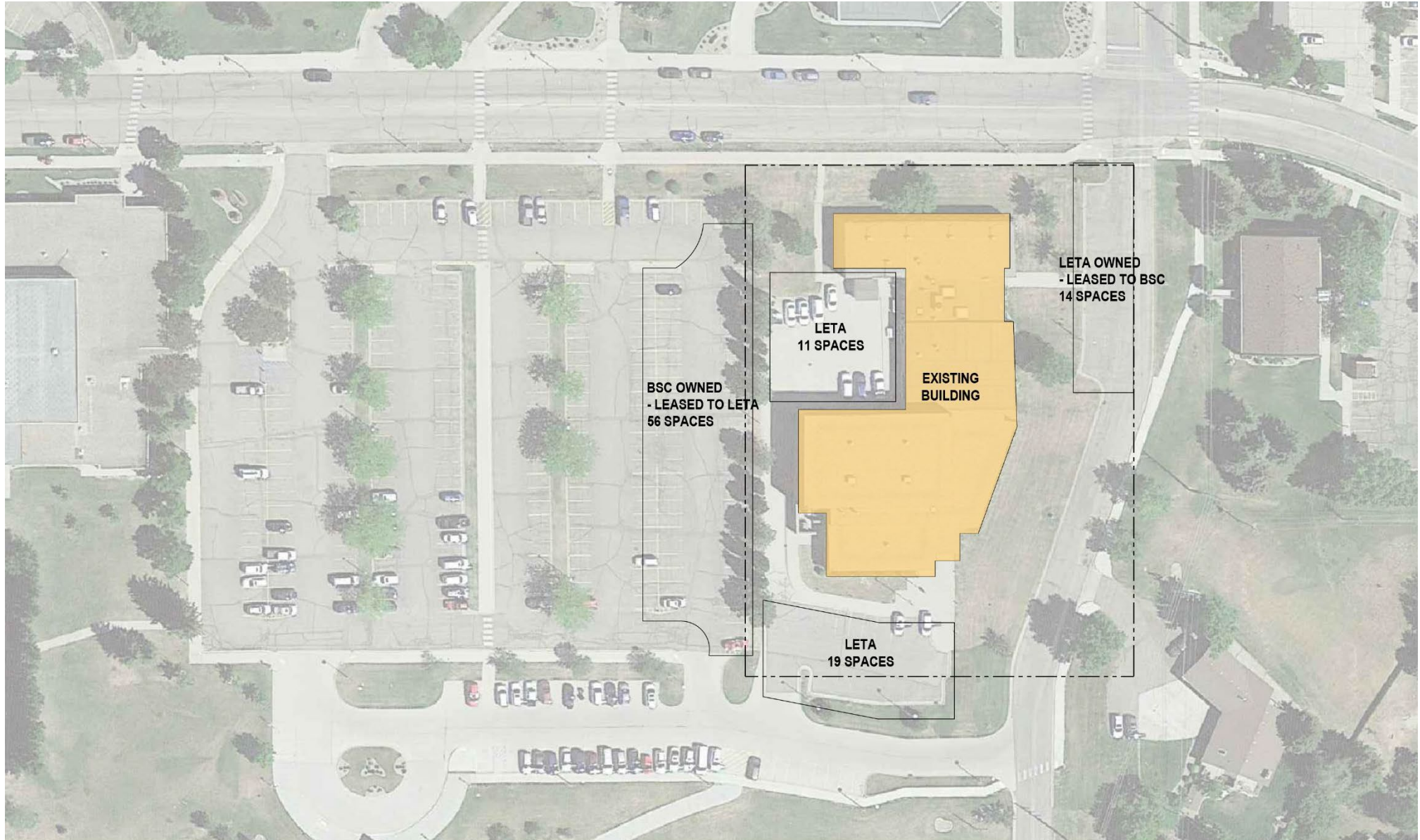


# EXISTING FACILITY

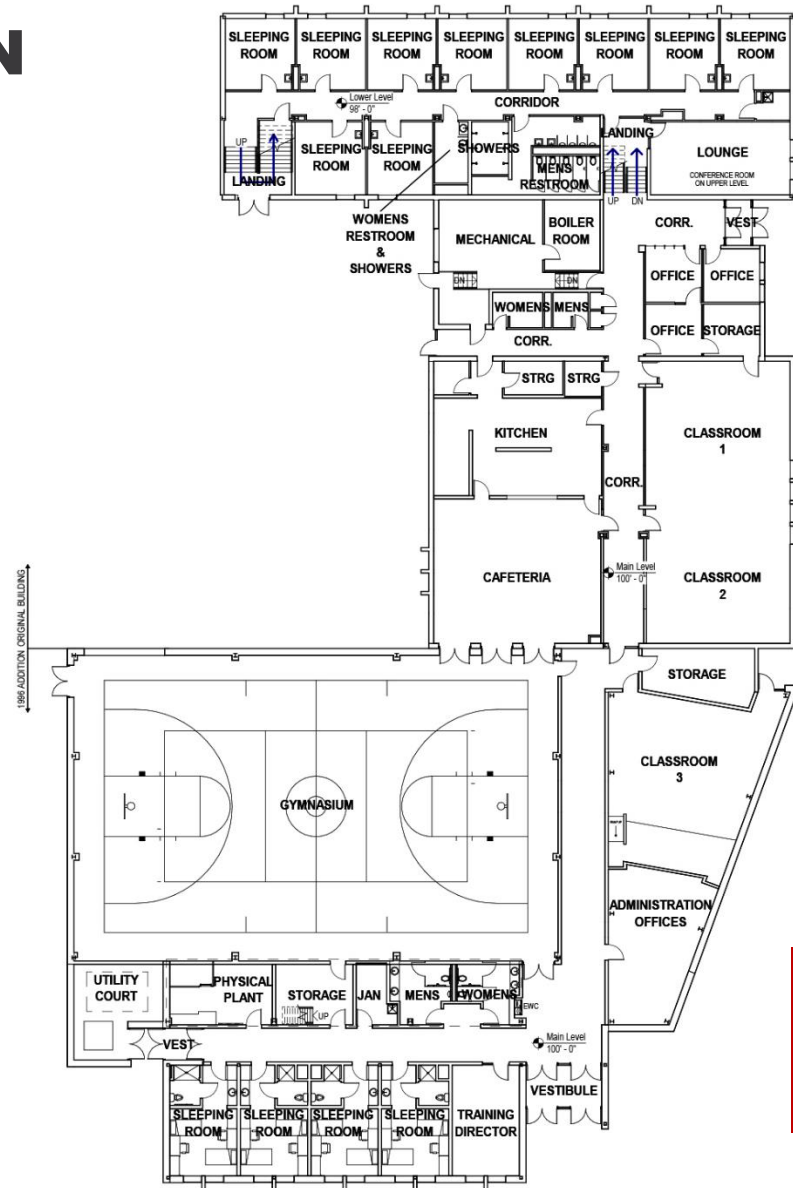
NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY



# EXISTING SITE



# EXISTING FLOOR PLAN



Bed Count - 44  
Classrooms - 3  
Cafeteria Occupancy - 40

# I CURRENT CONDITIONS

NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY



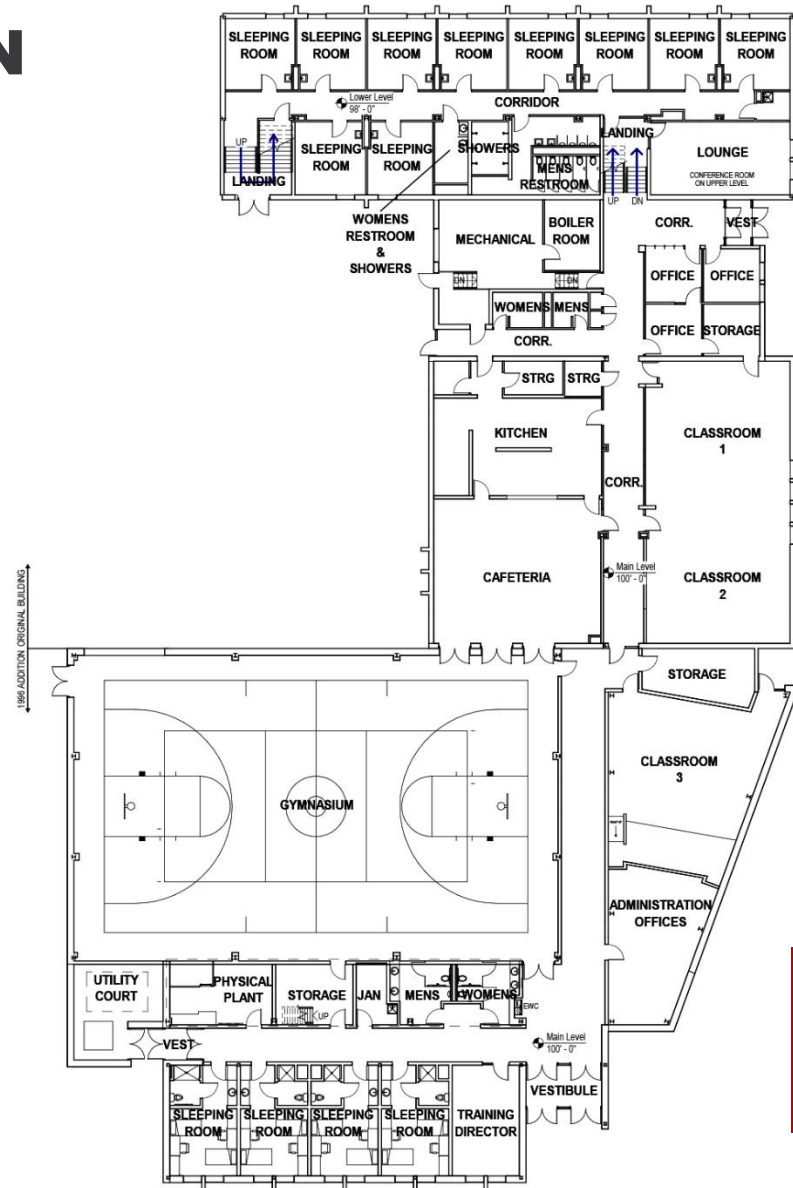
# | CURRENT CONDITIONS



# | CURRENT CONDITIONS



# EXISTING FLOOR PLAN



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## OPTION 4

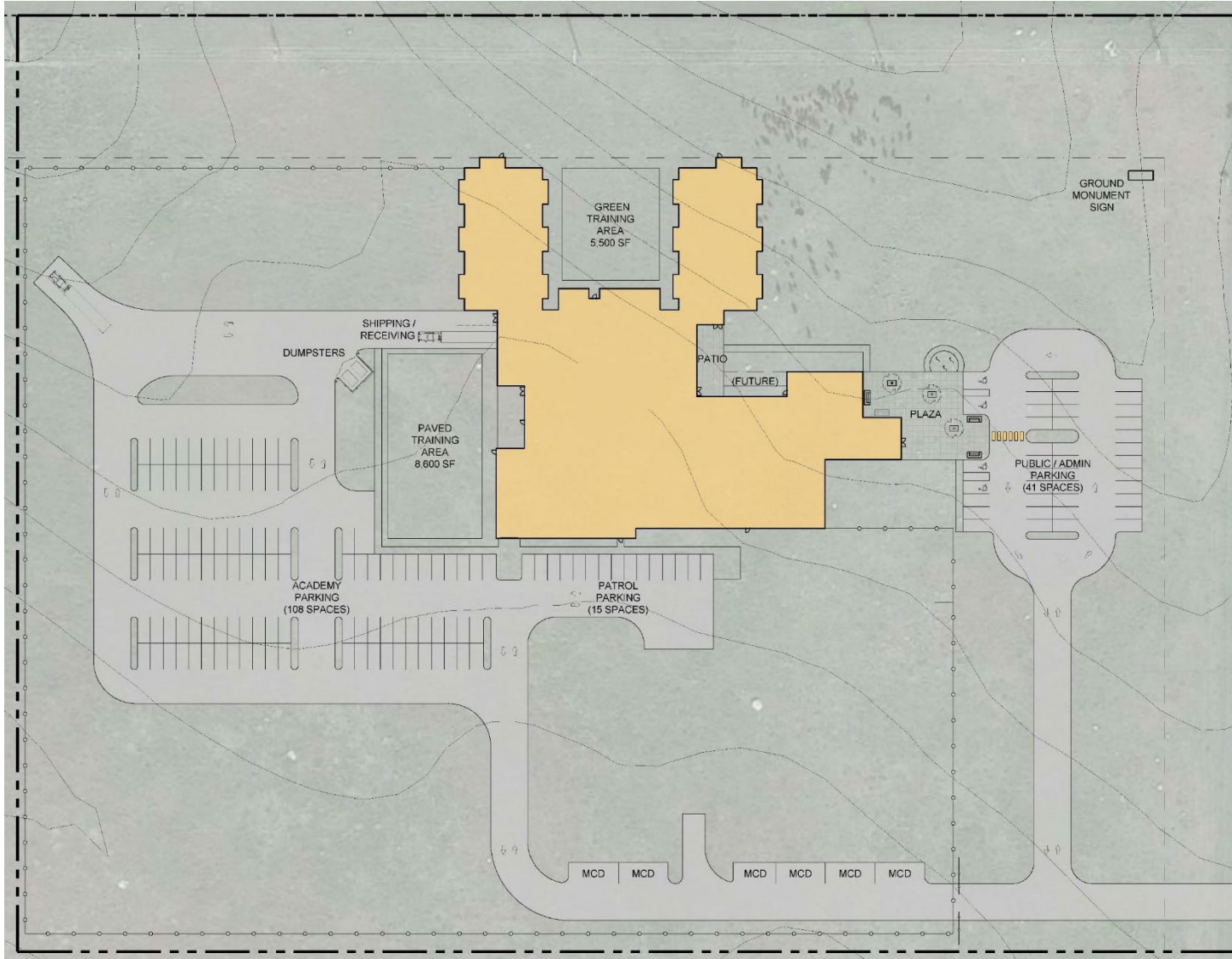
Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.



# | SITE CONSIDERATIONS



# SITE PLAN



<b>TOTAL PROJECT COST</b>		<b>\$27,103,944</b>
<b>Legislative Biennium 2021-2023</b>		
<b>Legislative Biennium 2023-2025</b>	<b>8%</b>	<b>\$29,272,259</b>
<b>Legislative Biennium 2025-2027</b>	<b>8%</b>	<b>\$31,614,040</b>

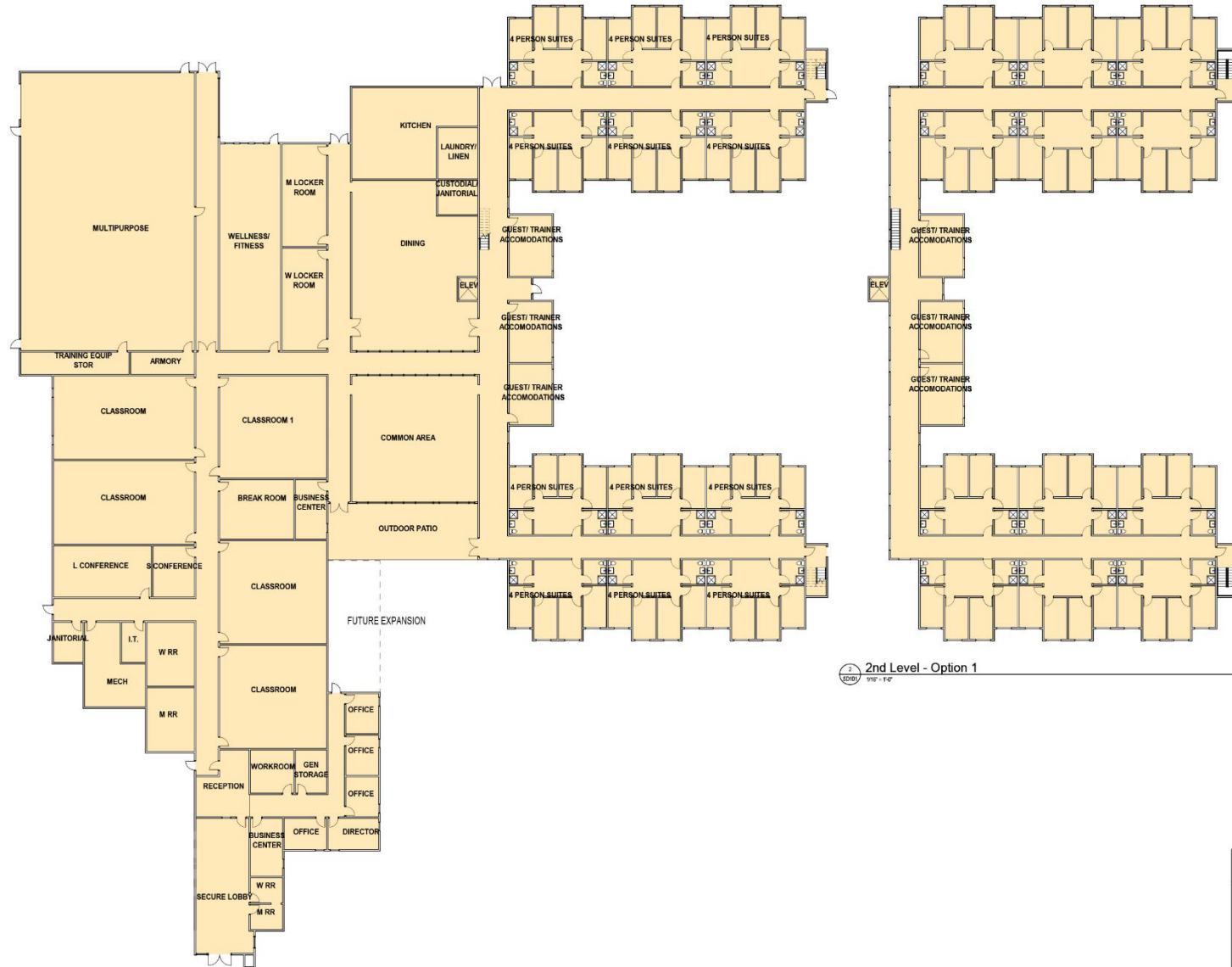
Bed Count – 102 (+58)  
 Classrooms – 5 (+2)  
 Cafeteria Occupancy – 90(+50)

**LEGEND**

LETA

<b>GROSS AREA CALCULATIONS:</b>	
LETA:	45,909 SF
LETA (2ND LEVEL):	14,864 SF
<b>TOTAL:</b>	<b>60,773 SF</b>

# OPTION 1



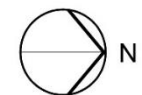
<b>TOTAL PROJECT COST</b>		<b>\$27,103,944</b>
<b>Legislative Biennium 2021-2023</b>		
<b>Legislative Biennium 2023-2025</b>	8%	<b>\$29,272,259</b>
<b>Legislative Biennium 2025-2027</b>	8%	<b>\$31,614,040</b>

Bed Count – 102 (+58)  
 Classrooms – 5 (+2)  
 Cafeteria Occupancy – 90(+50)

2nd Level - Option 1

**LEGEND**

LETA



<b>GROSS AREA CALCULATIONS:</b>	
LETA:	45,909 SF
LETA (2ND LEVEL):	14,864 SF
<b>TOTAL:</b>	<b>60,773 SF</b>

# | OPTIONS EVALUATED

## OPTION 1

Build a new LETA facility located within the Bismarck, ND area that would replace the current facility with its current needs.

## OPTION 2

Build Option 1 plus provide additional space for the NDHP Southwest Regional Office and NDHP Headquarters.

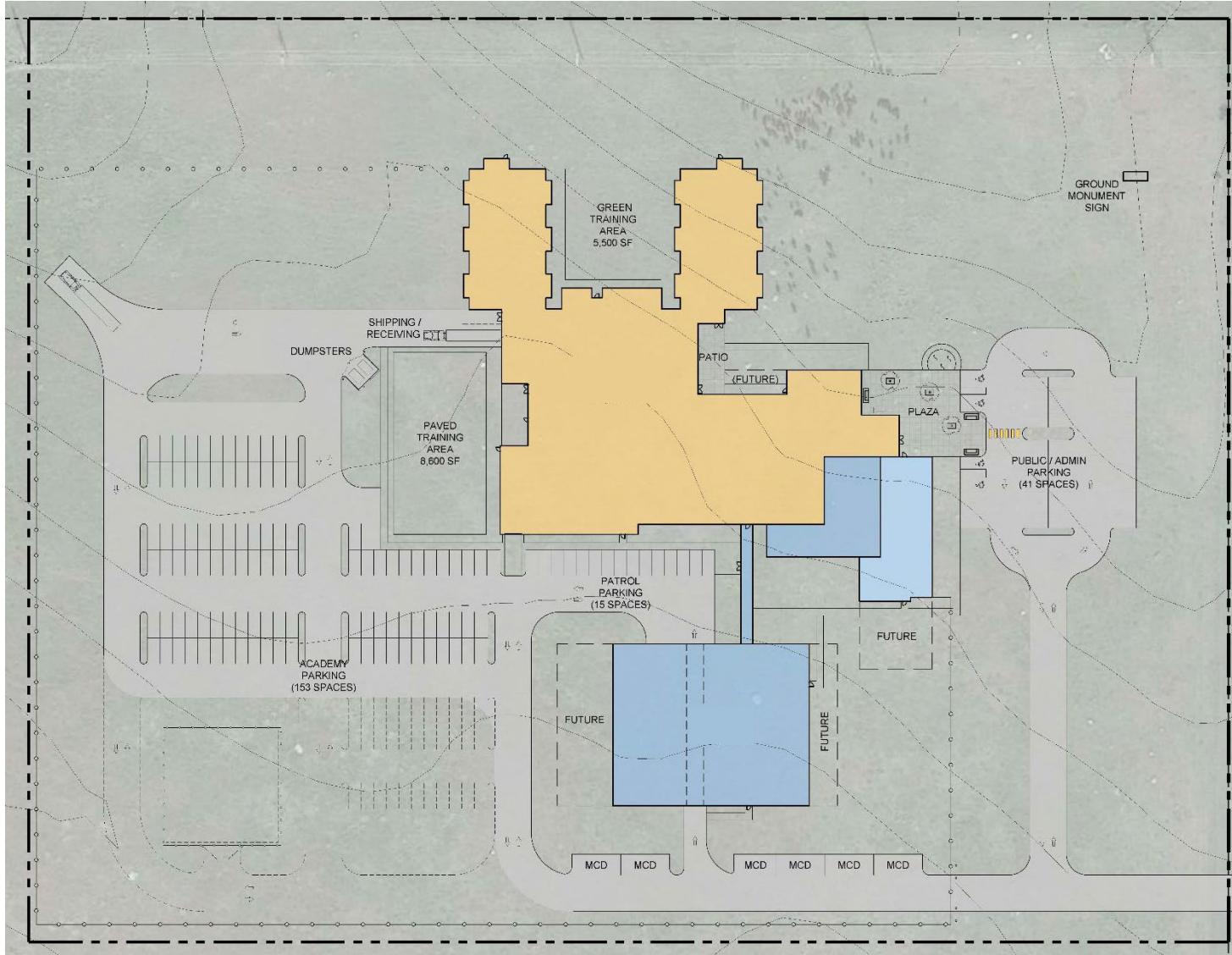
## OPTION 3

Build Option 2 plus provide additional space for the Attorney General's Office.

## OPTION 4

Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.

# SITE PLAN



**TOTAL PROJECT COST**                      **\$35,772,212**

**Legislative Biennium 2023-2025**    **8%**    **\$38,633,989**

**Legislative Biennium 2025-2027**    **8%**    **\$41,724,708**

**Bed Count – 102 (+58)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**

**LEGEND**

- SW DISTRICT
- HQ
- LETA

**GROSS AREA CALCULATIONS:**

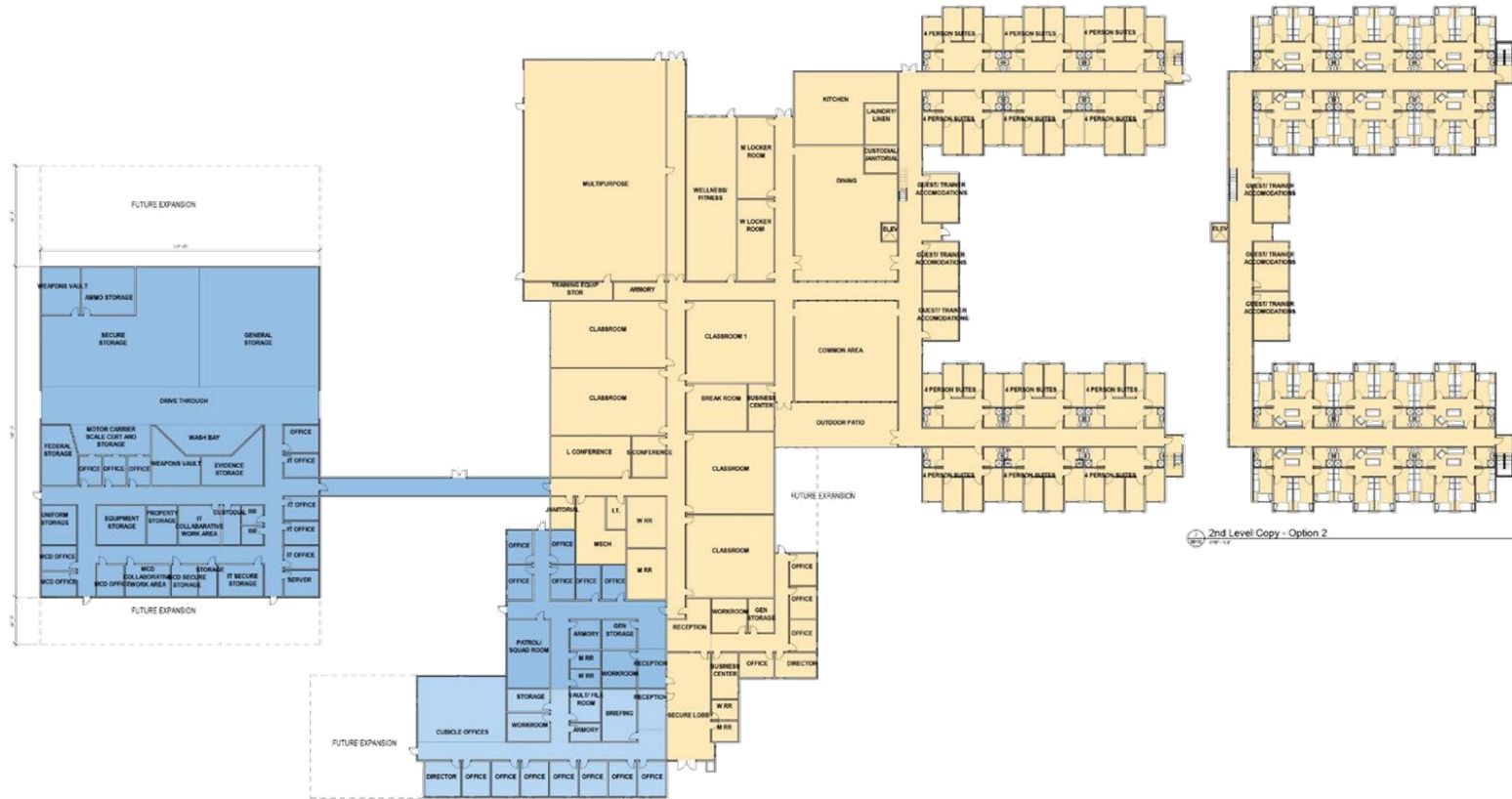
LETA:	60,773 SF
HQ:	4,943 SF
SW DISTRICT:	20,701 SF
<b>TOTAL:</b>	<b>86,417 SF</b>

# OPTION 2

TOTAL PROJECT COST **\$35,772,212**

Legislative Biennium 2023-2025 **8% \$38,633,989**

Legislative Biennium 2025-2027 **8% \$41,724,708**



**LEGEND**

- SW DISTRICT
- HQ
- LETA



GROSS AREA CALCULATIONS:	
LETA:	60,773 SF
HQ:	4,943 SF
SW DISTRICT:	20,701 SF
<b>TOTAL:</b>	<b>86,417 SF</b>

Bed Count – 102 (+58)  
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## OPTION 4

Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.

# SITE PLAN



<b>TOTAL PROJECT COST</b>		<b>\$51,594,959</b>
<b>Legislative Biennium 2023-2025</b>	<b>8%</b>	<b>\$55,722,556</b>
<b>Legislative Biennium 2025-2027</b>	<b>8%</b>	<b>\$60,180,361</b>

Bed Count – 102 (+58)  
 Classrooms – 5 (+2)  
 Cafeteria Occupancy – 90(+50)

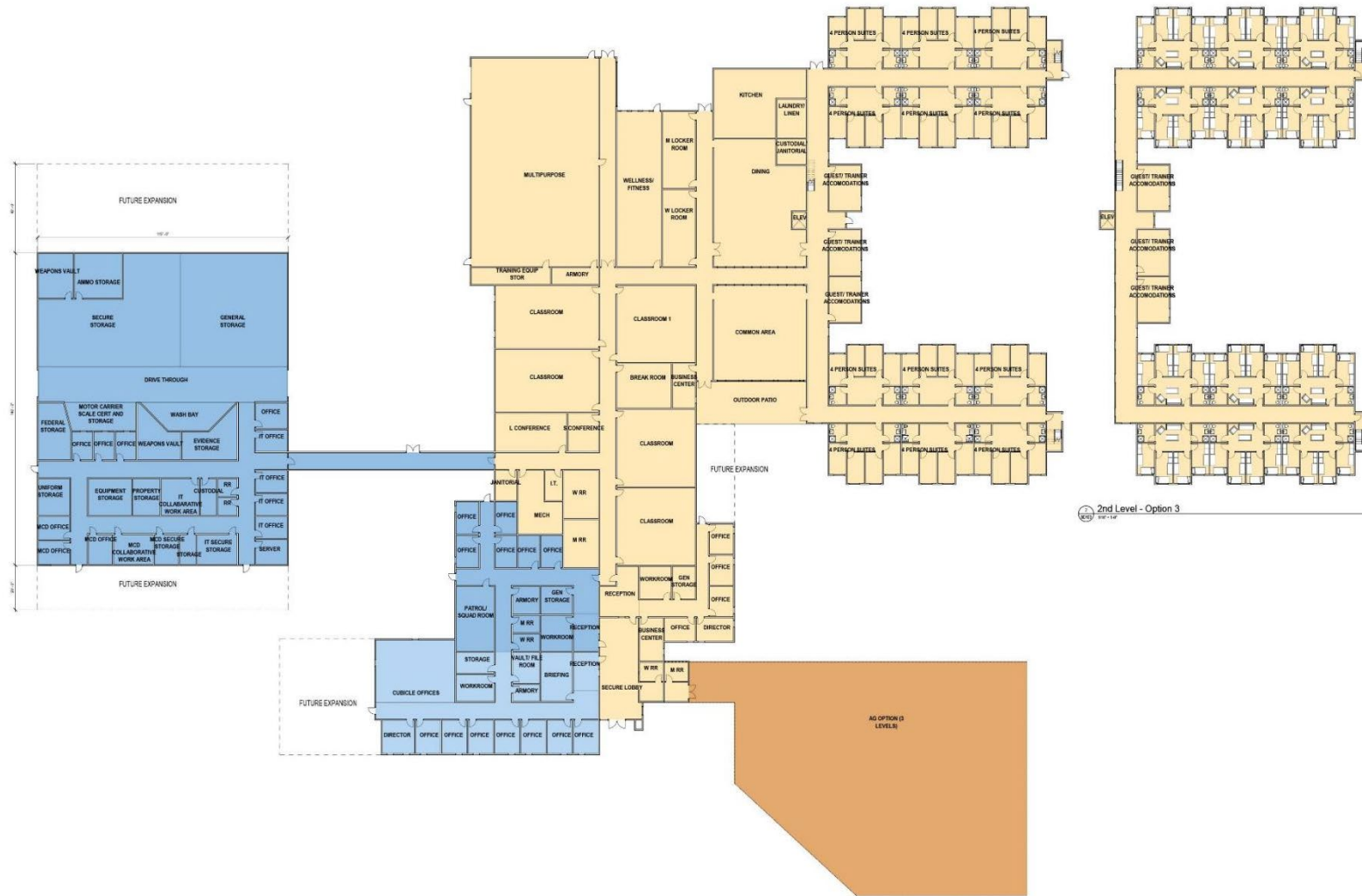
**LEGEND**

- AG
- SW DISTRICT
- HQ
- LETA

<b>GROSS AREA CALCULATIONS:</b>	
LETA:	60,773 SF
HQ:	4,943 SF
SW DISTRICT:	20,701 SF
AG:	39,261 SF
<b>TOTAL:</b>	<b>125,678 SF</b>



# OPTION 3



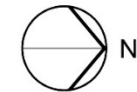
Overall Main Floor - Option 3

2nd Level - Option 3

<b>TOTAL PROJECT COST</b>		<b>\$51,594,959</b>
<b>Legislative Biennium 2023-2025</b>	<b>8%</b>	<b>\$55,722,556</b>
<b>Legislative Biennium 2025-2027</b>	<b>8%</b>	<b>\$60,180,361</b>

### LEGEND

- AG
- SW DISTRICT
- HQ
- LETA



GROSS AREA CALCULATIONS:	
LETA:	60,773 SF
HQ:	4,943 SF
SW DISTRICT:	20,701 SF
AG:	39,261 SF
<b>TOTAL:</b>	<b>125,678 SF</b>

**Bed Count – 102 (+58)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**

# | OPTIONS EVALUATED

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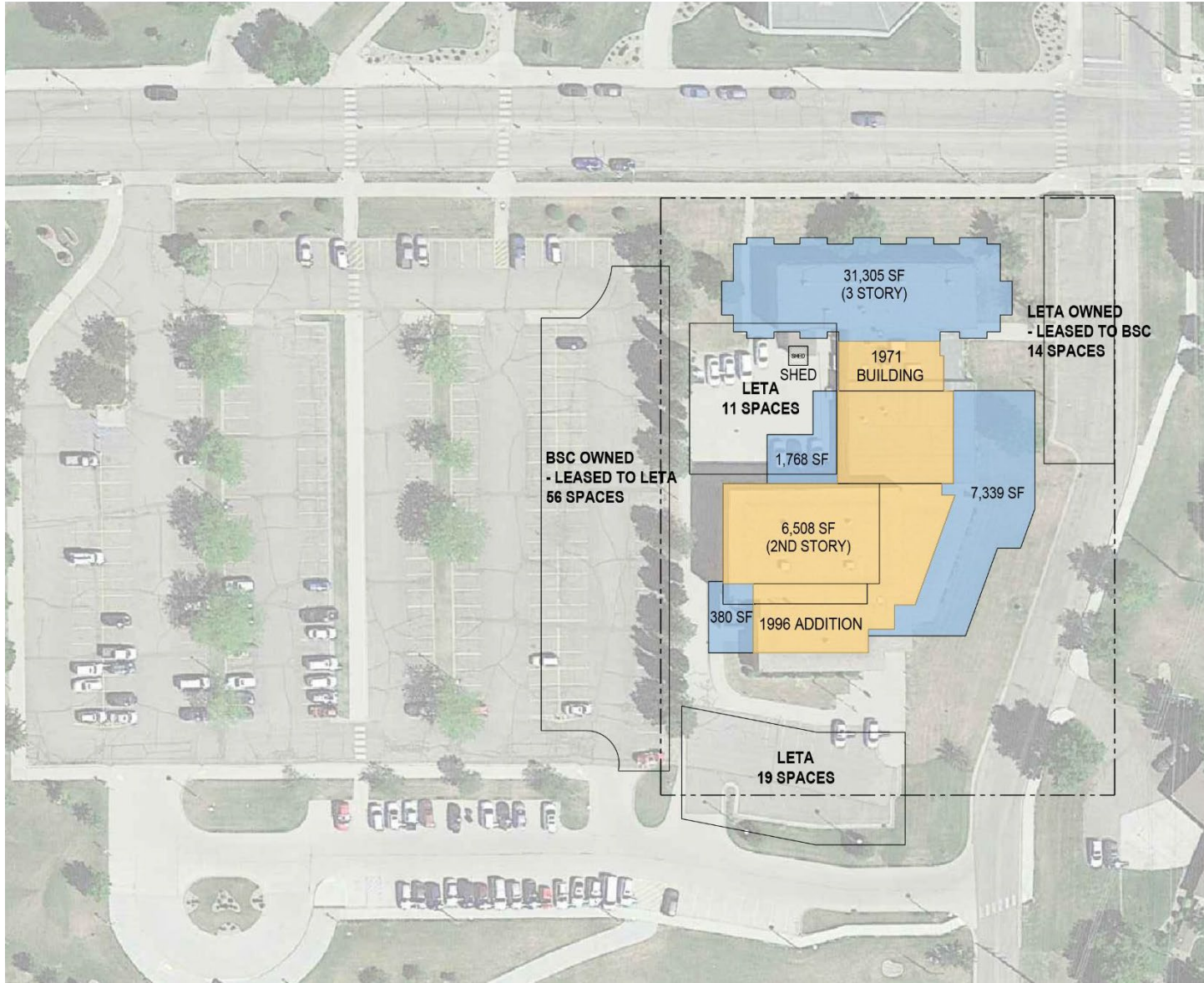
## OPTION 3

Build Option 2 plus provide additional space for the Attorney General's Office.

## OPTION 4

Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.

# OPTION 4A



<b>TOTAL PROJECT COST</b>		<b>\$24,458,765</b>
<b>Legislative Biennium 2021-2023</b>		
<b>Legislative Biennium 2023-2025</b>	<b>8%</b>	<b>\$26,415,466</b>
<b>Legislative Biennium 2025-2027</b>	<b>8%</b>	<b>\$28,528,704</b>

**Bed Count – 104 (+60)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**

# OVERALL MAIN FLOOR PLAN OPTION 4A

NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY

TOTAL PROJECT COST \$24,458,765  
Legislative Biennium 2021-2023

Legislative Biennium 8% \$26,415,466  
2023-2025

Legislative Biennium 8% \$28,528,704  
2025-2027

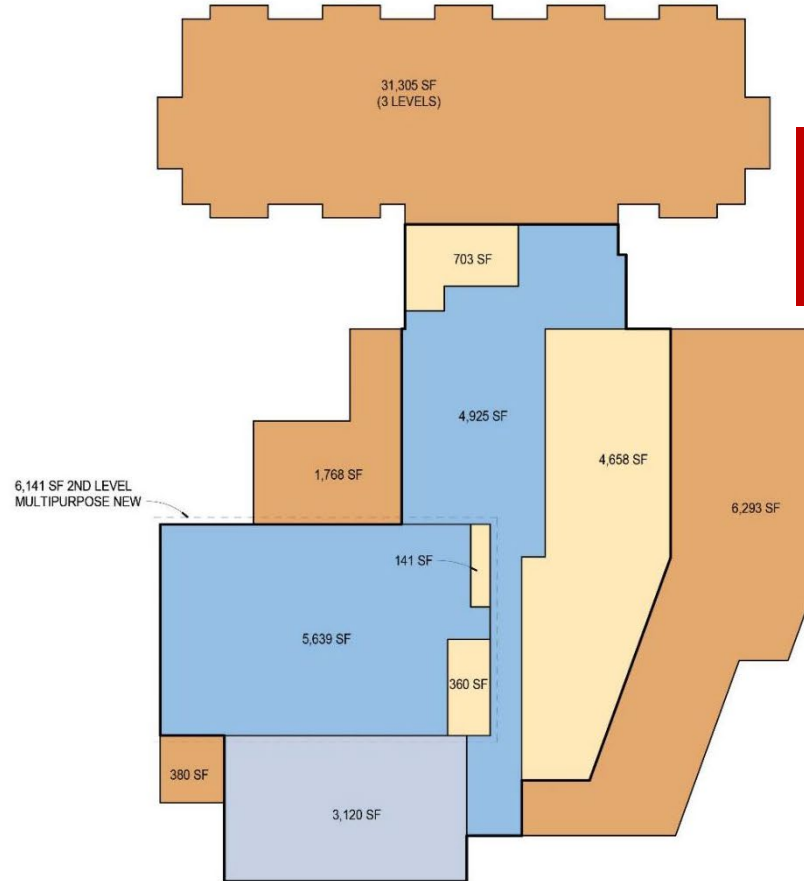
### LEGEND

- ADMIN
- TRAINING SPACES
- DORMITORY
- CIRCULATION

GROSS AREA CALCULATIONS:	
Main Floor:	38,424 SF
2nd Level Dorm:	10,435 SF
3rd Level Dorm:	10,435 SF
2nd Level Classes:	6,508 SF
<b>TOTAL:</b>	<b>65,802 SF</b>

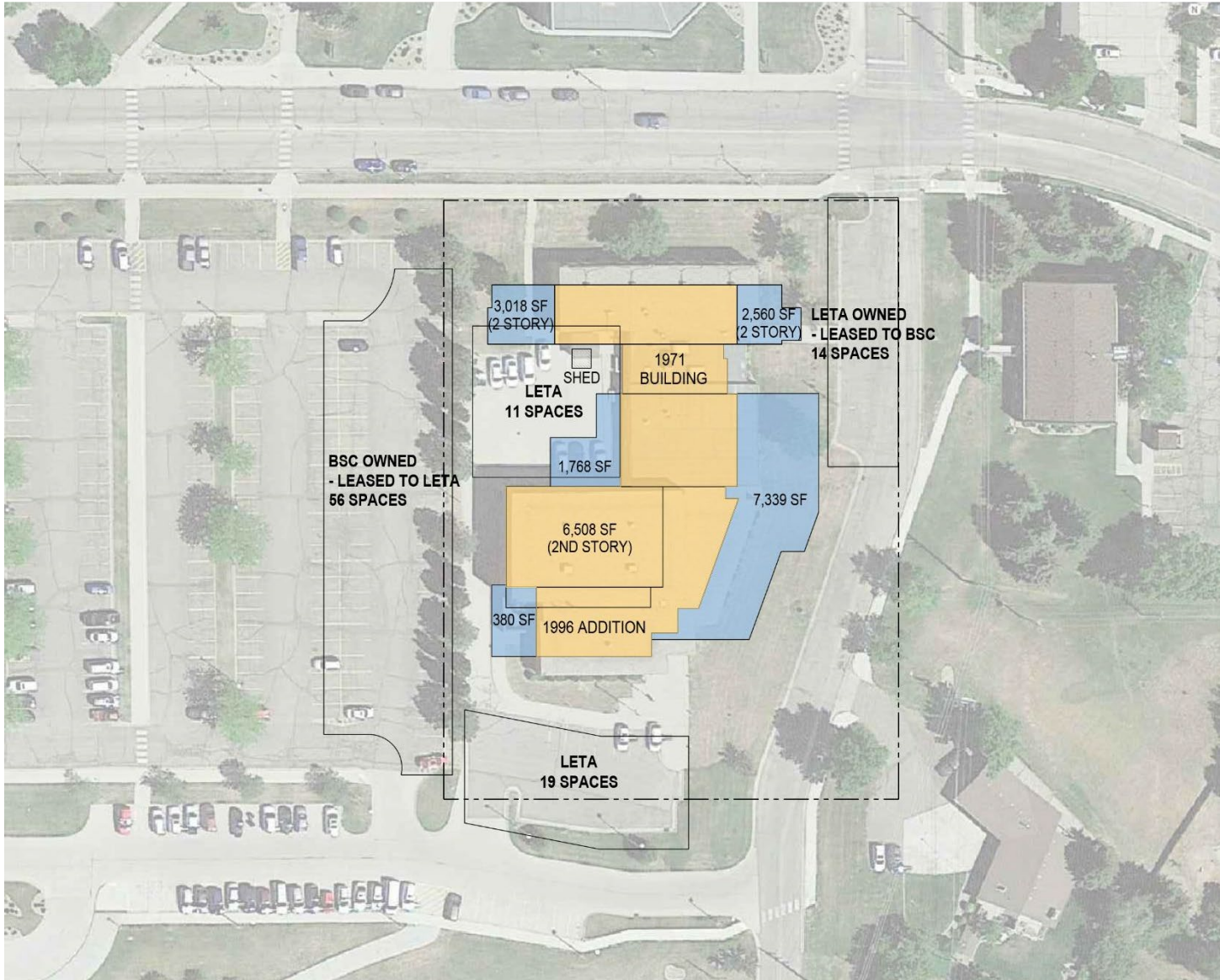
### RENO LEGEND:

<span style="display: inline-block; width: 15px; height: 10px; background-color: #f4a460; border: 1px solid black; margin-right: 5px;"></span> NEW	45,887 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #fff9c4; border: 1px solid black; margin-right: 5px;"></span> MAJOR	5,862 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #d9e1f2; border: 1px solid black; margin-right: 5px;"></span> MODERATE	10,564 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #a6c9ec; border: 1px solid black; margin-right: 5px;"></span> MINOR	3,120 SF



Bed Count – 104 (+60)  
Classrooms – 5 (+2)  
Cafeteria Occupancy – 90(+50)

# OPTION 4B



<b>TOTAL PROJECT COST</b>		<b>\$16,130,515</b>
<b>Legislative Biennium 2021-2023</b>		
<b>Legislative Biennium 2023-2025</b>	<b>8%</b>	<b>\$17,420,957</b>
<b>Legislative Biennium 2025-2027</b>	<b>8%</b>	<b>\$18,814,633</b>

**Bed Count – 93 (+49)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**

# OVERALL MAIN FLOOR PLAN OPTION 4B

### LEGEND

- ADMIN
- TRAINING SPACES
- DORMITORY
- CIRCULATION

### GROSS AREA CALCULATIONS:

Main Floor:	35,701 SF
2nd Level Dorm:	7,006 SF
2nd Level Classes:	6,508 SF
<b>TOTAL:</b>	<b>49,215 SF</b>

### RENO LEGEND:

<span style="display: inline-block; width: 15px; height: 10px; background-color: #d9534f; border: 1px solid black; margin-right: 5px;"></span> NEW	20,867 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #fff2cc; border: 1px solid black; margin-right: 5px;"></span> MAJOR	14,492 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #d9e1f2; border: 1px solid black; margin-right: 5px;"></span> MODERATE	10,370 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #e6e6fa; border: 1px solid black; margin-right: 5px;"></span> MINOR	3,120 SF

**TOTAL PROJECT COST** **\$16,130,515**

**Legislative Biennium**

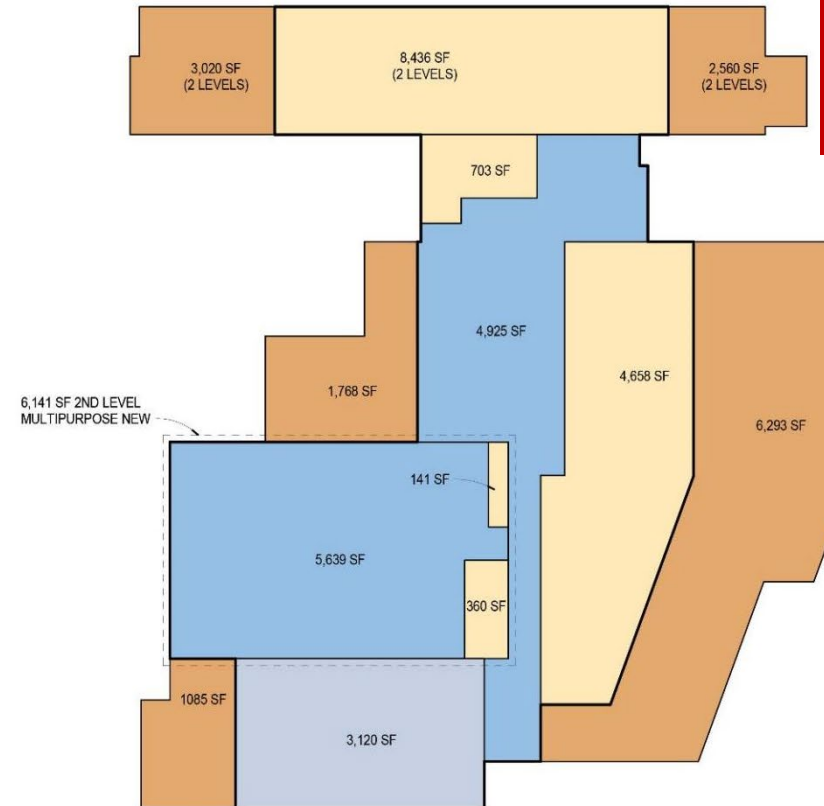
**2021-2023**

**Legislative Biennium** **8%** **\$17,420,957**

**2023-2025**

**Legislative Biennium** **8%** **\$18,814,633**

**2025-2027**



**Bed Count – 93 (+49)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**

## **Options 4A and 4B Would Require The Below Concessions:**

- Insufficient Parking – Would require leased spaces from BSC and City variance for lack or required parking spots
- Lack of Proper Exterior Training Space – Difficult to conduct tactical training on BSC campus
- Large Building Footprint – Would require city variance for setbacks and impervious area
- Temporary Transitional Space – Expenses of temporary relocation and leased space
- Reinvesting Into Aging Structures – Capital spent on buildings from 1971 and 1997
- Does not consider BSC Reuse Opportunity – BSC has interest in repurposing the current facility
- Multipurpose Room Limitations – Converting to classroom presents many drawback

# I COST SUMMARY

## OPTION 1

NEW LETA FACILITY

**\$27,103,944**

(2021-2023 Legislative Biennium)

**\$29,272,259**

(2023-2025 Legislative Biennium)

**\$31,614,040**

(2025-2027 Legislative Biennium)

## OPTION 2

NEW LETA FACILITY

+ SW & HQ

**\$35,772,212**

(2021-2023 Legislative Biennium)

**\$38,633,989**

(2023-2025 Legislative Biennium)

**\$41,724,708**

(2025-2027 Legislative Biennium)

## OPTION 3

NEW LETA FACILITY

+ SW, HQ, & AG

**\$51,594,959**

(2021-2023 Legislative  
Biennium)

**\$55,722,556**

(2023-2025 Legislative  
Biennium)

**\$60,180,361**

(2025-2027 Legislative  
Biennium)

## OPTION 4

OPTION 4A

RENOVATE CURRENT FACILITY

**\$24,458,765\***

(2021-2023 Legislative Biennium)

**\$26,415,466\***

(2023-2025 Legislative Biennium)

**\$28,528,704\***

(2025-2027 Legislative Biennium)

OPTION 4B

RENOVATE CURRENT FACILITY

**\$16,130,515\***

(2021-2023 Legislative Biennium)

**\$17,420,957\***

(2023-2025 Legislative Biennium)

**\$18,814,633\***

(2025-2027 Legislative Biennium)

\*Does not consider the potential cost of temporary facilities during construction



**NORTH DAKOTA  
LAW ENFORCEMENT  
TRAINING ACADEMY**

**THANK YOU**  
QUESTIONS?



# SENATE BILL 2011

North Dakota Highway Patrol  
Colonel Brandon Solberg

January 11, 2021



NORTH  
**Dakota** | Highway Patrol  
Be Legendary.™

**Senate Appropriations Committee  
Senate Bill 2011  
Senator Ray Holmberg, Chairman  
January 11, 2021**

*Colonel Brandon Solberg, Superintendent  
North Dakota Highway Patrol*

**Introduction**

Good afternoon, Mr. Chairman, and members of the Senate Appropriations Committee. My name is Brandon Solberg, and I am the superintendent of the North Dakota Highway Patrol.

The North Dakota Highway Patrol was founded in 1935, and the agency's primary statutory authority and responsibility comes from North Dakota Century Code, Chapter 39-03. The highway patrol is comprised of two major components: field operations and administration. Field operations consists of four geographical regions and motor carrier operations.

Administration consists of the administrative services division, the support services division, and finance.

Our emphasis as an agency has been on public safety through education and enforcement activities. Educating motorists to make the right decision is preferred over having to take enforcement action but enforcing traffic and criminal laws remains our primary function. Educating the public and trying to prevent crashes and traffic violations from ever occurring is a continual cycle. Every day that the department of transportation is open, a batch of new drivers hits the road. If troopers are called to a crash or make a traffic stop, then it's too late – a violation already occurred – so we continue to explore ways to dedicate more time and energy to prevention efforts.

The highway patrol's primary focus is traffic safety, and there continues to be three major contributing factors to serious injury and fatality crashes. Those are speeding, not wearing a seatbelt, and driving impaired. If we could eliminate those three violations, we'd save a lot of lives. Speeding alone is a contributing factor in approximately ¼ of all fatality crashes, but it's such a common violation that many don't recognize the true danger of it. Distracted driving continues to be an issue as well, but it's a more difficult violation to identify after a crash occurs.

The highway patrol fully supports the Vision Zero initiative because reducing crashes and unnecessary injuries and deaths on our roadways has been the agency's goal since 1935. In addition to traffic safety, the highway patrol also assists local law enforcement agencies with emergencies and calls for service, especially when resources are limited. Many law enforcement agencies in North Dakota are smaller, and peace officers work together and help each other out regardless of the color of their uniform.

Two of our state troopers were involved in separate high-risk incidents in 2020 that resulted in attempted murder charges being considered against the suspects involved. Law enforcement is a dangerous occupation, even in North Dakota. The death of Grand Forks Police Officer Cody Holte last year was a stark reminder of that. I'm guilty of making statements in the past that North Dakota is one of the safest states in the nation, but the reality is that we're not topping the charts.

In an article titled *Best & Worst States to Drive In*, North Dakota ranked 40<sup>th</sup> in traffic safety (McCann 2020). In an article titled *Dangerous States*, North Dakota ranked 17<sup>th</sup> for the least dangerous states factoring property and violent crimes (Stebbins 2020). To think that North Dakota may not even be in the top 1/3 of safest states is an eye opener, but there is room for improvement. We certainly have the ability to become the safest state in the nation.

Fortunately, most of us who reside here feel safe in our communities. I believe this is one of the reasons many of us choose to live in North Dakota. Maintaining a sense of safety wouldn't be possible without solid partnerships between federal, state, tribal, and local law enforcement agencies, and the highway patrol is grateful for all the first responders and dispatchers who work toward a common public safety goal.

The highway patrol's mission is to make a difference every day by providing high quality law enforcement services to keep North Dakota safe and secure. If you were to ask our employees for one word that summarizes the agency, many of them would say professionalism. Our past and present employees are respected in their communities, and we are fortunate to have strong public support. We're committed to enhancing that public trust by being transparent and continually searching for opportunities to strengthen our relationships with stakeholders even further.

The citizens of North Dakota count on our employees to be responsive and proactive. Our employees enforce traffic laws, investigate crashes, provide safety presentations, help stranded motorists, and assist other agencies and community members during times of crisis. Our employees take pride in performing their duties and serving the citizens of this great state. Our officers are proud to wear the uniform of a North Dakota state trooper, and I appreciate the courage and commitment displayed by our entire team.

## **Financial Audit Findings**

### ***Condition:***

*The North Dakota Highway Patrol (NDHP) is not maximizing the use of federal funds. The NDHP returned a total of \$164,583 of available grant funds to the Federal Government related to six grants that closed during the audit period. In addition, expenditures of \$22,387 were incurred after the period of performance for these grants which should have increased the amount of grant funds returned to \$186,970.*

*Furthermore, incorrect state match percentages for federal grants resulted in \$41,895 paid from the general fund that were not reimbursed from available federal funds. If the correct matching percentages would have been used, \$145,075 would have been returned to the Federal Government in unused grant awards and the general fund would have an additional \$41,895.*

**Recommendation:**

*We recommend the NDHP ensure procedures are in place to maximize the use of federal grant funds by complying with federal grant requirements.*

**Highway Patrol Response/Corrective Action Plan:**

The NDHP agrees with the recommendation. Coordination with federal program managers was increased to expend grant awards as close to a 12-month fiscal year as possible and to ensure that all federal transactions are incurred within the period of performance.

Reconciliations between the PeopleSoft accounting system and supporting spreadsheets will be done on a regular basis to ensure that both federal reimbursements and state match percentages are correct.

We will work with our federal partners to attempt to bring the end of the grant period closer to the fiscal year end making the process more efficient.

**Condition:**

*The NDHP did not have blanket bond coverage starting on January 1, 2018 through February 28, 2019. The NDHP collected \$18,375,264 in revenue from January 1, 2018 until the end of the audit period. Blanket bond coverage is determined based on revenue collected by the NDHP in addition to cash and investments.*

***Recommendation:***

*We recommend the NDHP obtain blanket bond coverage and ensure that coverage is renewed on a biennial basis.*

***Highway Patrol Response/Corrective Action Plan:***

The NDHP agrees with the recommendation. The bond coverage was renewed as of March 1, 2019 and will be renewed again by June 30, 2020 to be in line with the next two-year audit period of fiscal years 2019 and 2020.

***Condition:***

*The North Dakota Highway Patrol did not properly capitalize assets. Assets with a value greater than \$5,000, determined by purchase price plus trade-in value, are required to be capitalized. Testing noted an instance where 26 assets with a total value of approximately \$140,000 were not capitalized.*

***Recommendation:***

*We recommend the North Dakota Highway Patrol properly capitalize assets with a value greater than \$5,000.*

***Highway Patrol Response/Corrective Action Plan:***

The NDHP agrees with the recommendation. Steps were taken to communicate more between the accounting and property sections so that the capitalized amount of fixed assets will include all actual costs expended. For clarification, the instance noted with 26 assets was from one purchase of mobile radios where the trade-in value was not calculated into the total price. This was not a widespread issue with 26 different instances.

## Current Biennium Accomplishments

	2019	2020
Road Patrol Hours	129,829	134,427
Traffic Stops	59,956	74,674
Traffic Citations	51,704	68,828
Written Warnings	38,943	43,435
Crashes Investigated	2,334	1,719
Criminal Arrests	4,396	5,806
Safety Talks	415	156
Motor Carrier Permits Issued	179,698	140,489
Assist Other Government Agency	2,978	3,088
Calls for Service	14,843	13,510
Total CAD Incidents	87,850	111,041
DUI Arrests	1,018	1,065
Drug-Related Arrests	964	1,593
Weapon Offenses	36	57
Motorist Assists/Abandoned Vehicles	8,586	8,206
Crash Investigation On-Scene Hours	5,201	3,662
Crash Investigation Follow-up Hours	3,024	3,286
Crash Reconstruction Hours	1,712	2,296
Overloads	990	1,133

- Implemented a revised performance appraisal process
- Created a supervisor engagement committee and continued sworn and civilian employee engagement committee meetings
- Started conducting virtual all-hands meetings
- Recognized as the first state highway patrol agency in the nation authorized to operate UAS over people
- Participated in several overtime programs:
  - Click-it or ticket occupant protection overtime
  - Alcohol enforcement overtime
  - Commercial motor vehicle inspection overtime
  - Border enforcement program
  - Construction zone overtime
- Transitioned to an electronic policy revision process



- Passed a remote accreditation inspection by the Commission on Accreditation for Law Enforcement Agencies in July of 2020
- Attended several meetings with tribal leaders to discuss and work toward public safety agreements
- Grew agency's Facebook page to over 53,000 likes, Twitter account to over 3,600 followers, and Instagram account to over 2,500 followers – added a Facebook page for retirees and families
- Started publishing a Monthly Activities Report to the public
- Raised over \$10,000 during our recent Nail Polish/No Shave November for Cure Duchenne
- Provided enhanced use of force training to NDHP sworn officers and other law enforcement agencies
- Provided force science training to nine use of force instructors
- Provided bias-based profiling training to all NDHP sworn officers
- Provided leadership training opportunities to all employees
- Continued to operate the North Dakota Law Enforcement Training Academy and train new peace officers during the pandemic
- Created and implemented an agency wellness committee
- Released a wellness app for employees, retirees, and their family members focused on overall wellbeing
- Researched and purchased thermal cameras and screening kiosks to help protect state employees and visitors
- Over 75 state troopers, nearly 1/2 of our available resources, responded to Fargo when protest activity arose in May of 2020
- Certified 13 remote pilot operators to operate UAVs for the purpose of conducting crash investigations and assisting with search and rescue efforts

### **Current Biennium Challenges**

Several impactful events occurred so far this biennium including a global pandemic, a national push for police reform, protest activity, and weak revenue forecasts.

In addition, the highway experienced a strain on resources as one class of 15 recruits started in January and a second class of eight recruits started in September. That total of 23 new officers is a 14% shift in the makeup of our sworn strength over a 12-month period.

The presence of COVID resulted in substantial changes such as administrative staff transitioning to a telework environment, officers having to adjust their tactics to limit physical contact, and everyone increasing the use of personal protective equipment. Several of our employees and their loved ones were isolated, quarantined, or hospitalized, but we were able to maintain adequate staffing while honoring all quarantine orders.

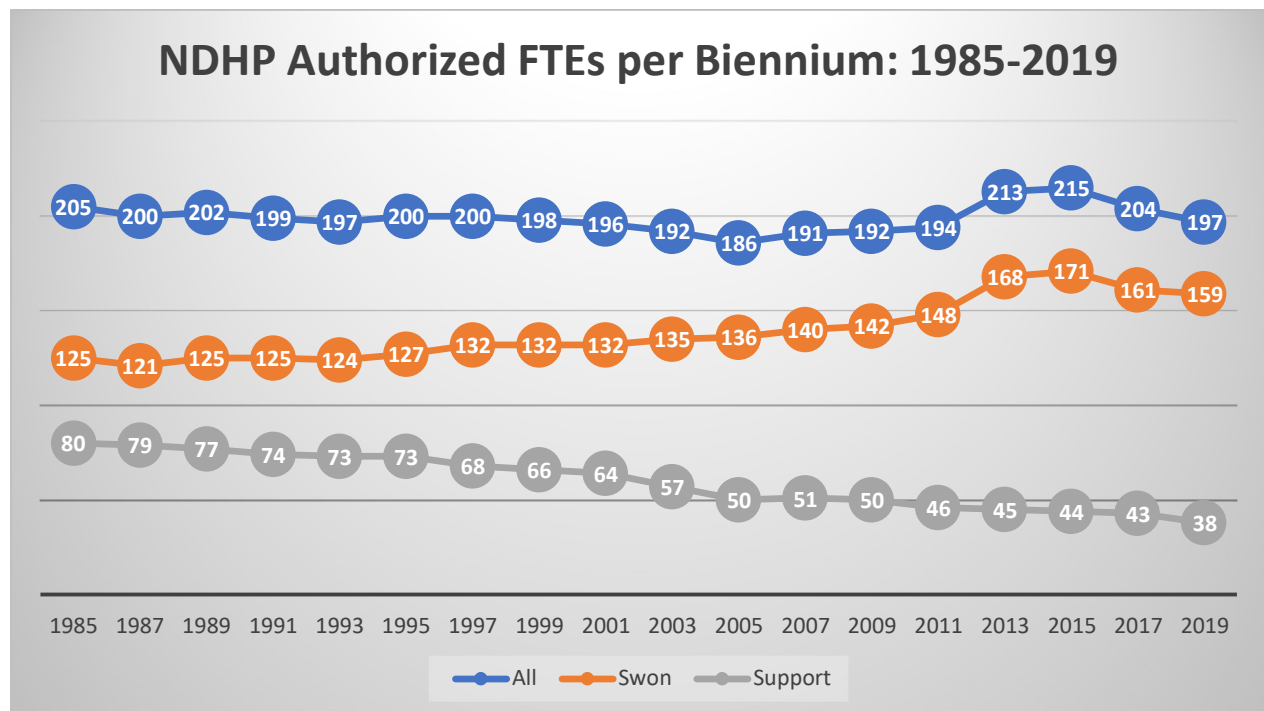
Our state troopers and employees faced unimaginable challenges head-on in 2020, and they continue to perform at the highest levels of professional excellence. It is an honor and privilege to be able to represent our agency and our dedicated and essential employees.

### **2021-23 Biennium Goals**

- Formally evaluate the need for increased patrol coverage and personnel assignments
- Implement criminal interdiction teams to combat and reduce criminal behaviors such as drug and human trafficking
- Maximize resources to provide high quality education and improve outreach efforts statewide
- Continue upgrades to provide modern, efficient law enforcement facilities, vehicles, and equipment
- Increase statewide seat belt use rates on all highways
- Increase public awareness of the hazards of distracted and impaired driving and speeding
- Enhance commercial motor vehicle transportation safety
- Continue historical emphasis on zero fatality crashes by concentrating enforcement and education efforts on driver behavior

- Increase the sharing of information with the public through social media in a timely manner
- Continue to work with DOT to identify additional Vision Zero Safety Corridors and dedicate resources to these areas
- Deter and respond to criminal activity while enhancing public safety through effective utilization of NDHP resources
- Assess stakeholder satisfaction through surveys
- Enhance tribal engagement through the cultural liaison officer program
- Actively participate in the recruitment of prospective NDHP employees
- Provide advanced training to federal, state, tribal, and local law enforcement agencies
- Enhance the agency's attention to employee wellbeing to those involved in critical incidents
- Remain competitive with employee salaries and benefits
- Open lines of communication to improve employee engagement and involvement in decision making

### **Executive Budget Comparison – Full-Time Equivalent Positions**



<b>FTEs</b>	<b>2019-21 Appropriation</b>	<b>2021-23 Request</b>	<b>2021-23 Executive</b>
Sworn Officers	159	159	159
Civilian Positions	38	34	34
<b>Total</b>	<b>197</b>	<b>193</b>	<b>193</b>

- Two capitol security officer positions were removed
- Two IT positions were transferred to NDIIT

### **Executive Budget Comparison – Total Budget**

The base level budget for the highway patrol is \$59,586,945.

<b>Funding Source</b>	<b>2019-21 Appropriation</b>	<b>2021-23 Request</b>	<b>2021-23 Executive</b>
General Funds	\$44,213,575	\$37,581,539	\$44,820,848
Special Funds	8,762,955	8,762,955	9,948,869
Federal Funds	6,610,415	6,610,415	6,707,231
<b>Total</b>	<b>\$59,586,945</b>	<b>\$52,954,909</b>	<b>\$61,476,948</b>

<b>Line Item</b>	<b>2019-21 Appropriation</b>	<b>2021-23 Request</b>	<b>2021-23 Executive</b>
Salaries	\$44,881,003	\$40,433,822	\$45,751,575
Op. Expenses	14,705,942	12,521,087	15,725,373
<b>Total</b>	<b>\$59,586,945</b>	<b>\$52,954,909</b>	<b>\$61,476,948</b>

### **Removal of One-Time Appropriations**

- Aircraft engine overhaul - \$81,830
- sUAS (drone) purchase - \$96,228
- Firing range improvements and classroom addition - \$1,729,000
- Total - \$2,060,892

## Status of One-Time Projects

Project	Appropriation	Fund	Completion
Aircraft Engine Overhaul	\$81,830	General	0%
sUAS Purchase	\$96,228	Permit Fund (276)	90%
Firing Range/Classroom	\$1,729,100	Permit Fund (276)	75%

The aircraft engine overhaul is scheduled for February of 2021. We expect to fully expend the appropriated funds before the biennium ends.

The purchase of drone equipment is complete, and some additional training is scheduled for the operators. We expect to fully expend the funds.

The firing range construction project is expected to be completed in February of 2021 with final grade and landscaping to be completed later in the spring. We expect to fully expend the appropriated funds.

## 2021-23 Requested/Recommended One-Time Funding

The following one-time items were included in the executive budget:

- **Compatible Body and In-Vehicle Cameras - \$1,158,000**

The highway patrol requested funding to cover the cost of body worn cameras and compatible in-vehicle mobile video cameras. Although the agency has mobile cameras installed in our field patrol vehicles today, we would like to transition to an integrated system of in-vehicle and body cameras to eliminate issues with data storage and retrieval.

The estimated cost for an integrated body and mobile camera system is approximately \$1,457,400. National Highway Traffic Safety Administration (NHTSA) grant funds typically cover \$150,000 in mobile camera replacement costs per biennium. NHTSA funds are administered through the North Dakota Department of Transportation (DOT), and DOT has tentatively agreed to provide \$150,000 in project funds each year next biennium.

Integrated body cameras and in-vehicle mobile cameras will help ensure that highway patrol interactions are captured on video to improve transparency and enhance public trust.

- **Hard Body Armor - \$265,000**

The hard armor currently owned by the highway patrol has a five-year manufacturer's life cycle and warranty period which will expire around January of 2022. The current hard body armor was purchased with the use of emergency declaration funding during the Dakota Access Pipeline protests.

This hard armor provides a higher level of protection for our sworn officers than the soft body armor they currently wear. Soft body armor is designed to protect officers against typical handgun ammunition whereas hard armor is designed to protect officers against higher velocity weapons such as rifles, a common type of firearm in our state.

Hard body armor is not designed to be worn daily, but it must be maintained and replaced to ensure our officers are protected when responding to high risk incidents.

## Agency Collections

The highway patrol deposits collections into the following funds:

<b>Fund</b>	<b>2019-21 Collections (Est.)*</b>	<b>2021-23 Collections (Est.)*</b>
Permit Fund (276)	\$2,683,000	\$2,683,000
Highway Fund (200)	\$20,273,000	\$20,273,000
ID Card Fund (141)	\$18,000	\$18,000
HTDF Fuel Tax (400)	\$130,000	\$130,000
Misc. Gen Rev. (001)	\$21,000	\$0
<b>Total</b>	<b>\$23,125,000</b>	<b>\$23,104,000</b>

*\*Estimates based on biennium to date collections as of November 30, 2020*

- *Hwy fund collections from permit and overload fees - \$14,360,571*
- *ID card processing fund fees - \$14,382*

## Additional Appropriation Considerations

Currently, the highway patrol has three sections listed in our appropriations bill that we'd ask for your consideration to carry over into next biennium.

The first is a transfer of highway tax distribution funds totaling approximately 14% of our appropriation. A transfer of \$8,429,312 in highway tax distribution funds was included in the executive budget.

Another section is related to an unvouchered expense of \$200 per month that is provided to sworn officers in lieu of processing individual reimbursement requests for expenses such as meals and lodging while officers are traveling in-state. I'm not sure when this unvouchered expense system began, but it has been in place long before I started here over 20 years ago. This cost was included in the executive budget.

A third section is related to a transfer of special funds from the motor carrier electronic permits fund. This fund has been used to cover expenses related to the online permits system in addition to expenses for permits office staff and field administrative assistants. With a reprioritization of positions that will be described in more detail, the requested amount from the permits fund would be \$1,519,557. This amount was included in the executive budget.

<b>Permit Fund Expenditures</b>	<b>Amount</b>
One permit office supervisor	\$180,327
Two permit technicians	297,338
Three administrative assistants	423,201
One records technician	155,203
Two crash assistance program positions	463,488
<b>Total Request</b>	<b>\$1,519,557</b>

### **Executive Budget Guidelines**

The executive budget guidelines for the highway patrol included a 5% reprioritization of special funds and a 15% reduction in general funds.

A 5% reprioritization of special funds equates to \$438,148. The following charts detail the reprioritization of special funds:

<b>Permit Fund Reductions</b>	<b>Amount</b>
One permit technician	(\$148,669)
Two administrative assistants	(282,134)
Permit office lease	(12,179)
<b>Total Reductions</b>	<b>(\$442,982)</b>

<b>Permit Fund Additions</b>	<b>Amount</b>
One records technician	\$155,203
Two crash assistance program positions	463,488
<b>Total Additions</b>	<b>\$618,691</b>



The motor carrier electronic permit transaction fund (fund 276) currently covers salary costs for three permit technicians, one permit supervisor, and five administrative assistants in addition to the cost to lease space at DOT for our permits office.

The estimated balance of the permits fund at the end of this biennium is \$7.9 million, and this reprioritization plan is requesting an additional \$175,709 per biennium from the permit fund to cover increased salaries for three of the current positions being reclassified. DOT is removing the permit office lease expenses.

Without factoring one-time funded items, the permit fund generates approximately \$112,000 per month in revenue. Current salaries and other ongoing expenses (e.g., soft body armor, AED pads, and taser cartridges) total approximately \$60,000 per month. If this reprioritization plan is approved, approximately \$7,300 per month more would be needed, leaving approximately \$44,700 in additional excess monthly revenue based on the biennium to date averages.

A 15% reduction in general funds equates to \$6,632,036. The following chart details the submitted reductions:

<b>General Funds Reduction</b>	<b>Amount</b>
Two capitol security officers - \$130,102.60 each	\$260,205.20
One sergeant position and operating expenses	314,481.64
21 entry-level troopers, op. expenses - \$239,407 each	5,027,558.13
Motor pool	500,000.00
Leases (Fargo 137k, Bismarck 287k, Dickinson 30k)	454,000.00
POST Board training funds	30,000.00
Professional development	10,000.00
Equipment under \$750	15,790.00
Clothing	10,000.00
Repairs	10,000.00
<b>Total Reductions</b>	<b>\$6,632,034.97</b>

## Optional Adjustment Requests

The following optional requests were submitted during the executive budgeting process, including the one-time costs already discussed:

Optional Request	Amount	Executive Budget Status
Costs to continue <ul style="list-style-type: none"> <li>• 2.5% increase year two - \$318,000</li> <li>• Pay plan difference - \$5,557</li> </ul>	\$323,557	Approved
Restore 22 sworn officer positions <ul style="list-style-type: none"> <li>• 21 troopers, one sergeant</li> </ul>	\$5,330,977	Approved
Equity pay package <ul style="list-style-type: none"> <li>• \$1,156,000 trooper to lieutenant</li> <li>• \$376,000 market adjustments</li> </ul>	\$1,532,000	Not Approved
Location-based pay <ul style="list-style-type: none"> <li>• Williams/McKenzie - \$400/month</li> <li>• Dunn/Mountrail - \$200/month</li> </ul>	\$172,800	Not Approved
On-call pay adjustment <ul style="list-style-type: none"> <li>• Currently \$2/hour</li> <li>• Move to ¼ regular and ½ emergency</li> </ul>	\$912,000	Not Approved
Hard body armor <ul style="list-style-type: none"> <li>• Ballistic panels, helmet, and shield</li> <li>• New carrier</li> </ul>	\$265,000	Approved
Statewide Interoperability Radio Network (SIRN) Project <ul style="list-style-type: none"> <li>• Mobile and portable radios</li> </ul>	\$2,612,000	Not Approved
Computer-aided dispatch user fees (DES)	\$59,000	Approved
Body and in-vehicle cameras	\$1,158,000	Approved

SitelogIQ facility study recommendations	\$875,000	OMB Budget
North Dakota Law Enforcement Training Academy <ul style="list-style-type: none"> <li>Option 1 of the four options studied</li> </ul>	\$27,104,000	Not Approved
Peace Officers Standards and Training (POST) Board training funds <ul style="list-style-type: none"> <li>Restore \$25,000 from 2019-21</li> <li>Restore \$30,000 from 2021-23</li> </ul>	\$55,000	Not Approved

**Additional Changes Requested to Executive Budget**

There are no additional appropriation requests beyond what has been included in the executive budget recommendation, but there will be a presentation related to a study of the North Dakota Law Enforcement Training Academy that was included in our current appropriation.

There were items included in the highway patrol’s executive budget that were not requested in our budget submission, but I would ask that those costs be carried into our legislative budget bill. Those additional appropriations are in the chart below:

<b>Additional Appropriation</b>	<b>Amount</b>
Lease Rate Increase – Judicial Wing	\$96,794
Office 365 Software Upgrades	\$16,179
Executive Compensation Recommendation	\$1,090,860
<b>Total Additions</b>	<b>\$1,203,833</b>

The highway patrol supports the new rent model, Office 365 software, and the executive recommendation for 2% salary increases each year of the biennium along with continued fully funded health insurance.

State employees have shown a willingness to buckle down when revenues are short. As a representative of our employees and in recognition of their ongoing, tireless efforts through challenging times, I'd appreciate any attempt to adequately fund salary increases and continue fully funding health insurance premiums next biennium.

### **Agency-Related Bills**

- **Senate Bill 2097**
  - Cleans up policy related to commercial motor vehicles
  - With the Senate Transportation Committee
  - No budgetary impact
- **Senate Bill 2098**
  - Allows the abandoned motor vehicle fund to be accessed for vehicles abandoned on public property
  - Senate Transportation Committee; passed Senate 47-0
  - No budgetary impact expected to existing abandoned motor vehicle funding levels
- **Senate Bill 2099**
  - Removal of bond envelopes and notification form
  - With the Senate Transportation Committee
  - \$9,700 biennial savings; administrative workload reduction
- **Senate Bill 2100**
  - Clean up of Title 39
  - With the Senate Transportation Committee
  - No budgetary impact
- **House Bill 1098**
  - Crash reports and exempt records
  - With the House Transportation Committee
  - No budgetary impact, but there would be an administrative workload reduction

- **Senate Bill 2043**
  - PERS proposal to increase employer contributions by 2% in January of 2022 and an additional 2% in January of 2023 to address solvency issues with the highway patrol plan
  - With the Senate Government and Veteran’s Affairs Committee
  - Fiscal note identifies a \$498,100 appropriation
- **Senate Bill 2046**
  - PERS proposal to increase employer contributions by 1% and employee contributions by 1% in January of 2022 to address solvency issues with the PERS main plan
  - With the Senate Government and Veteran’s Affairs Committee

### **Coronavirus Relief Funding**

The highway patrol received \$13,919,094 through the Coronavirus Relief Fund (CRF) during the current biennium. Our first request (Request #1993) was submitted through the Office of Management and Budget (OMB) and was approved for the following items:

- **\$312,000** – Replace ½ of the agency’s mobile laptops to provide camera and microphone capabilities
  - This purchase has been completed.
- **\$21,650** – Purchase temperature scanners for facility screening
  - This purchase has been completed.
- **\$14,000** – Overtime and mileage related to Coronavirus response
  - Approximately ½ of this amount has been expended.
- **\$13,000** – Personal protective equipment supplies
  - Approximately ½ of this amount has been expended.
- **\$10,000** – Purchase remote education software
  - Software options are being researched.
- **\$25,000** – Purchase software to improve agency efficiencies
  - Software options are being researched.
- **\$8,044** – Provide enhanced office cleaning and supplies
  - Nearly 100% has been expended.

The total of \$404,094 above was requested in June of 2020, and \$354,675 has been expended.

In October of 2020 the highway patrol received a second round of coronavirus relief funding through Request #2026 which was submitted by OMB for the following items:

- **\$13,500,000** – Reimburse agency sworn officer salaries from March 1, 2020, through December 31, 2020
  - The state funds that were covered by this reimbursement will be turned back at the conclusion of the 2019-21 biennium.
- **\$15,000** – Partial funding for the Capitol kiosk project with additional funding to provide a 25% match for FEMA-eligible funding
  - The total kiosk project cost was \$35,430, and this project has been completed.

### **Law Enforcement Training Academy Study**

The highway patrol's budget appropriation included a section requiring that a study of the North Dakota Law Enforcement Training Academy (LETA) be completed. The highway patrol is responsible for operating the LETA, and the facility is used to train peace officers from multiple law enforcement agencies in our state.

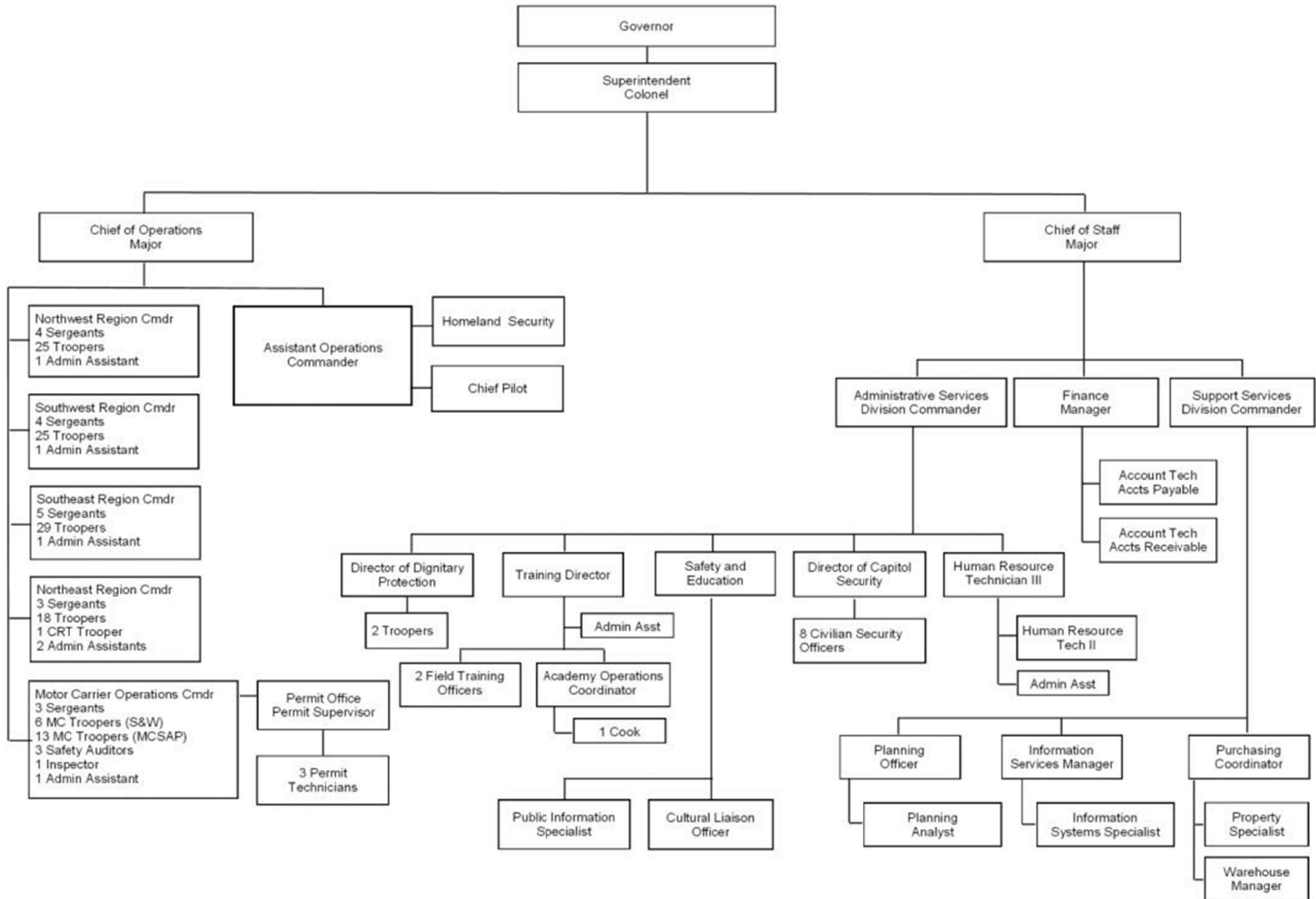
The highway patrol has been exploring options to modernize training facilities for law enforcement since 2011, and this is the first time that an architect was hired to complete a professional study. The vendor selected to complete the study was ICON Architectural Group, and Todd Mitzel, one of ICON's principal architects, is here to present the results.

## References

Stebbins, S 2020, 'Dangerous states: Which states have the highest rates of violent crime and most murders?', *USA Today*, 13 January, accessed 9 January 2021, <<https://www.usatoday.com>>.

McCann, A 2020, 'Best & worst states to drive in', *WalletHub*, 21 January, accessed 9 January 2021, <<https://wallethub.com/edu/best-worst-states-to-drive-in/43012>>.

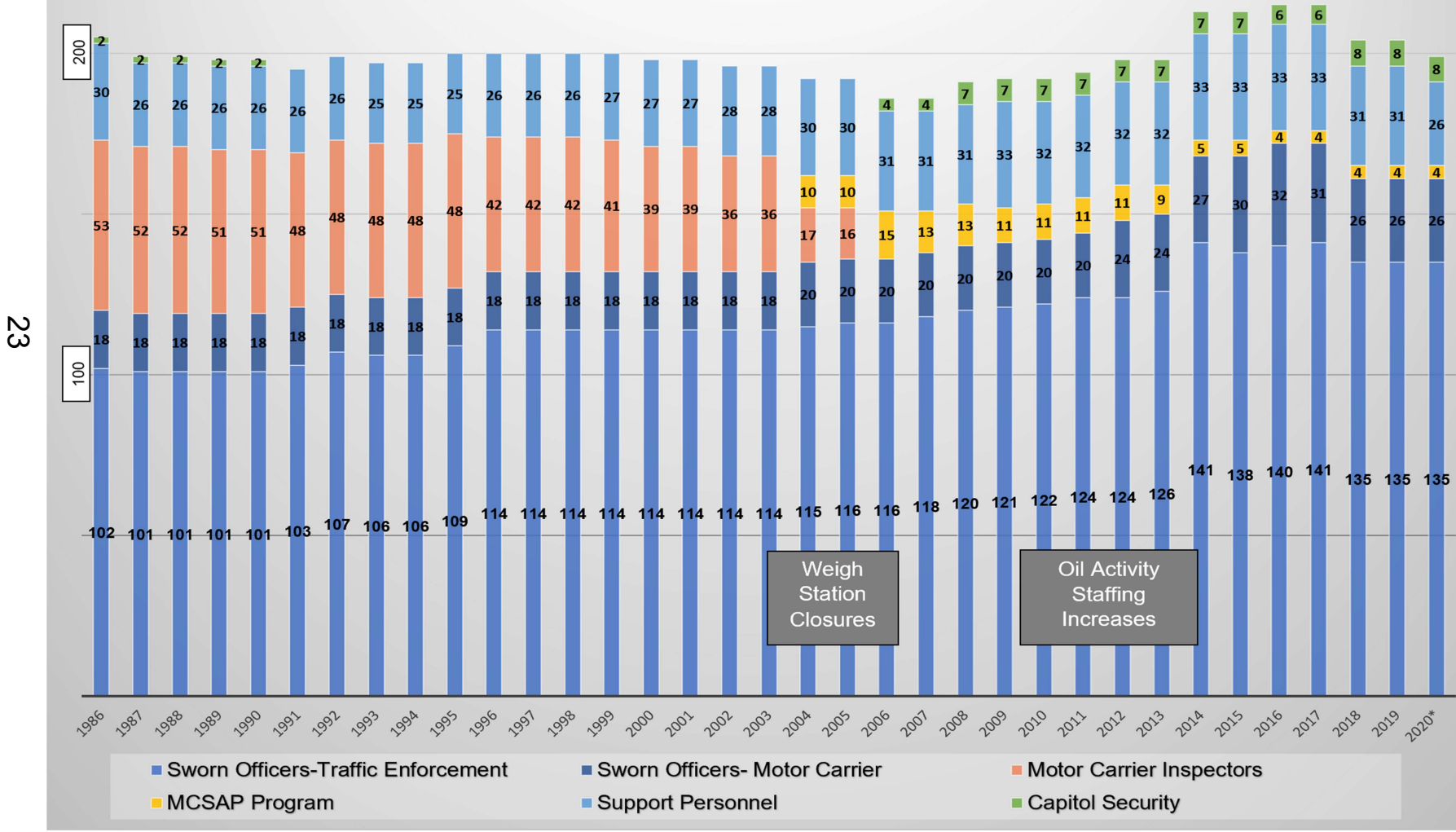
# NORTH DAKOTA HIGHWAY PATROL ORGANIZATION CHART



22



# North Dakota Highway Patrol Historical Staffing



NORTH DAKOTA  
LAW ENFORCEMENT  
TRAINING ACADEMY

**NORTH DAKOTA LAW ENFORCEMENT  
TRAINING ACADEMY**

## LEGISLATIVE MANAGEMENT STUDY ND LAW ENFORCEMENT TRAINING ACADEMY

SECTION 8. RELOCATION OF LAW ENFORCEMENT TRAINING ACADEMY - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. During the 2019-20 interim, the highway patrol shall develop alternatives to relocate the housing and classroom portions of the law enforcement training academy. In developing the alternatives, the highway patrol shall review locations for a new facility, evaluate the proper capacity of the facility to serve future law enforcement training needs, and obtain estimated costs of each alternative. The highway patrol shall report to the appropriations committees of the sixty-seventh legislative assembly regarding the alternatives to relocate the training academy.

# | OPTIONS EVALUATED

## OPTION 1

Build a new LETA facility located within the Bismarck, ND area that would replace the current facility with its current needs.

## OPTION 2

Build Option 1 plus provide additional space for the NDHP Southwest Regional Office and NDHP Headquarters.

## OPTION 3

Build Option 2 plus provide additional space for the Attorney General's Office.

## OPTION 4

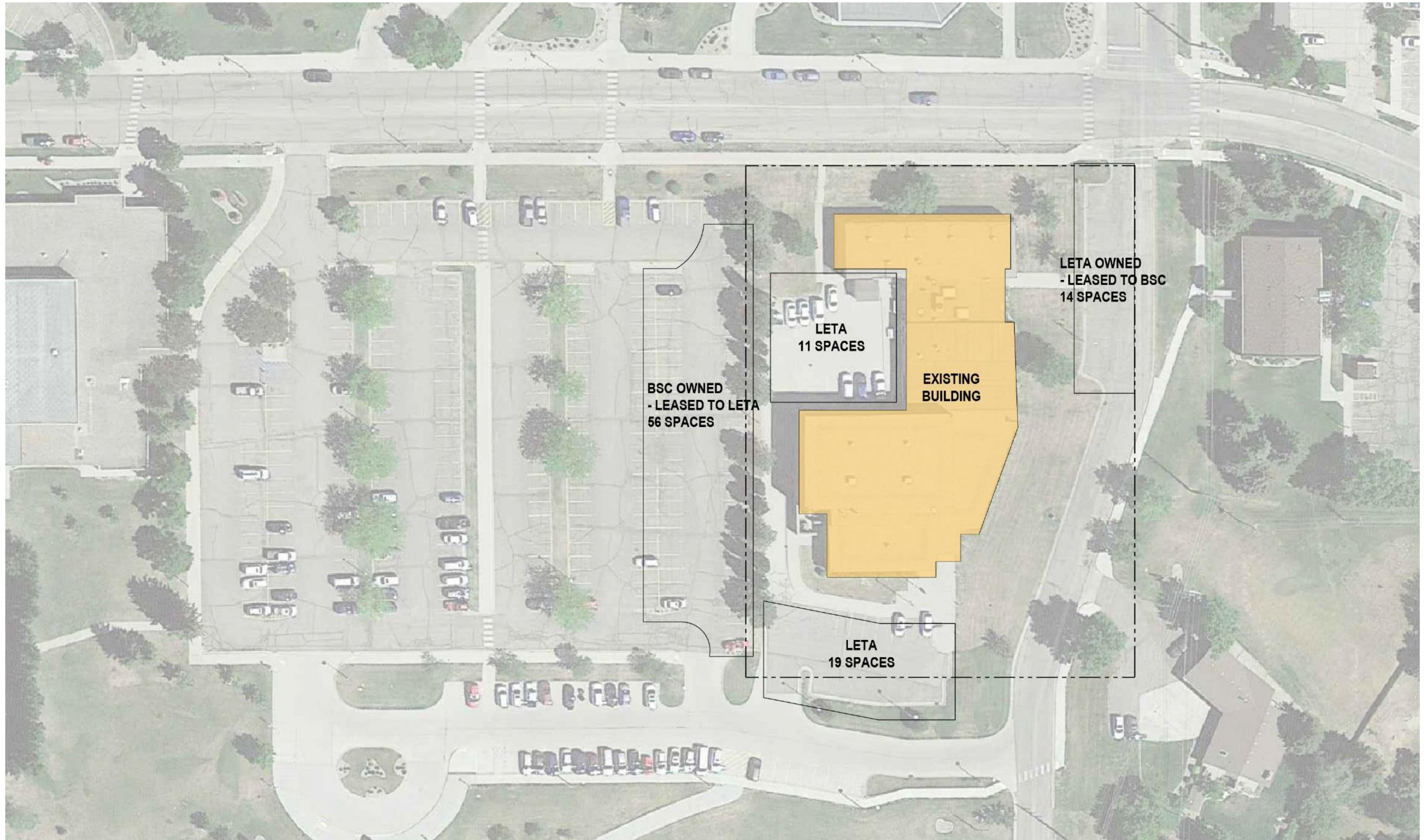
Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.

# EXISTING FACILITY

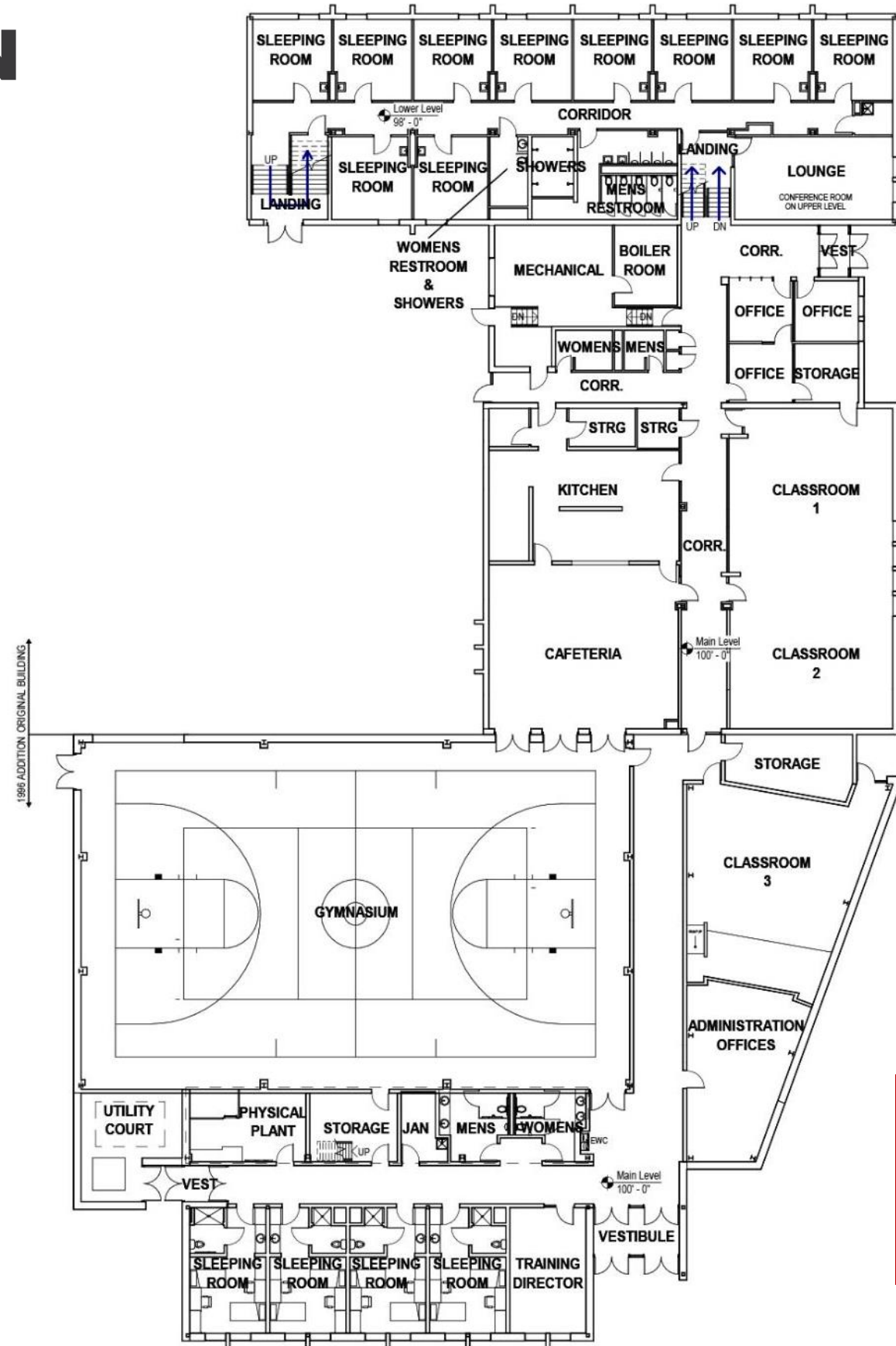
NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY



# EXISTING SITE



# EXISTING FLOOR PLAN



Bed Count - 44  
Classrooms - 3  
Cafeteria Occupancy - 40

# | CURRENT CONDITIONS

NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY





# | CURRENT CONDITIONS

NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY

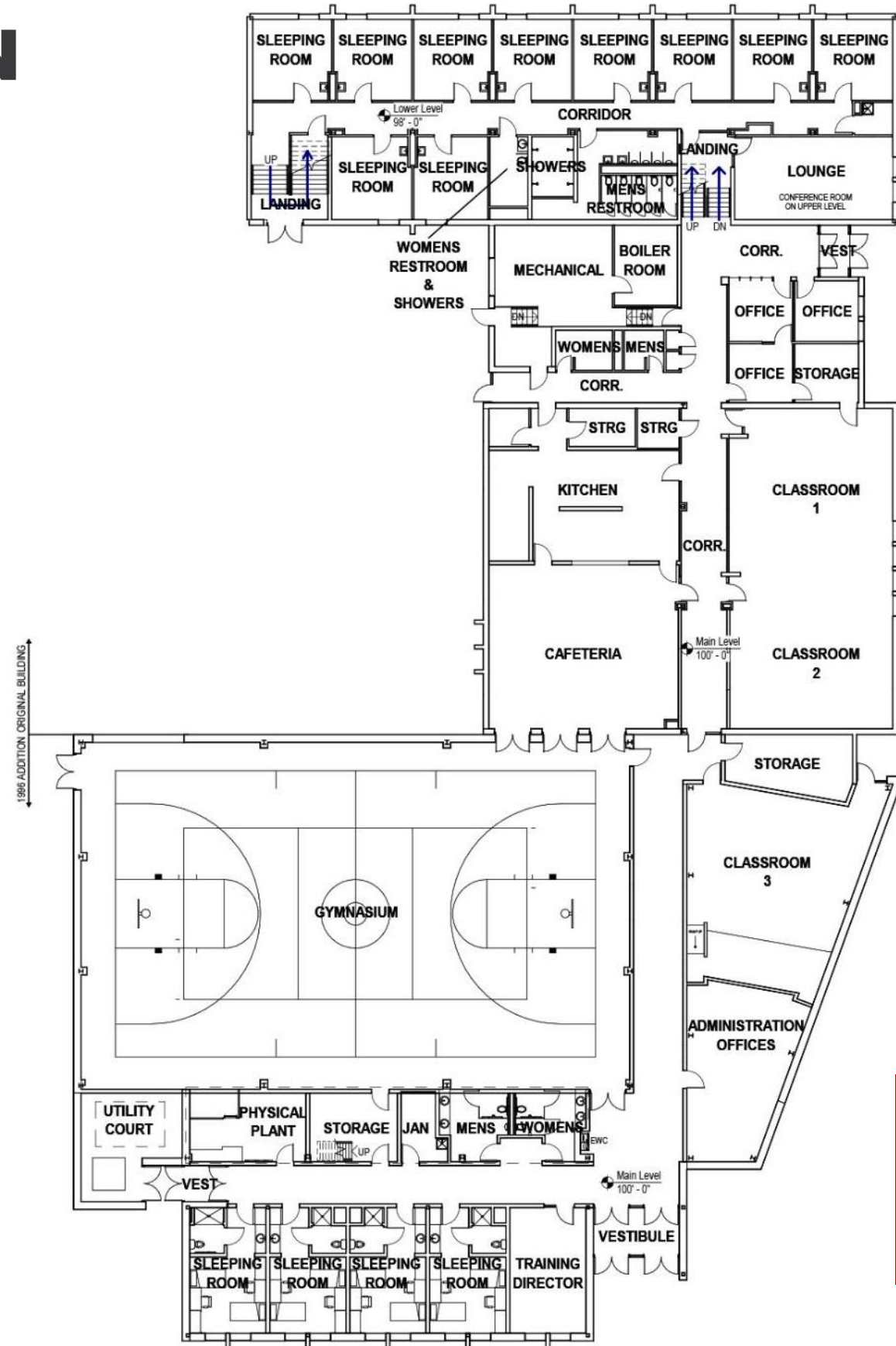


# | CURRENT CONDITIONS

NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY



# EXISTING FLOOR PLAN



Bed Count - 44  
Classrooms - 3  
Cafeteria Occupancy - 40

## OPTION 1

Build a new LETA facility located within the Bismarck, ND area that would replace the current facility with its current needs.

## OPTION 2

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Build Option 2 plus provide additional space for the Attorney General's Office.

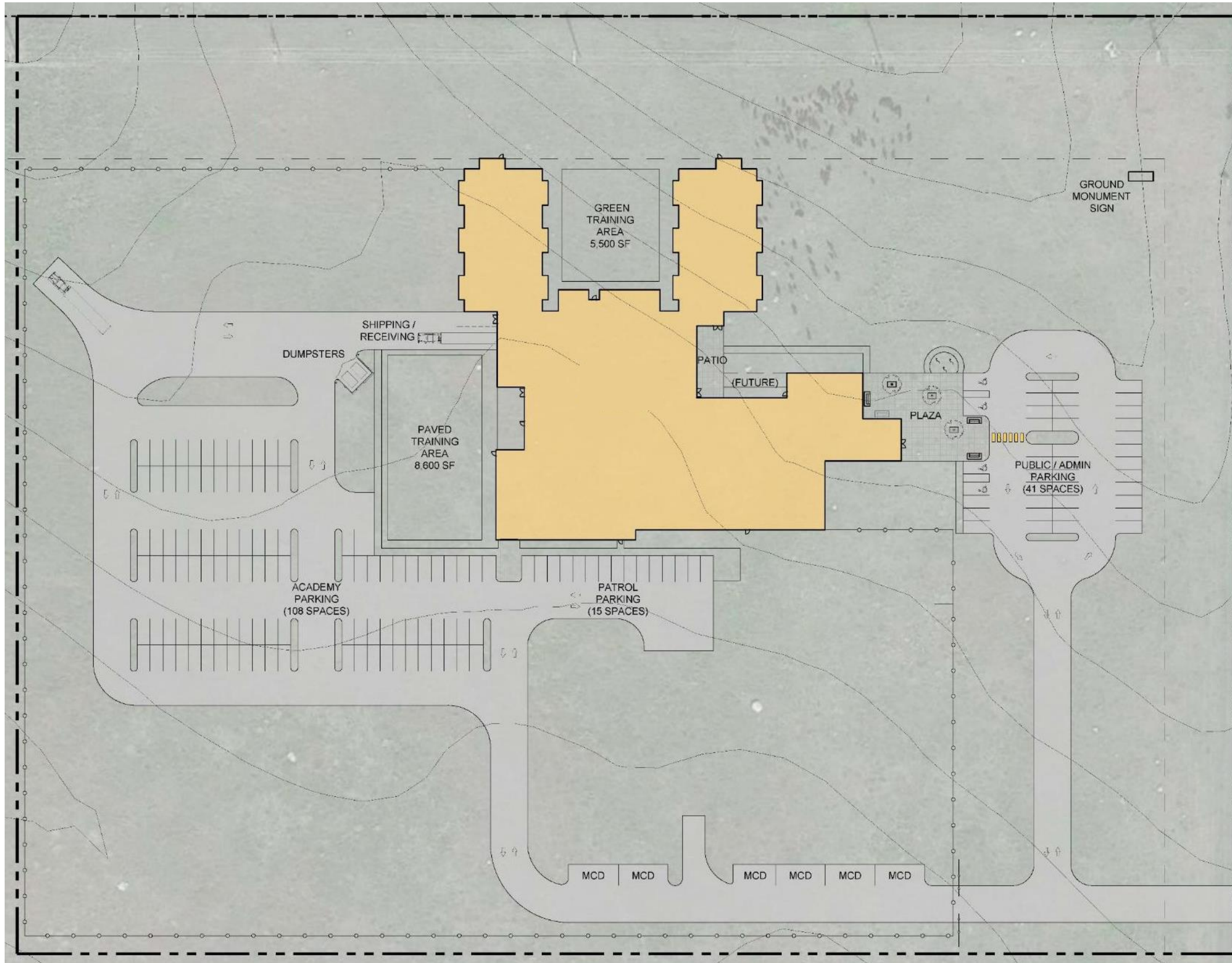
## OPTION 4

Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.

# SITE CONSIDERATIONS

NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY





<b>TOTAL PROJECT COST</b>		<b>\$27,103,944</b>
<b>Legislative Biennium 2021-2023</b>		
<b>Legislative Biennium 2023-2025</b>	8%	<b>\$29,272,259</b>
<b>Legislative Biennium 2025-2027</b>	8%	<b>\$31,614,040</b>

Bed Count – 102 (+58)  
 Classrooms – 5 (+2)  
 Cafeteria Occupancy – 90(+50)

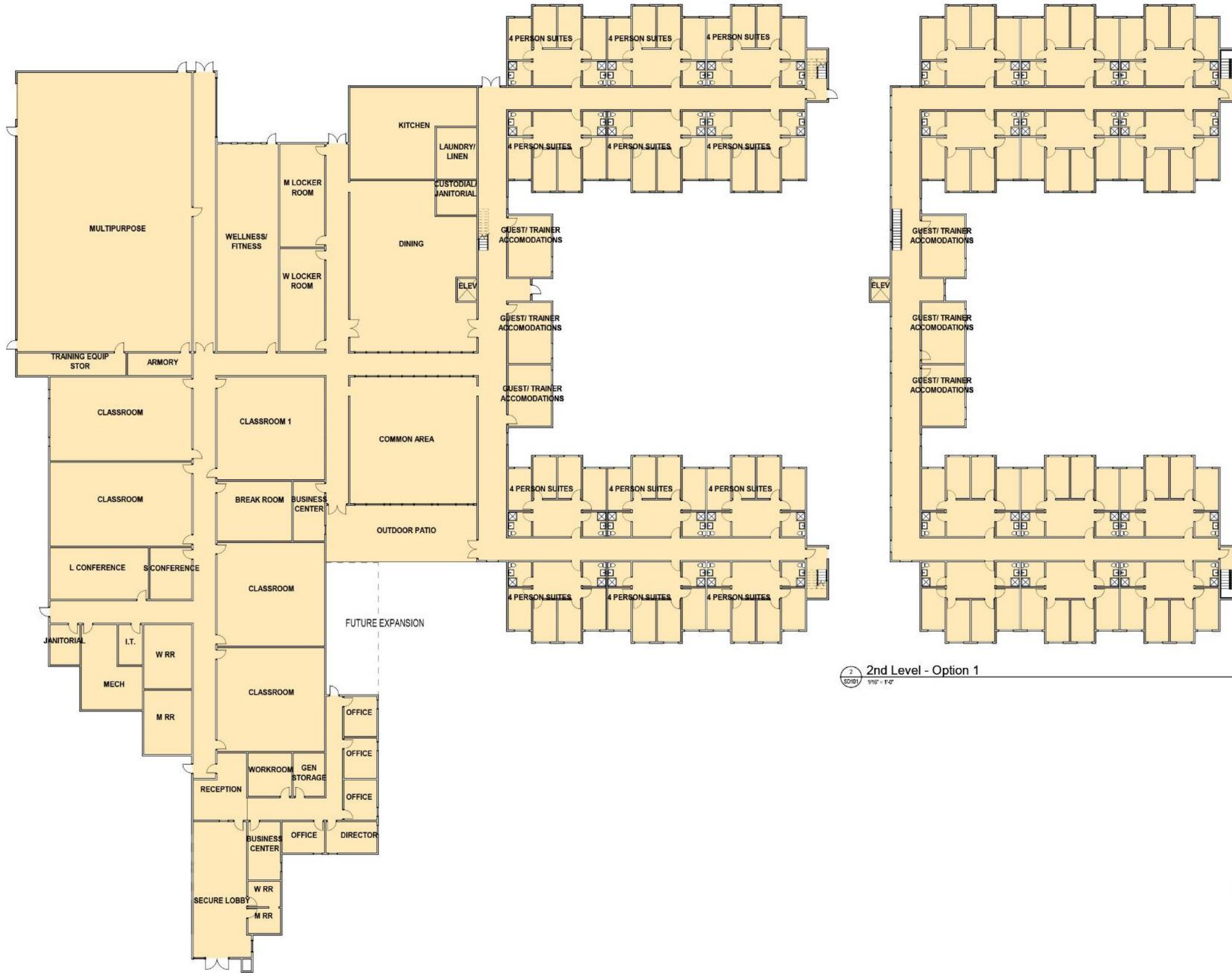
**LEGEND**

LETA

<b>GROSS AREA CALCULATIONS:</b>	
LETA:	45,909 SF
LETA (2ND LEVEL):	14,864 SF
<b>TOTAL:</b>	<b>60,773 SF</b>

# OPTION 1

## NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY



**TOTAL PROJECT COST** **\$27,103,944**  
**Legislative Biennium**  
**2021-2023**

**Legislative Biennium** **8%** **\$29,272,259**  
**2023-2025**

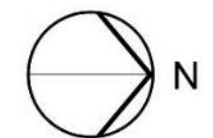
**Legislative Biennium** **8%** **\$31,614,040**  
**2025-2027**

**Bed Count – 102 (+58)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**

2 2nd Level - Option 1  
SD/181 1/16" = 1'-0"

**LEGEND**

LETA



<b>GROSS AREA CALCULATIONS:</b>	
LETA:	45,909 SF
LETA (2ND LEVEL):	14,864 SF
<b>TOTAL:</b>	<b>60,773 SF</b>

# | OPTIONS EVALUATED

## OPTION 1

Build a new LETA facility located within the Bismarck, ND area that would replace the current facility with its current needs.

## OPTION 2

Build Option 1 plus provide additional space for the NDHP Southwest Regional Office and NDHP Headquarters.

## OPTION 3

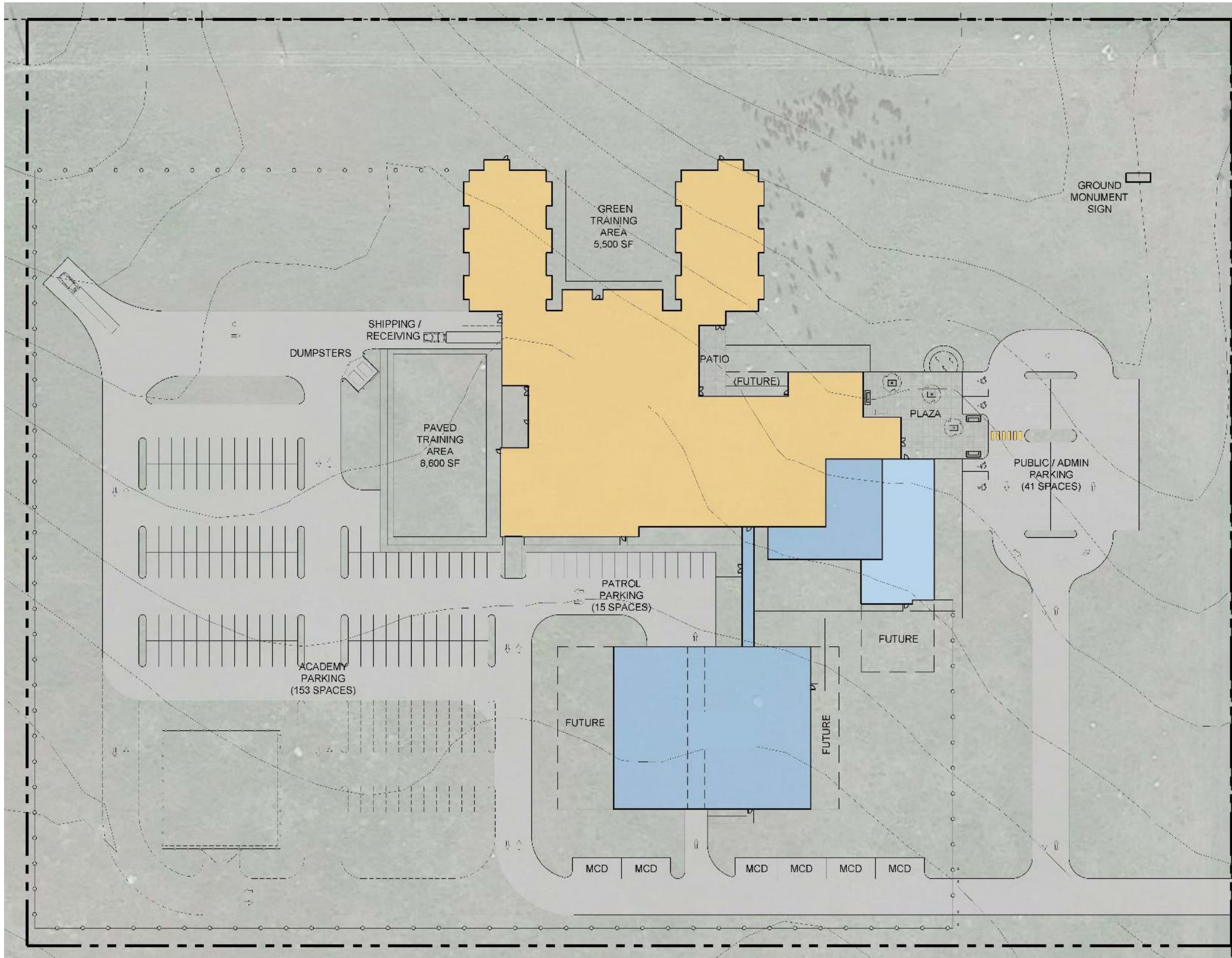
Build Option 2 plus provide additional space for the Attorney General's Office.

## OPTION 4

Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.



# SITE PLAN



**TOTAL PROJECT COST** **\$35,772,212**

**Legislative Biennium 2023-2025** **8%** **\$38,633,989**

**Legislative Biennium 2025-2027** **8%** **\$41,724,708**

**Bed Count – 102 (+58)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**

**LEGEND**

- SW DISTRICT
- HQ
- LETA

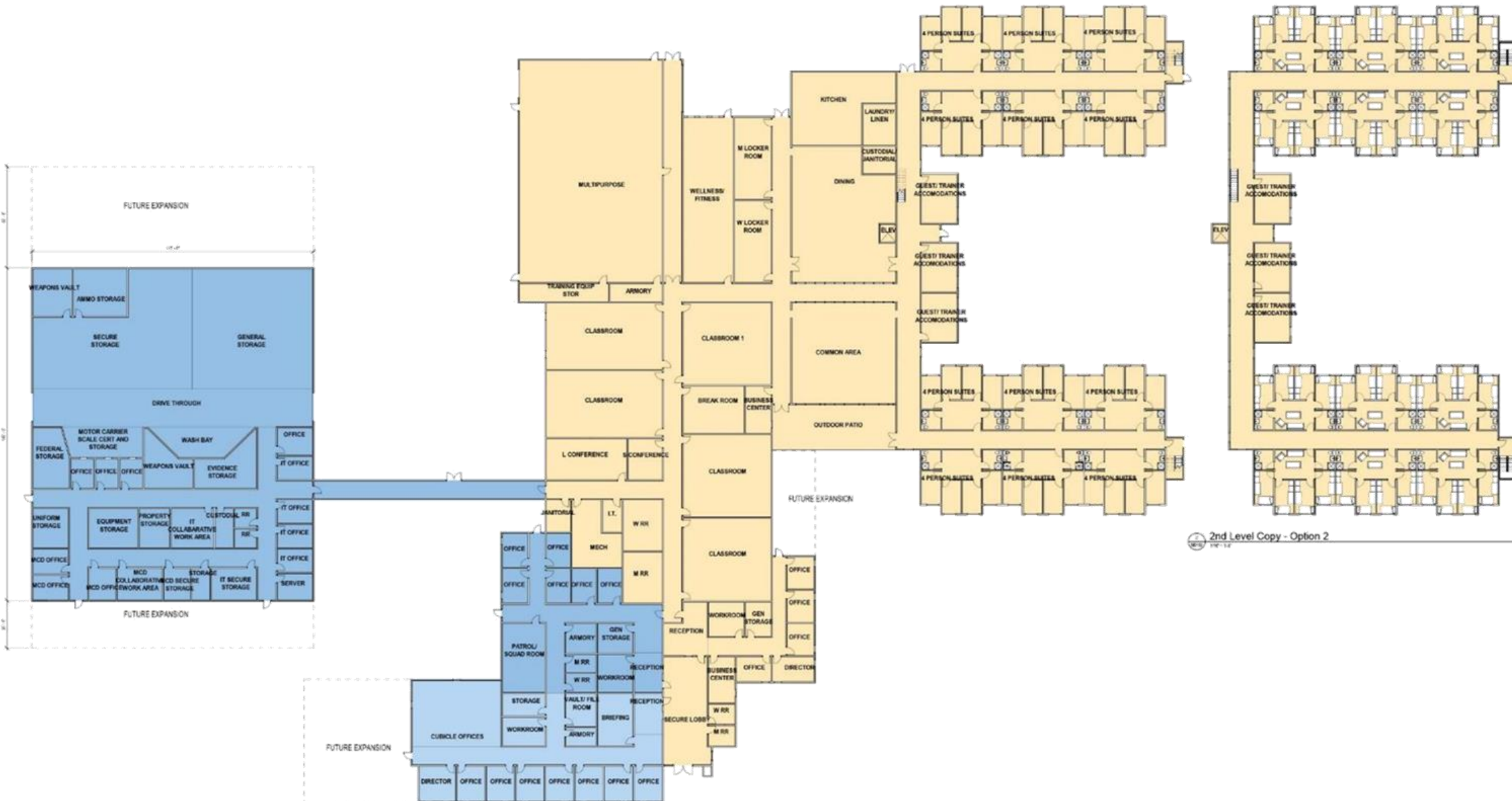
<b>GROSS AREA CALCULATIONS:</b>	
LETA:	60,773 SF
HQ:	4,943 SF
SW DISTRICT:	20,701 SF
<b>TOTAL:</b>	<b>86,417 SF</b>

# OPTION 2

TOTAL PROJECT COST **\$35,772,212**

Legislative Biennium 2023-2025 8% **\$38,633,989**

Legislative Biennium 2025-2027 8% **\$41,724,708**



**LEGEND**

- SW DISTRICT
- HQ
- LETA



GROSS AREA CALCULATIONS:	
LETA:	60,773 SF
HQ:	4,943 SF
SW DISTRICT:	20,701 SF
<b>TOTAL:</b>	<b>86,417 SF</b>

Bed Count – 102 (+58)  
 Classrooms – 5 (+2)  
 Cafeteria Occupancy – 90(+50)

## OPTION 1

Build a new LETA facility located within the Bismarck, ND area that would replace the current facility with its current needs.

## OPTION 2

Build Option 1 plus provide additional space for the NDHP Southwest Regional Office and NDHP Headquarters.

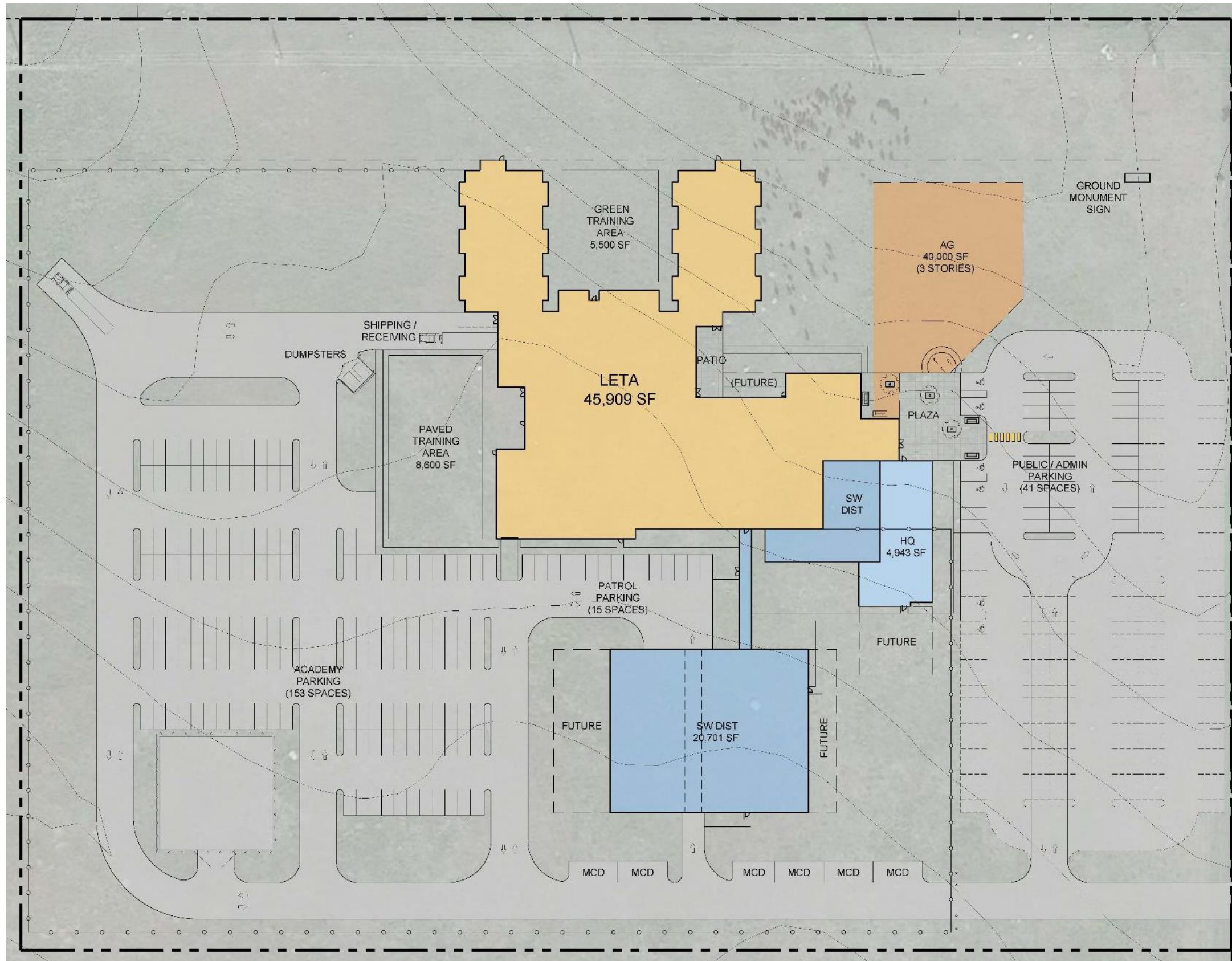
## OPTION 3

Build Option 2 plus provide additional space for the Attorney General's Office.

## OPTION 4

Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.

# OPTION 3 SITE PLAN



**TOTAL PROJECT COST** \$51,594,959

**Legislative Biennium 2023-2025** 8% \$55,722,556

**Legislative Biennium 2025-2027** 8% \$60,180,361

**Bed Count – 102 (+58)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**

**LEGEND**

- AG
- SW DISTRICT
- HQ
- LETA

**GROSS AREA CALCULATIONS:**

LETA:	60,773 SF
HQ:	4,943 SF
SW DISTRICT:	20,701 SF
AG:	39,261 SF
<b>TOTAL:</b>	<b>125,678 SF</b>

# OPTION 3

## NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY

**TOTAL PROJECT COST** **\$51,594,959**

**Legislative Biennium 2023-2025** **8% \$55,722,556**

**Legislative Biennium 2025-2027** **8% \$60,180,361**

### LEGEND

- AG
- SW DISTRICT
- HQ
- LETA

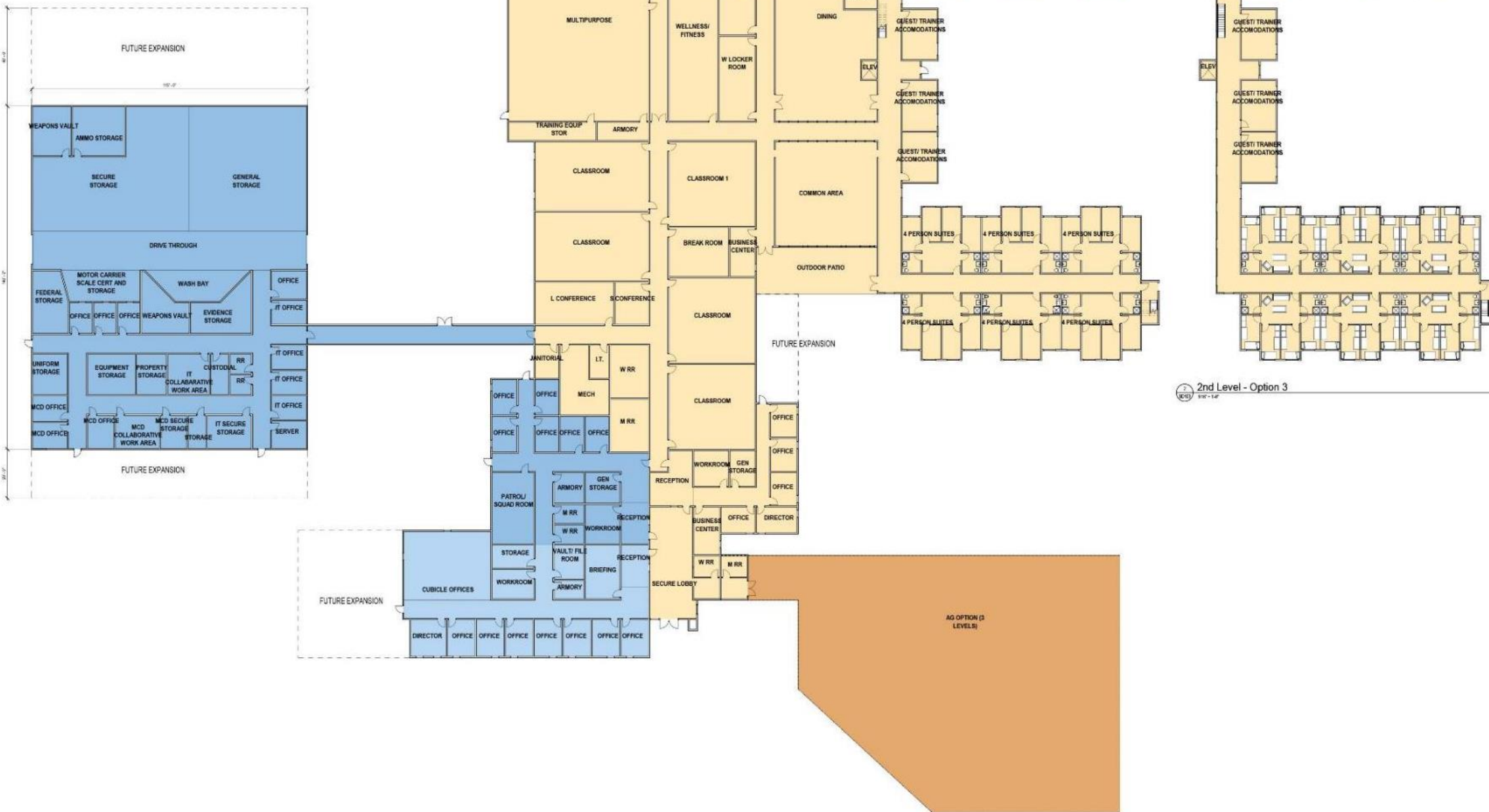


### GROSS AREA CALCULATIONS:

LETA:	60,773 SF
HQ:	4,943 SF
SW DISTRICT:	20,701 SF
AG:	39,261 SF
<b>TOTAL:</b>	<b>125,678 SF</b>

Bed Count – 102 (+58)  
 Classrooms – 5 (+2)  
 Cafeteria Occupancy – 90(+50)

2nd Level - Option 3



Overall Main Floor - Option 3

## OPTION 1

Build a new LETA facility located within the Bismarck, ND area that would replace the current facility with its current needs.

## OPTION 2

Build Option 1 plus provide additional space for the NDHP Southwest Regional Office and NDHP Headquarters.

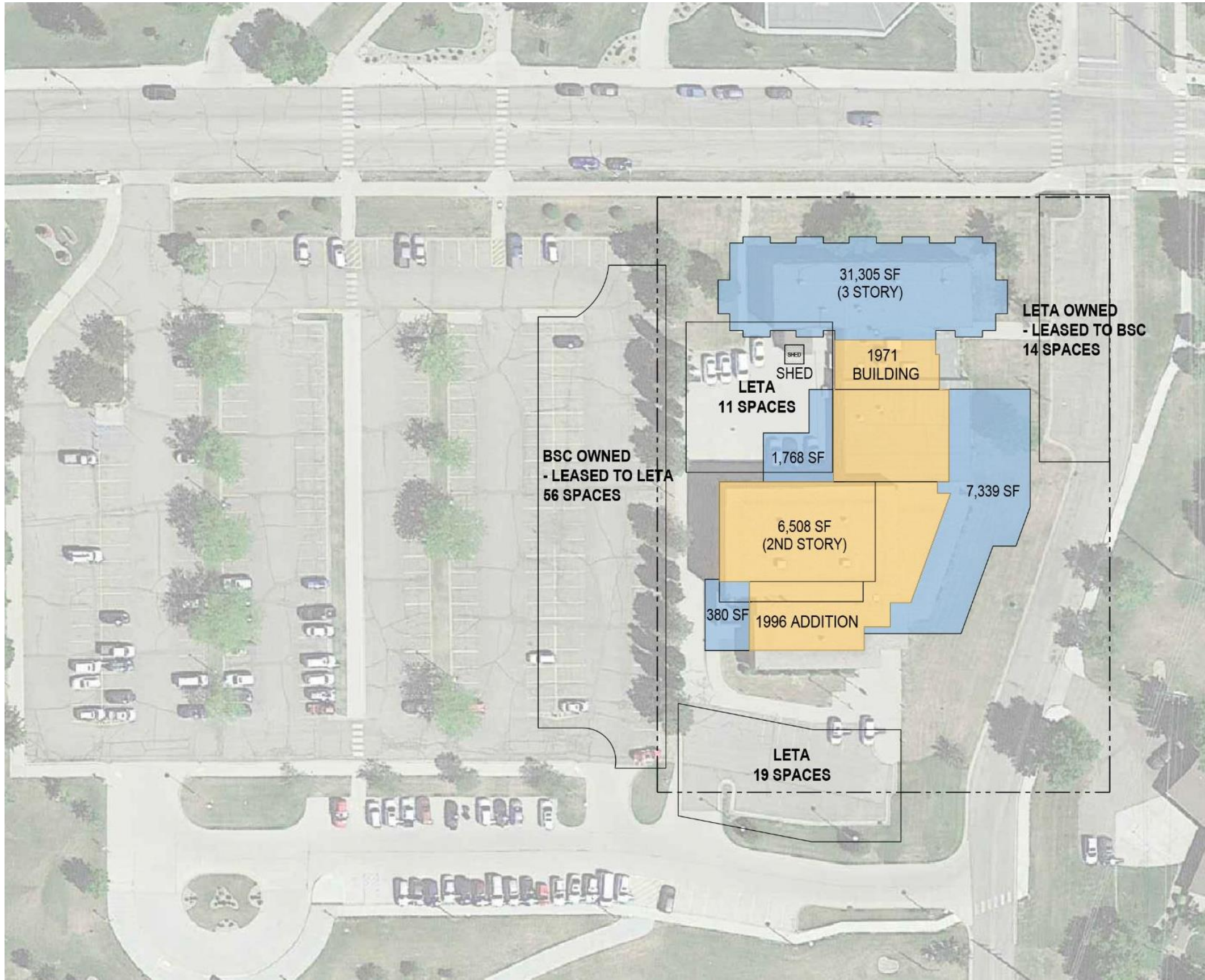
## OPTION 3

Build Option 2 plus provide additional space for the Attorney General's Office.

## OPTION 4

Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.

# OPTION 4A



**TOTAL PROJECT COST** \$24,458,765  
**Legislative Biennium 2021-2023**

**Legislative Biennium 2023-2025** 8% \$26,415,466

**Legislative Biennium 2025-2027** 8% \$28,528,704

**Bed Count – 104 (+60)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**

# OVERALL MAIN FLOOR PLAN OPTION 4A

## NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY

**TOTAL PROJECT COST** \$24,458,765  
**Legislative Biennium**  
**2021-2023**

**Legislative Biennium** 8% **\$26,415,466**  
**2023-2025**

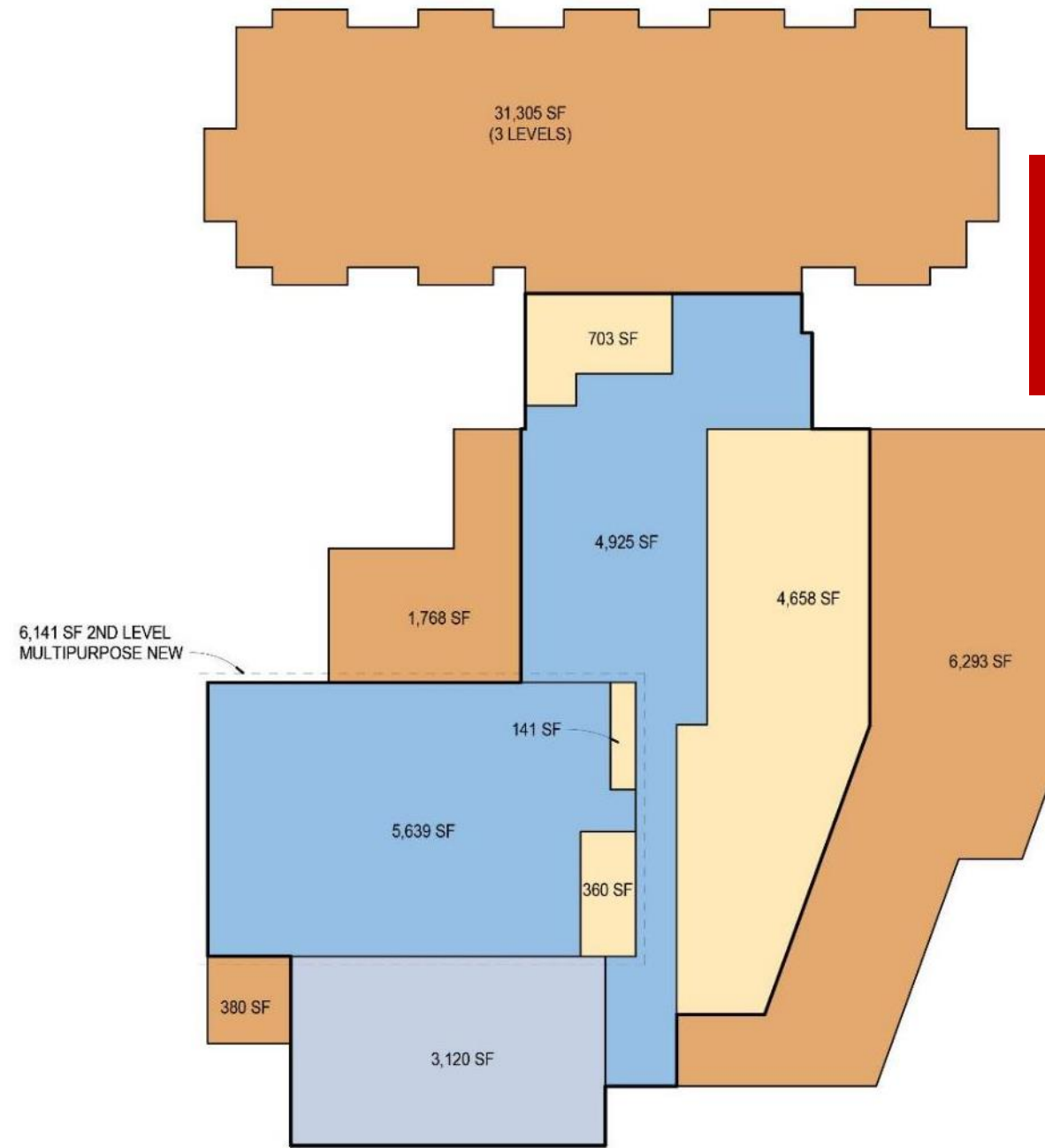
**Legislative Biennium** 8% **\$28,528,704**  
**2025-2027**

### LEGEND

- ADMIN
- TRAINING SPACES
- DORMITORY
- CIRCULATION

GROSS AREA CALCULATIONS:	
Main Floor:	38,424 SF
2nd Level Dorm:	10,435 SF
3rd Level Dorm:	10,435 SF
2nd Level Classes:	6,508 SF
<b>TOTAL:</b>	<b>65,802 SF</b>

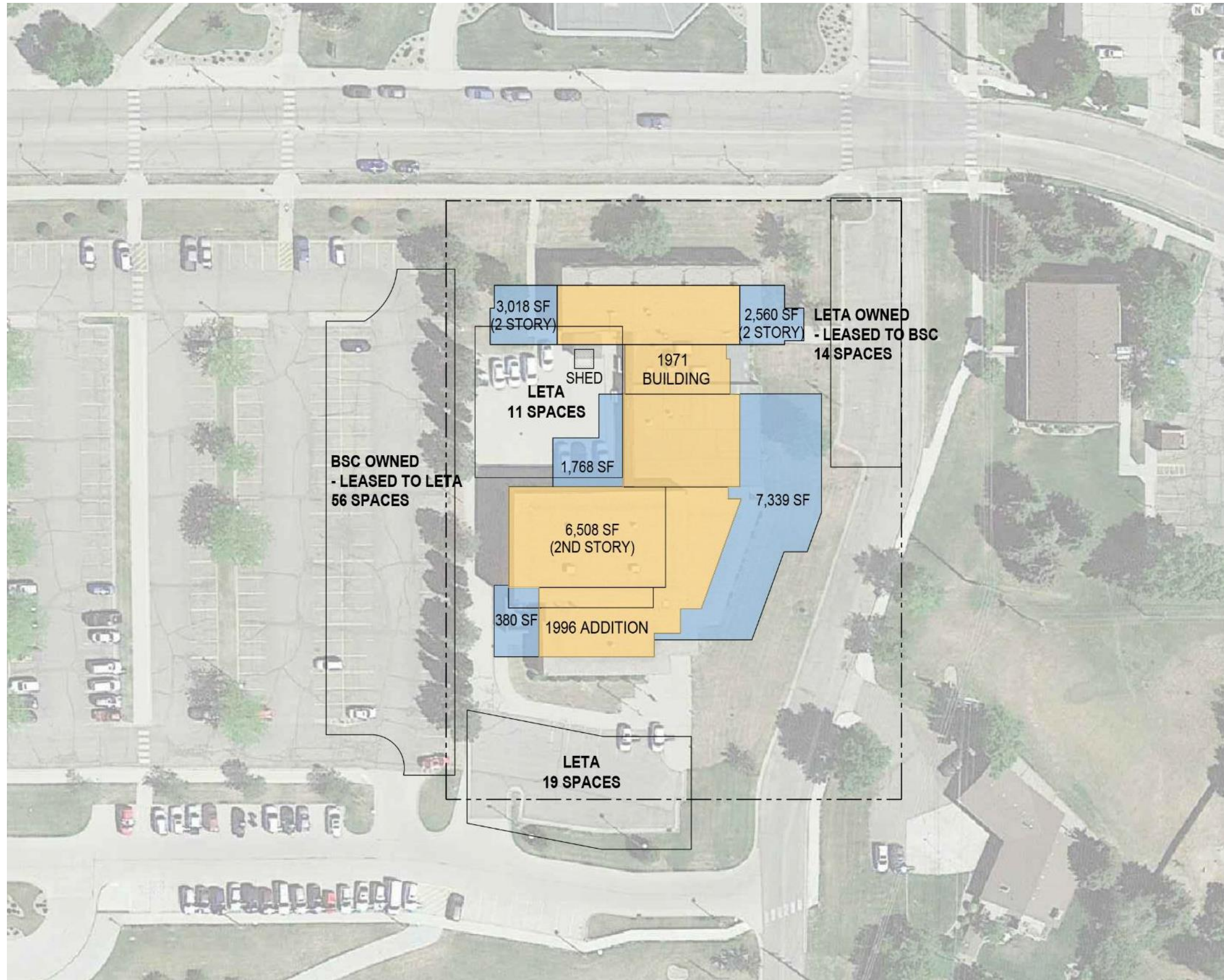
RENO LEGEND:	
<span style="display: inline-block; width: 15px; height: 10px; background-color: #FF8C00; border: 1px solid black; margin-right: 5px;"></span> NEW	45,887 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #FFD700; border: 1px solid black; margin-right: 5px;"></span> MAJOR	5,862 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #ADD8E6; border: 1px solid black; margin-right: 5px;"></span> MODERATE	10,564 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #ADD8E6; border: 1px solid black; margin-right: 5px;"></span> MINOR	3,120 SF



**Bed Count – 104 (+60)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**



# OPTION 4B



**TOTAL PROJECT COST** **\$16,130,515**  
**Legislative Biennium**  
**2021-2023**

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**Legislative Biennium** **8%** **\$17,420,957**  
**2023-2025**

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**Legislative Biennium** **8%** **\$18,814,633**  
**2025-2027**

**Bed Count – 93 (+49)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**

# OVERALL MAIN FLOOR PLAN OPTION 4B

TOTAL PROJECT COST **\$16,130,515**

Legislative Biennium

2021-2023

Legislative Biennium 8% **\$17,420,957**

2023-2025

Legislative Biennium 8% **\$18,814,633**

2025-2027

**LEGEND**

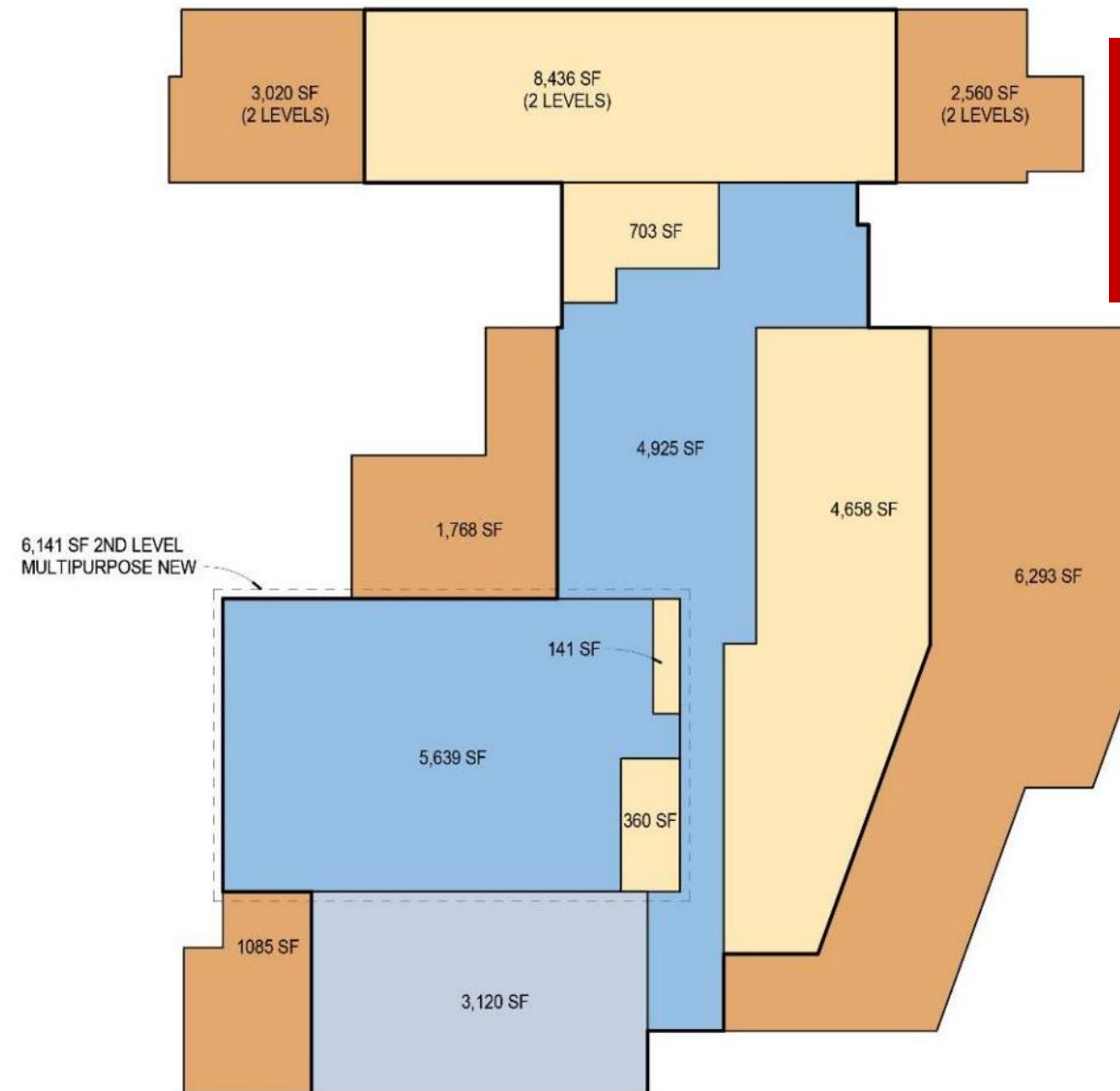
- ADMIN
- TRAINING SPACES
- DORMITORY
- CIRCULATION

**GROSS AREA CALCULATIONS:**

Main Floor:	35,701 SF
2nd Level Dorm:	7,006 SF
2nd Level Classes:	6,508 SF
<b>TOTAL:</b>	<b>49,215 SF</b>

**RENO LEGEND:**

<span style="display: inline-block; width: 15px; height: 10px; background-color: #f4cccc; border: 1px solid black; margin-right: 5px;"></span> NEW	20,867 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #fff2cc; border: 1px solid black; margin-right: 5px;"></span> MAJOR	14,492 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #d9e1f2; border: 1px solid black; margin-right: 5px;"></span> MODERATE	10,370 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #cfcfcf; border: 1px solid black; margin-right: 5px;"></span> MINOR	3,120 SF



Bed Count – 93 (+49)  
Classrooms – 5 (+2)  
Cafeteria Occupancy – 90(+50)

## Options 4A and 4B Would Require The Below Concessions:

- Insufficient Parking – Would require leased spaces from BSC and City variance for lack or required parking spots
- Lack of Proper Exterior Training Space – Difficult to conduct tactical training on BSC campus
- Large Building Footprint – Would require city variance for setbacks and impervious area
- Temporary Transitional Space – Expenses of temporary relocation and leased space
- Reinvesting Into Aging Structures – Capital spent on buildings from 1971 and 1997
- Does not consider BSC Reuse Opportunity – BSC has interest in repurposing the current facility
- Multipurpose Room Limitations – Converting to classroom presents many drawback

# COST SUMMARY

## OPTION 1

## OPTION 2

## OPTION 3

## OPTION 4

NEW LETA FACILITY

**\$27,103,944**

(2021-2023 Legislative Biennium)

**\$29,272,259**

(2023-2025 Legislative Biennium)

**\$31,614,040**

(2025-2027 Legislative Biennium)

NEW LETA FACILITY

+ SW & HQ

**\$35,772,212**

(2021-2023 Legislative Biennium)

**\$38,633,989**

(2023-2025 Legislative Biennium)

**\$41,724,708**

(2025-2027 Legislative Biennium)

NEW LETA FACILITY

+ SW, HQ, & AG

**\$51,594,959**

(2021-2023 Legislative Biennium)

**\$55,722,556**

(2023-2025 Legislative Biennium)

**\$60,180,361**

(2025-2027 Legislative Biennium)

### OPTION 4A

RENOVATE CURRENT FACILITY

**\$24,458,765\***

(2021-2023 Legislative Biennium)

**\$26,415,466\***

(2023-2025 Legislative Biennium)

**\$28,528,704\***

(2025-2027 Legislative Biennium)

### OPTION 4B

RENOVATE CURRENT FACILITY

**\$16,130,515\***

(2021-2023 Legislative Biennium)

**\$17,420,957\***

(2023-2025 Legislative Biennium)

**\$18,814,633\***

(2025-2027 Legislative Biennium)

\*Does not consider the potential cost of temporary facilities during construction

# | **ADDITION INFORMATION**

**North Dakota Law Enforcement Training Academy**

**Option 1 (New Build) Law Enforcement Training Academy**

July 9, 2020

**Shared Spaces**

**Common Areas**

Room	Qty	(SF net)	Existing	Programmed	Revised	Notes
Secure Lobby/Visitor entrance/vestibule	1	824		824		
Conference Room (Large)	1	569		569		16-18 people
Conference Room (Small)	1	242		242		6-8 people
Breakroom	1	500		500		
Wellness/Fitness	1	1,425		1,425		
Locker Rooms (M&W)	2	518		1,036		
<b>Total Admin</b>			<b>0</b>	<b>4,596</b>		

**LETA**

**Administration**

Room	Qty	(SF net)	Existing	Programmed	Revised	Notes
Reception	1	212		212		
Directors office	1	179		179		
Staff Offices	4	149		596		
Workroom	1	212		212		
Gen. Storage	1	152		152		
Business Center	1	213		213		For Trainers/outside staff
<b>Total Admin</b>			<b>0</b>	<b>1,564</b>		

**Training Spaces**

Room	Qty	(SF net)	Existing	Programmed	Revised	Notes
Classroom	5	1,283		6,415		
Multipurpose	1	5,470		5,470		
Training Equipment Storage	1	274		274		
Restrooms (M&W)	2	344		688		Near classrooms
Janitorial Room	1	135		135		
Armory	1	161		161		Training Weapons and Ammo
IT closet	1	108		108		
<b>Total Training</b>			<b>0</b>	<b>13,251</b>		

**Dormitory**

Room	Qty	(SF net)	Existing	Programmed	Revised	Notes
Dining Room	1	2,206		2,206		Seating for 90
Kitchen	1	1,058		1,058		
4 person suites	24	800		19,200		4 bed- 2 bath
Common Area	1	1,806		1,806		
Business Center	1	210		210		For Trainees/adjacent to or part of commons
Guest/trainer Accommodations	6	297		1,782		presenters/trainers Hotel style
Custodial/Janitorial Room	1	155		155		
Laundry/Linen storage	1	233		233		
<b>Total Dormitory</b>			<b>0</b>	<b>26,650</b>		

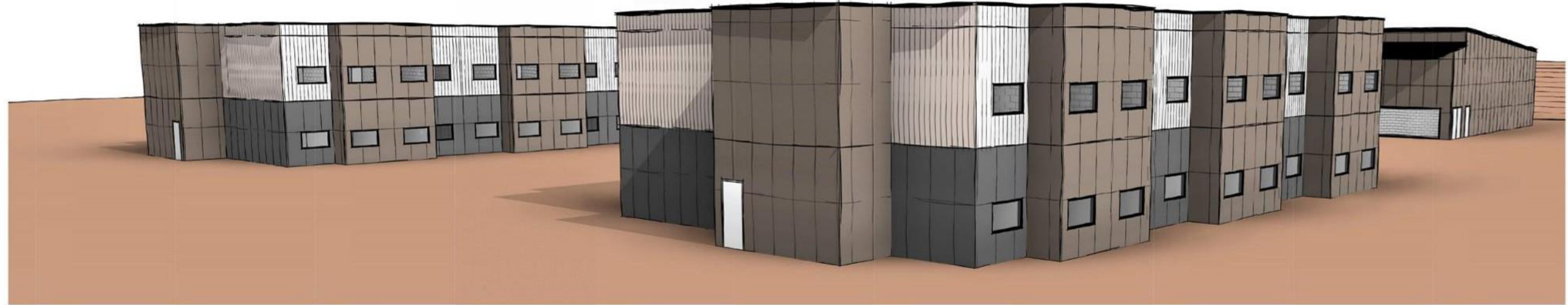
**Grossing factor 32%**

Room	Qty	(SF net)	Existing	Programmed	Revised	Notes
Grossing Factor 32%	0.32	46,061		14,712		includes circulation, wall coverage, mechanical spaces
<b>Total Educational Space Special Needs</b>			<b>0</b>	<b>14,712</b>		

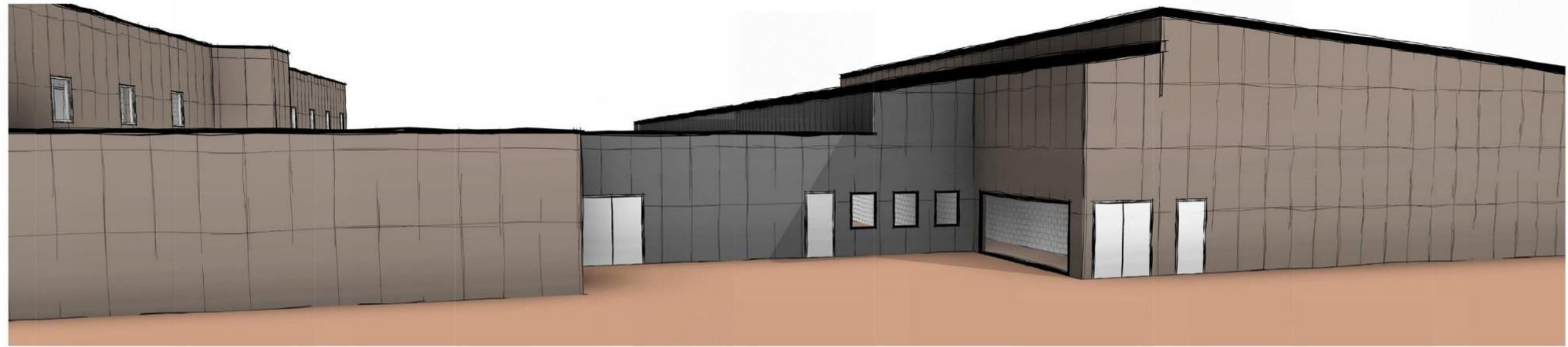
**Total SF for Combined Law Enforcement Center** 60,773

# EXTERIOR PERSPECTIVES

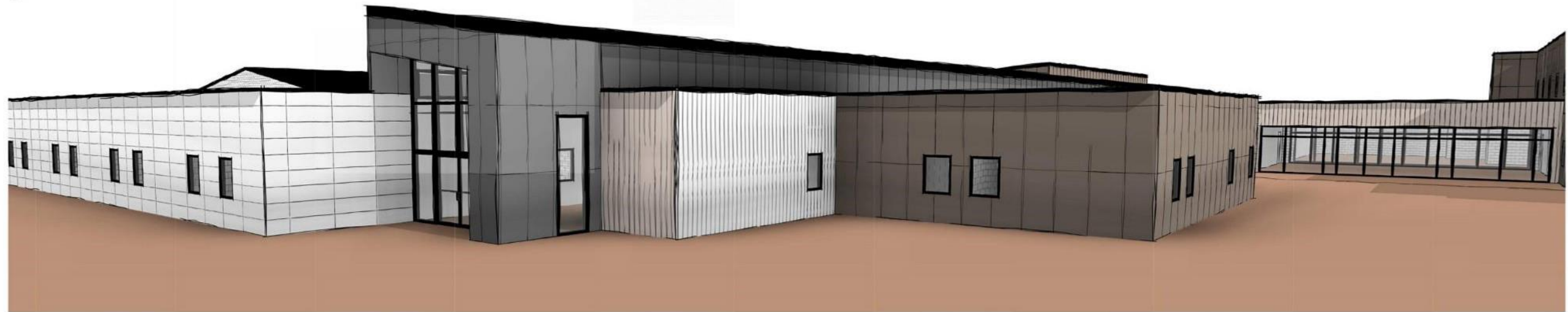
NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY



2 Dormitory - Lower Option Low Slope Roof



3 West Entrance



1 Main Entrance

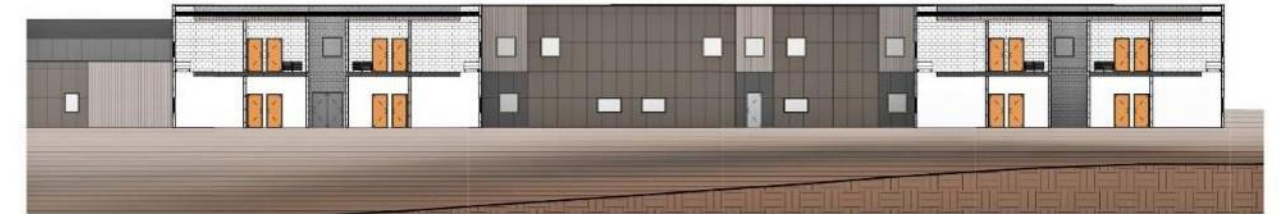


# DORMITORY OPTIONS

NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY



2 Dorms - Upper Option



3 Section @ Upper Dorm Option



1 Dorms - Lower Option



4 Section @ Lower Dorm Option

# 2021 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2011  
1/26/2021  
Senate Appropriations Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide for a transfer.
--------------------------------------------------------------------------------------------------------------------------------

**Chairman Holmberg** opened the meeting at 9:41 a.m.

Senators present: Holmberg, Krebsbach, Wanzek, Bekkedahl, Poolman, Erbele, Dever, Oehlke, Rust, Davison, Hogue, Sorvaag, Mathern, and Heckaman.

**Discussion Topics:**

- Upcoming sub-committee meeting
- Concerns about budget

**Vice-Chair Kresbach** discusses the sub-committee on SB 2011.

**Chairman Holmberg** closed the meeting at 9:55 a.m.

*Rose Laning, Committee Clerk*

# 2021 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2011  
1/28/2021  
Highway Patrol Sub-Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide for a transfer.
--------------------------------------------------------------------------------------------------------------------------------

**Senator Krebsbach** opened the hearing at 2:34 pm. **Senators Krebsbach, Davison and Heckaman** were present.

## **Discussion Topics:**

- Victim crash assistance program
- Electronic Permit transaction fund
- Funding changes to the agency
- POST Board
- Cost to continue
- Pay package
- Training Facility
- SIRN

**Colonel Brandon Solberg, Superintendent, ND Highway Patrol** - answered questions of the sub-committee.

**Major Aaron Hummel, Chief of Staff, ND Highway Patrol** - answered questions of the sub-committee.

**Additional written testimony:** #4135

**Senator Krebsbach** closed the hearing at 3:13 pm.

*Rose Laning, Committee Clerk*

**Highway Patrol - Budget No. 504  
Senate Bill No. 2011  
Base Level Funding Changes**

	Executive Budget Recommendation				Senate Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Position	General Fund	Other Funds	Total
<b>2021-23 Biennium Base Level</b>	197.00	\$44,213,575	\$15,373,370	\$59,586,945	197.00	\$44,213,575	\$15,373,370	\$59,586,945
<b>2021-23 Ongoing Funding Changes</b>								
Base payroll changes		\$278,259	\$45,298	\$323,557				\$0
Salary increase		799,109	255,858	1,054,967				0
Health insurance increase		6,895	2,213	9,108				0
Retirement contribution increase		20,276	6,509	26,785				0
Operating and FTE position reductions	(2.00)	(2,047,239)	746,180	(1,301,059)				0
Transfer two FTE positions for IT unification	(2.00)			0				0
Reallocate funding and positions from motor carrier electronic permit fund			175,709	175,709				0
Computer aided dispatch fee		51,000	8,000	59,000				0
Agency Capitol complex rent proposal		96,794		96,794				0
Microsoft Office 365 license expenses		16,179	5,963	22,142				0
<b>Total ongoing funding changes</b>	(4.00)	(\$778,727)	\$1,245,730	\$467,003	0.00	\$0	\$0	\$0
<b>One-time funding items</b>								
Hard body armor		\$228,000	\$37,000	\$265,000				\$0
Body and in-car cameras		1,158,000		1,158,000				0
<b>Total one-time funding changes</b>	0.00	\$1,386,000	\$37,000	\$1,423,000	0.00	\$0	\$0	\$0
<b>Total Changes to Base Level Funding</b>	(4.00)	\$607,273	\$1,282,730	\$1,890,003	0.00	\$0	\$0	\$0
<b>2021-23 Total Funding</b>	193.00	\$44,820,848	\$16,656,100	\$61,476,948	197.00	\$44,213,575	\$15,373,370	\$59,586,945
<i>Total ongoing changes as a percentage of base level</i>	(2.0%)	(1.8%)	8.1%	0.8%	0.0%	0.0%	0.0%	0.0%
<i>Total changes as a percentage of base level</i>	(2.0%)	1.4%	8.3%	3.2%	0.0%	0.0%	0.0%	0.0%

**Other Sections in Highway Patrol - Budget No. 504**

	Executive Budget Recommendation	Senate Version
Highway tax distribution fund	Section 3 would provide for \$8,429,312 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.	
Motor carrier electronic permit fund	Section 4 would provide for \$1,519,557 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.	

**Other Sections in Highway Patrol - Budget No. 504**

Highway Patrol officer per diem

**Executive Budget Recommendation**

Section 5 would provide for Highway Patrol officer per diem of \$200 per month during the 2021-23 biennium, the same as provided during the 2019-21 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status in the state.

**Senate Version**

# 2021 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2011  
2/4/2021  
Highway Patrol subcommittee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.
-------------------------------------------------------------------------------------------------

**Senator Krebsbach** opened the hearing at 10:07 am.

**Senators Krebsbach, Davison and Heckaman** were present.

## **Discussion Topics:**

- Motorola Apex 7500 mobile radios
- Reprioritization of salary funds
- Changes from the Executive Budget
- On-call pay & need for on-call officers
- Electronic permit fund

**Colonel Brandon Solberg, North Dakota Highway Patrol** testified before the subcommittee answering questions and submitted neutral testimony - #5415.

**Senator Krebsbach** closed the hearing at 10:52 am.

*Rose Laning, Committee Clerk*

**Senate Appropriations Subcommittee  
Senate Bill 2011  
Senator Karen Krebsbach, Chair  
February 4, 2021**

**Statewide Interoperable Radio Network (SIRN)**

**1) *Will your current mobile and radios work on the new SIRN system?***

Our current Motorola Apex 7500 mobile radios can be reconfigured to work on the SIRN network. This would require them to be upgraded with 800MHz software and antennas. The cost of this would be approximately \$4,200 per radio. The cons of this approach will be that the current Motorola Apex 7500 radios will no longer be supported by Motorola effective 10/1/2023 and we would then begin the replacement of the entire fleet of NDHP mobile radios.

Our current portable radios cannot be upgraded to work on the new SIRN network. They are relatively low power VHF-only radios that cannot be reconfigured to work on the 800 MHz SIRN network.

**2) *Can you tell me how you arrived at the \$2,612,000 in optional budget?***

SIRN-compliant Motorola Apex 8500 Mobile Radio (181 @ \$5,899 each)  
= \$1,067,719 (w/10 year warranty)

**AND**

SIRN-compliant Motorola Apex 8000 Portable Radios (185 @ \$6,500 each) = \$1,202,500

**OR**

SIRN-compliant Motorola Next Portable Radio/LTE Device (185 @ \$8,500 each) = \$1,572,500

These numbers have changed slightly over time as prices adjust, recently the cost of the required display went up, but we also have a commitment for some trade in value for our 7500 Apex Mobiles.

The executive budget request of \$2,612,000 came from the SIRN compliant 8500 mobile radio (\$1,067,719.00) and the SIRN compliant Motorola Next Portable Radio/LTE Device (\$1,572,500) along with an additional 159,781 is an approximation for installation and programming costs for a total of \$2,800,000. We would receive reimbursement of \$188,000 from the federal MCSAP grant to cover the radios for our MCSAP funded troopers.

**3) *Any additional information we would need to support the transition to this new network?***

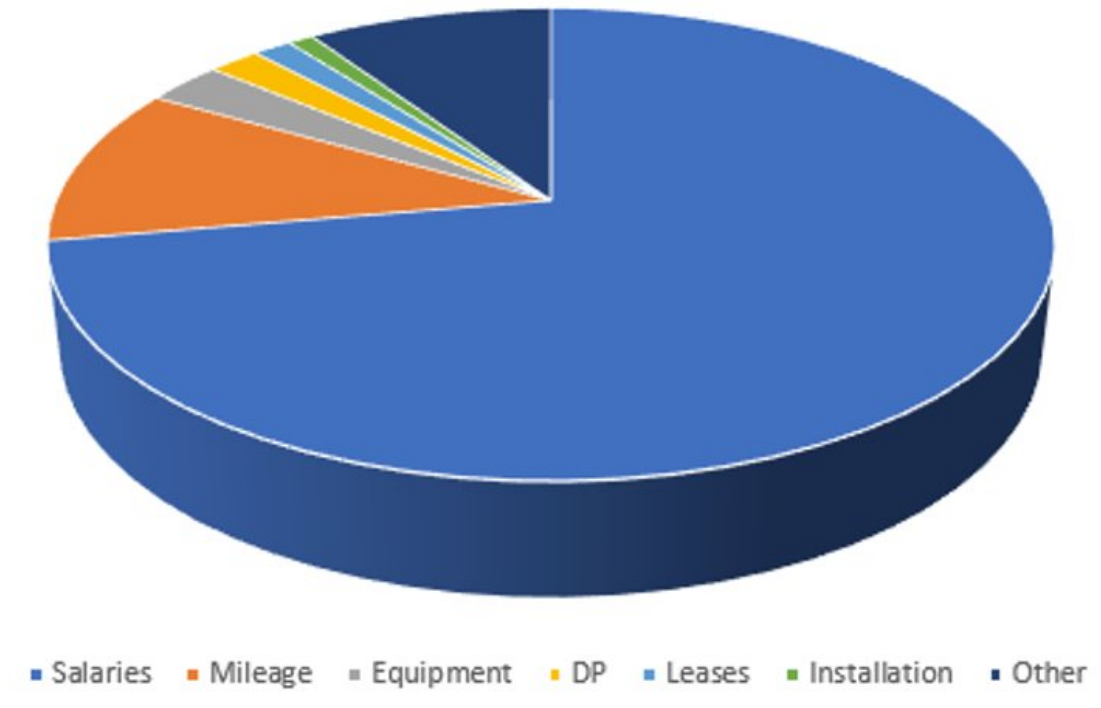
The Williston (SRIN) and Fargo (ARMER) areas will be switching to 800MHz operations in the very near future and the remainder of the state will be following over time. The NDHP has committed to be a major contributor of trainers to ensure that all responders can gain the knowledge and ability to successfully utilize the SIRN system. No other agency will have the manpower and statewide footprint to provide initial and ongoing training.

**FTE Status**

A 15% budget reduction submission required 22 sworn officers and two non-sworn positions to be removed.

- 73% salaries and benefits (FTEs)
- 11% motor pool
- 3% equipment
- 2% data processing
- 1.5% leases
- 1% vehicle installations
- Others <1% each area





The 22 sworn officer positions were requested back as an optional item, and they were restored in the executive budget recommendation.

### Historical Staffing

#### Highway Patrol FTEs

- 205 (1985) to 193 (2021 Executive Budget)
- **5.9% decrease**

#### Population

- 669,489 (1985) to 762,062 (2019)
- **14% increase**

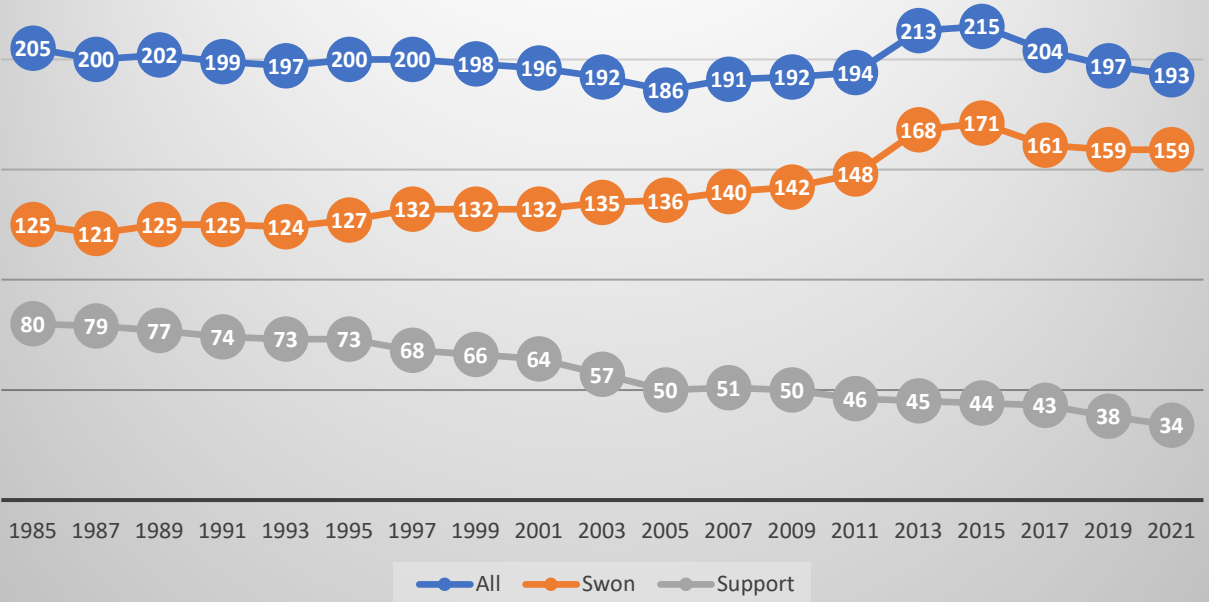
#### Registered Vehicles

- 655,000 (1985) to 944,000 (2018)
- **44% increase**

#### Vehicle Miles Traveled

- 5.579 billion (1985) to 9.866 billion (2018)
- **77% increase**

## NDHP Authorized FTEs per Biennium: 1985-2021



## **Electronic Motor Carrier Permit Transaction Fund (Fund 276)**

- **61<sup>st</sup> Assembly** – 2009 – Senate Bill 2011 Established Legislative Intent for and Automated Permit System.
- **62<sup>nd</sup> Assembly** – 2011 – Senate Bill 2038 – Provided authority for an Electronic Motor Carrier Permit Transaction Fund (Fund 276) and provided a line of credit at the Bank of ND and providing an ongoing appropriation to maintain the electronic permit system.
- **65<sup>th</sup> Assembly** – 2017 – Senate Bill 2011 – Provided authority to and appropriation to use Fund 276 for salaries (\$1,269,165.00) of administrative staff (5 field administrative assistants) and permit staff (4) from the fund. Additionally, appropriation was given for monies to be used for pre-screen technology (\$100,000.00), at the request of the ND Motor Carrier's Association. Authorization and direction was also given to lower the permit transaction fee from fifteen dollars to ten dollars.
- **66<sup>th</sup> Assembly** – 2019 – House Bill 1011 – In addition to the appropriations authorized in the 65<sup>th</sup> Assembly, appropriation was also authorized to complete an addition at the indoor range facility (\$1,729,100.00 – one time), sUAS/drone project (\$96,228.00 – one time), body armor/AED pads/taser cartridges (\$163,066.00 - continuing)
- **67<sup>th</sup> Assembly** – 2021 – Senate Bill 2011 – Request by the NDHP to reprioritize salary funds authorized in the 65<sup>th</sup> assembly and transition 2 permits and 1 administrative assistant position to 2 crash assistance program and 1 records position, resulting in an additional maximum increase of \$175,709.00 being drawn on the fund. There is a possibility of VOCA funds being approved to support the crash assistance positions.

## **History of the Motor Carrier Electronic Permit Transaction Fund**

- **61<sup>st</sup> Assembly (2009-11) Senate Bill 2011 SECTION 6. LEGISLATIVE INTENT - AUTOMATED PERMITS.**

It is the intent of the sixty-first legislative assembly that the highway patrol proceed with implementation of the commercial vehicle information exchange window system and with preparations to allow for the automated issuance of highway permits. SECTION 7. COMMERCIAL VEHICLE INFORMATION EXCHANGE WINDOW SYSTEMS AND NETWORKS - USE OF FUNDING - BUDGET SECTION REPORT. The administration line item in section 1 of this Act includes \$100,000 from the general fund for the commercial vehicle information systems and networks. Any funds designated for the implementation of the system that are not used for this purpose may not be spent for other purposes and must be included in the agency's unspent general fund appropriation authority for the biennium beginning July 1, 2009, and ending June 30, 2011. The highway patrol shall report semiannually to the budget section regarding the status of implementation of this system and on the use of these funds.

- **62<sup>nd</sup> Assembly (2011-13) Senate Bill 2038 – Provided Authority for the Electronic Motor Carrier Permit Transaction Fund (also known as Fund 276) and provided a line of credit at the Bank of North Dakota until June 30, 2015.**

- **Ongoing Funding** – NDCC 39-12-02(6) states, “There is created in the state treasury a fund known as the motor carrier electronic permit transaction fund. All money in the fund is appropriated on a continuing basis to the highway patrol to defray the costs of establishing and maintaining an online electronic permit system for permitting and routing oversize and overweight vehicles in this state. The highway patrol may contract with a private entity to establish, operate, and maintain an online electronic permit system. The online electronic permit system includes the issuance of permits under this section and an automated routing system. The automated routing system must include integration of department of transportation traveler information system information, all other data required for the automated routing system, and integration of the highway patrol computer-aided dispatch system.”

- **65<sup>th</sup> Assembly (2017-19) Senate Bill 2011, provided Authority to utilize the fund for administrative assistant and permit staff salaries in SECTION 5. MOTOR CARRIER ELECTRONIC PERMIT TRANSACTION FUND.**
  - The estimated income line item in section 1 of this Act includes \$1,369,165 from the motor carrier electronic permit transaction fund for the purpose of defraying various expenses associated with the issuance of permits and other nonenforcement motor carrier and administrative activities during the biennium beginning July 1, 2017, and ending June 30, 2019. Summary of Changes
  - **SECTION 9. Allowed the fee to be lowered from fifteen to ten dollars.**
    - j. The highway patrol may establish an online electronic permit system. If the highway patrol establishes an online electronic permit system, the highway patrol shall assess an additional fee of up to fifteen dollar feedollars for every permit issued under this section to be deposited into the motor carrier electronic permit transaction fund.
  
- **66<sup>th</sup> Assembly (2019-21) House Bill 1011, SECTION 5 – MOTOR CARRIER ELECTRONIC PERMIT TRANSACTION FUND. Summary of Changes**
  - “The estimated income line item in section 1 of this Act includes \$3,356,069 from the motor carrier electronic permit transaction fund for the purpose of defraying various expenses associated with the issuance of permits and other nonenforcement motor carrier and administrative activities, including the purchase of equipment and the construction of an addition to the indoor shooting range, during the biennium beginning July 1, 2019, and ending June 30, 2021.”

<b>Fund 276 Appropriation HB 1011</b>			
Administrative Positions	\$	1,267,675.00	Ongoing
Non-Enforcement Activities (Pre-Pass)	\$	100,000.00	Ongoing
Indoor Range Classroom Addition	\$	1,729,100.00	One-Time
sUAS (Drones)	\$	96,228.00	One-Time
Equipment:	\$	163,066.00	Ongoing
<i>Soft Body Armor</i>			
<i>Taser Cartridges</i>			
<i>AED Replacement Pads</i>			
<b>Total appropriated 2019-21 from Fund 276</b>	<b>\$</b>	<b>3,356,069.00</b>	

- **66<sup>th</sup> Assembly (2021-23) Senate Bill 2011 – REQUEST FOR REPRIORITIZATION OF SALARY FUNDS FROM FUND 276.**

<b>Permit Fund Reductions</b>	<b>Amount</b>
One permit technician	(\$148,669)
Two administrative assistants	(282,134)
Permit office lease	(12,179)
<b>Total Reductions</b>	<b>(\$442,982)</b>

<b>Permit Fund Additions</b>	<b>Amount</b>
One records technician	\$155,203
Two crash assistance program positions	463,488
<b>Total Additions</b>	<b>\$618,691</b>

- Transitions 2 administrative assistant positions and 1 permit technician to 2 crash assistance program and 1 records management positions.

### **Crash Assistance Program:**

- Assistance to families of individuals and victims who were involved in serious traffic crashes or incidents.
  - Assist with needs immediately after the crash and helps guide individuals through processes following the crash
- Modeled after South Dakota program which has been very successful
- Potentially eligibility for VOCA grant funds
- 1 person for each half of the state

### **Records Management Position:**

- Shift toward centralized records for efficiency and consistency
- Working knowledge of intricacies in open records laws
- Coordinate agency records management and retention
- Currently our IT staff are involved in records management, but we may have to become less reliant after transition to NDIT Shared Service

North Dakota Highway Patrol --  
12/31/2020

Revenue Over Expenses, E-Permits Fund 276, 2011-2013 Biennium thru 12/31/2020 --

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium	2019-2021 Biennium 12/31/20	Totals
Permit Revenues, Fund 276	90,660.00	6,065,880.00	4,342,395.00	3,106,406.80	1,984,313.50	15,589,655.30
Other: Bank of ND Loan	1,716,000.00	0.00	0.00	0.00	0.00	1,716,000.00
Total Revenues, Fund 276	1,806,660.00	6,065,880.00	4,342,395.00	3,106,406.80	1,984,313.50	17,305,655.30
Less: Fund 276 Expenses	(1,535,916.24)	(701,852.60)	(454,708.27)	(1,638,614.73)	(2,194,132.33)	(6,525,224.17)
Other: BND Loan Repayment	0.00	(1,743,442.88)	0.00	0.00	0.00	(1,743,442.88)
Revenues Over(Under) Expenses	270,743.76	3,620,584.52	3,887,686.73	1,467,792.07	(209,818.83)	9,036,988.25
End of Bien Balance	270,743.76	3,891,328.28	7,779,015.01	9,246,807.08		

12/31/2020	Ending cash balance, E-Permits Fund 276:	9,036,988.25
	Estimated net fund 276 increase, 01/01/2021 thru 06/30/2021	142,531.00
	Subtotal	9,179,519.25
	Less: Remaining Range project expenses, E-Permits Fund 276	(841,694.26)
	Less: Remaining Drone project expenses, E-Permits Fund 276	(62,074.00)
	Less: Misc equipment expenses, E-Permits Fund 276	(163,066.00)
	Estimated Ending Cash Balance, E-Permits Fund 276, 06/30/2021	8,112,684.99

Range project appropriation from E-Permits Fund 276, 2019-2021 biennium	1,729,100
Drone project appropriation from E-Permits Fund 276, 2019-2021 biennium	96,228
Misc equipment appropriation from E-Permits Fund 276, 2019-2021 biennium	163,066
Total special projects appropriation from E-Permits Fund 276, 2019-2021 biennium	1,825,328



**Sixty-first Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 6, 2009**

SENATE BILL NO. 2011  
(Appropriations Committee)  
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the highway patrol; and to provide a statement of legislative intent.

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

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the highway patrol for the purpose of defraying the expenses of the highway patrol, for the biennium beginning July 1, 2009, and ending June 30, 2011, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Administration	\$2,565,841	\$360,578	\$2,926,419
Field operations	34,298,998	3,079,356	37,378,354
Law enforcement training academy	1,400,689	96,253	1,496,942
Deferred maintenance	0	100,000	100,000
Total all funds	\$38,265,528	\$3,636,187	\$41,901,715
Less estimated income	<u>11,212,205</u>	<u>(318,475)</u>	<u>10,893,730</u>
Total general fund	\$27,053,323	\$3,954,662	\$31,007,985
Full-time equivalent positions	193.00	1.00	194.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SECOND LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixtieth legislative assembly for the 2007-09 biennium and the 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>
In-car video equipment	\$642,000	\$0
Capitol security software	50,000	0
Automated external defibrillators	150,000	0
Capitol security upgrade	0	80,000
Commercial vehicle information exchange window system	0	100,000
Weigh station repairs	0	100,000
Total general fund	\$842,000	\$280,000

The 2009-11 one-time funding amounts are not a part of the entity's base budget for the 2011-13 biennium. The highway patrol shall report to the appropriations committees of the sixty-second legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2009, and ending June 30, 2011.

**SECTION 3. DEFERRED MAINTENANCE - TRANSFERS.** The highway patrol may transfer from the deferred maintenance line to the other lines contained in section 1 of this Act, amounts necessary to address extraordinary repair needs. Any amounts transferred must be reported to the director of the office of management and budget.

**SECTION 4. SPECIAL FUNDS TRANSFER.** The less estimated income line item in section 1 of this Act includes the sum of \$4,550,725, or so much of the sum as may be necessary, from the state

highway tax distribution fund which may be transferred at the direction of the superintendent of the highway patrol for the purpose of defraying the expenses of the highway patrol during the biennium beginning July 1, 2009, and ending June 30, 2011.

**SECTION 5. PAYMENTS TO HIGHWAY PATROL OFFICERS.** Each patrol officer of the state highway patrol is entitled to receive from funds appropriated in section 1 of this Act an amount not to exceed \$200 per month for the biennium beginning July 1, 2009, and ending June 30, 2011. The payments are in lieu of reimbursement for meals and other expenses, except lodging, while in travel status within the state of North Dakota or while at their respective home stations. The amounts must be paid at the time and in the same manner as salaries are paid to members of the highway patrol and may be paid without the presentation of receipts or other memorandums.

**SECTION 6. LEGISLATIVE INTENT - AUTOMATED PERMITS.** It is the intent of the sixty-first legislative assembly that the highway patrol proceed with implementation of the commercial vehicle information exchange window system and with preparations to allow for the automated issuance of highway permits.

**SECTION 7. COMMERCIAL VEHICLE INFORMATION EXCHANGE WINDOW SYSTEMS AND NETWORKS - USE OF FUNDING - BUDGET SECTION REPORT.** The administration line item in section 1 of this Act includes \$100,000 from the general fund for the commercial vehicle information systems and networks. Any funds designated for the implementation of the system that are not used for this purpose may not be spent for other purposes and must be included in the agency's unspent general fund appropriation authority for the biennium beginning July 1, 2009, and ending June 30, 2011. The highway patrol shall report semiannually to the budget section regarding the status of implementation of this system and on the use of these funds.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2011.

Senate Vote:    Yeas    46        Nays    0        Absent    1

House Vote:    Yeas    94        Nays    0        Absent    0

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2009,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

**Sixty-second Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 4, 2011**

SENATE BILL NO. 2308  
(Senators Stenehjem, G. Lee)  
(Representatives Carlson, Ruby)

AN ACT to create and enact a new subdivision to subsection 3 of section 39-12-02, a new subsection to section 39-12-02, and a new section to chapter 39-12 of the North Dakota Century Code, relating to special permits for oversize and overweight vehicles, a motor carrier electronic permit transaction fund, and a line of credit; to provide for a continuing appropriation; and to declare an emergency.

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

**SECTION 1.** A new subdivision to subsection 3 of section 39-12-02 of the North Dakota Century Code is created and enacted as follows:

The highway patrol may establish an online electronic permit system. If the highway patrol establishes an online electronic permit system, the highway patrol shall assess an additional fifteen dollar fee for every permit issued under this section to be deposited into the motor carrier electronic permit transaction fund.

**SECTION 2.** A new subsection to section 39-12-02 of the North Dakota Century Code is created and enacted as follows:

There is created in the state treasury a fund known as the motor carrier electronic permit transaction fund. All money in the fund is appropriated on a continuing basis to the highway patrol to defray the costs of establishing and maintaining an online electronic permit system for permitting and routing oversize and overweight vehicles in this state. The highway patrol may contract with a private entity to establish, operate, and maintain an online electronic permit system. The online electronic permit system includes the issuance of permits under this section and an automated routing system. The automated routing system must include integration of department of transportation traveler information system information, all other data required for the automated routing system, and integration of the highway patrol computer-aided dispatch system.

**SECTION 3.** A new section to chapter 39-12 of the North Dakota Century Code is created and enacted as follows:

**Bank of North Dakota - Line of credit.**

The Bank of North Dakota shall extend a line of credit not to exceed two million five hundred sixty thousand dollars to the highway patrol until June 30, 2015, to establish an online electronic permit system. The highway patrol may access this line of credit and shall repay the line of credit with funds in the motor carrier electronic permit transaction fund.

**SECTION 4. PROJECT PLANNING AND IMPLEMENTATION.** The highway patrol shall involve the information technology department in the study and planning of the motor carrier electronic permit project, for the biennium beginning July 1, 2011, and ending June 30, 2013. The highway patrol shall include representatives of the information technology department on the project team responsible for the study and planning of the project and receive approval from the information technology department prior to proceeding with any study recommendations relating to the project.

**SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-second Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2308 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote:      Yeas 47                      Nays 0                      Absent 0

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote:      Yeas 94                      Nays 0                      Absent 0

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2011.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2011.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2011,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

**Sixty-fifth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2017**

SENATE BILL NO. 2011  
(Appropriations Committee)

AN ACT to provide an appropriation for defraying the expenses of the highway patrol; to create and enact a new section to chapter 39-03 of the North Dakota Century Code, relating to capitol building access cards; to amend and reenact subdivision j of subsection 3 of section 39-12-02 of the North Dakota Century Code, relating to fees for electronic permits; and to provide for a transfer.

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

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the highway patrol for the purpose of defraying the expenses of the highway patrol, for the biennium beginning July 1, 2017, and ending June 30, 2019, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Administration	\$3,550,401	(\$3,550,401)	\$0
Field operations	<u>52,348,835</u>	<u>5,239,871</u>	<u>57,588,706</u>
Total all funds	\$55,899,236	\$1,689,470	\$57,588,706
Less estimated income	<u>12,955,491</u>	<u>2,105,787</u>	<u>15,061,278</u>
Total general fund	\$42,943,745	(\$416,317)	\$42,527,428
Full-time equivalent positions	215.00	(11.00)	204.00

**SECTION 2. HEALTH INSURANCE INCREASE.** Section 1 of this Act includes the sum of \$533,578, of which \$426,619 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,241 per month.

**SECTION 3. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SIXTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-fourth legislative assembly as adjusted for the 2015-17 biennium and the 2017-19 biennium one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
Mobile radio equipment	\$626,000	\$0
Outdoor range upgrade	38,000	0
Skid car training system	66,000	0
New trooper startup costs	33,863	0
Taser and AED equipment	<u>0</u>	<u>358,000</u>
Total all funds	\$763,863	\$358,000
Total special funds	<u>107,050</u>	<u>358,000</u>
Total general fund	\$656,813	\$0

The 2017-19 biennium one-time funding amounts are not a part of the entity's base budget for the 2019-21 biennium. The highway patrol shall report to the appropriations committees of the sixty-sixth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 4. SPECIAL FUNDS TRANSFER - HIGHWAY TAX DISTRIBUTION FUND.** The estimated income line item in section 1 of this Act includes the sum of \$6,912,904, or so much of the sum as may be necessary, from the state highway tax distribution fund which may be transferred at

the direction of the superintendent of the highway patrol for the purpose of defraying the expenses of the highway patrol during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 5. MOTOR CARRIER ELECTRONIC PERMIT TRANSACTION FUND.** The estimated income line item in section 1 of this Act includes \$1,369,165 from the motor carrier electronic permit transaction fund for the purpose of defraying various expenses associated with the issuance of permits and other nonenforcement motor carrier and administrative activities during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 6. STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line item in section 1 of this Act includes \$358,000 of one-time funding from the strategic investment and improvements fund for equipment replacement during the biennium beginning July 1, 2017, and ending June 30, 2019.

**SECTION 7. PAYMENTS TO HIGHWAY PATROL OFFICERS.** Each patrol officer of the state highway patrol is entitled to receive from funds appropriated in section 1 of this Act an amount not to exceed \$200 per month for the biennium beginning July 1, 2017, and ending June 30, 2019. The payments are in lieu of reimbursement for meals and other expenses, except lodging, while in travel status within the state of North Dakota or while at the patrol officers' respective home stations. The amounts must be paid at the time and in the same manner as salaries are paid to members of the highway patrol and may be paid without the presentation of receipts or other memorandums.

**SECTION 8.** A new section to chapter 39-03 of the North Dakota Century Code is created and enacted as follows:

**Capitol building access card fund - Continuing appropriation.**

There is created in the state treasury a capitol building access card fund. The fund consists of any fees received by the superintendent for the issuance of capitol building access cards. The superintendent shall establish policies regarding the issuance of capitol building access cards and may charge a fee of ten dollars for each access card issued to an individual who is not an employee of the state of North Dakota. All moneys in the fund are appropriated to the highway patrol on a continuing basis for costs associated with the issuance of capitol building access cards and capitol complex security needs.

**SECTION 9. AMENDMENT.** Subdivision j of subsection 3 of section 39-12-02 of the North Dakota Century Code is amended and reenacted as follows:

- j. The highway patrol may establish an online electronic permit system. If the highway patrol establishes an online electronic permit system, the highway patrol shall assess an additional fee of up to fifteen dollar-fee~~dollars~~ for every permit issued under this section to be deposited into the motor carrier electronic permit transaction fund.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2011.

Senate Vote:    Yeas 45            Nays 1            Absent 1

House Vote:    Yeas 86            Nays 5            Absent 3

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2017,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State



**Highway Patrol  
Budget No. 504  
Senate Bill Nos. 2011 and 2021; House Bill No. 1024**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
<b>2017-19 legislative appropriations</b>	<b>204.00</b>	<b>\$42,527,428</b>	<b>\$18,339,278</b>	<b>\$60,866,706</b>
2017-19 base budget	215.00	42,943,745	12,955,491	55,899,236
Legislative increase (decrease) to base budget	(11.00)	(\$416,317)	\$5,383,787	\$4,967,470

**ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS**

	<b>Ongoing General Fund Appropriation</b>	<b>One-Time General Fund Appropriation</b>	<b>Total General Fund Appropriation</b>
<b>2017-19 legislative appropriations</b>	<b>\$42,527,428</b>	<b>\$0</b>	<b>\$42,527,428</b>
2015-17 adjusted legislative appropriations	42,943,745	656,813	43,600,558
2017-19 legislative increase (decrease) to 2015-17 adjusted appropriations	(\$416,317)	(\$656,813)	(\$1,073,130)
Percentage increase (decrease) to 2015-17 adjusted appropriations	(1.0%)	(100.0%)	(2.5%)

**SUMMARY OF LEGISLATIVE CHANGES TO THE BASE BUDGET AND MAJOR FUNDING ITEMS**

**Salaries and Wages**

The Legislative Assembly did not include funding for employee salary increases.

	<b>Changes to Base Budget</b>			<b>Total</b>
	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	
The legislative action:				
Added funding for base payroll changes for cost-to-continue 2015-17 biennium salaries and benefit increases and for other base budget changes.		\$260,689	\$628,312	\$889,001
Added funding for employee health insurance premiums to reflect a revised premium rate of \$1,240.83 per month.		426,619	106,959	533,578
Removed 9 FTE Trooper positions. (Funding of \$1,810,120 from the general fund was removed as part of the August 2016 budget reductions)	(9.00)		(214,046)	(214,046)
Removed 2 FTE nonsworn positions. (Funding of \$489,482 from the general fund for these and other vacant positions was removed as part of the August 2016 budget reductions)	(2.00)	(14,210)	(46,887)	(61,097)
Added funding for Trooper on-call pay.		323,750	46,250	370,000

Adjusted funding for operating expenses and equipment.	(144,000)	(141,966)	(285,966)
Adjusted the funding source for permit section staff salaries and wages and related expenses of \$1,269,165 from the general fund to the motor carrier electronic permit transaction fund. Appropriation authority of \$100,000 was also added from the electronic permit transaction fund for nonenforcement motor carrier activities.	(1,269,165)	1,369,165	100,000
Provided one-time funding from the strategic investment and improvements fund for Taser and AED equipment replacement.		358,000	358,000
Added one-time special fund authority to allow the Highway Patrol to expend special funds received from the Adjutant General for expenses of law enforcement support related to the Dakota Access Pipeline protest. (House Bill No. 1024)		3,234,000	3,234,000
Added one-time special fund authority for a loan from the Bank of North Dakota for the purpose of implementing an electronic payment processing system and to repay the loan with accrued interest. (Senate Bill No. 2021)		44,000	44,000
<b>Total</b>	<b>(11.00)</b>	<b>\$5,383,787</b>	<b>\$4,967,470</b>

#### FTE Changes

The 2017-19 biennium appropriations for the Highway Patrol include funding for 204 FTE positions, a decrease of 11 FTE positions from the 2015-17 biennium. The Legislative Assembly removed 9 FTE Trooper positions and 2 FTE nonsworn positions. The Legislative Assembly also transferred funding from 1 FTE trooper position to fill 2 unfunded Capitol security positions.

#### One-Time Funding

The following is a summary of one-time funding included in the 2017-19 legislative appropriations for the Highway Patrol:

	Other Funds
Taser and AED equipment replacement (strategic investment and improvements fund) (Senate Bill No. 2011)	\$358,000
Law enforcement support related to the Dakota Access Pipeline protest (special funds received from the Adjutant General) (House Bill No. 1024)	3,234,000
Implementation of an electronic payment processing system (Bank of North Dakota loan proceeds and special fund authority for loan repayment) (Senate Bill No. 2021)	44,000
<b>Total</b>	<b>\$3,636,000</b>

#### Other Sections in Senate Bill No. 2011

**Health insurance increase** - Section 2 identifies the amount of funding included in the agency budget for state employee health insurance premium rate increases during the 2017-19 biennium.

**Funding from highway tax distribution fund** - Section 4 provides that \$6,912,904 of the special funds appropriation for the Highway Patrol is from the highway tax distribution fund.

**Funding from motor carrier electronic permit transaction fund** - Section 5 provides that \$1,369,165 of the special funds appropriation for the Highway Patrol is from the motor carrier electronic permit transaction fund.

**Funding from strategic investment and improvements fund** - Section 6 provides that \$358,000 of the special funds appropriation for the Highway Patrol is one-time funding from the strategic investment and improvements fund for Taser and AED equipment replacement.

**Officer per diem** - Section 7 provides officer per diem of \$200 per month which is in lieu of reimbursement for meals and other expenses while in travel status within the state. This is the same amount of monthly officer per diem as provided during the 2015-17 biennium.

**Capitol building access cards** - Section 8 creates a new section to North Dakota Century Code Chapter 39-03 to authorize the Highway Patrol to charge nonstate employees \$10 for a Capitol building access card. The section provides for the fees to be deposited in a Capitol building access card fund. Any money deposited in the fund is appropriated to the Highway Patrol for Capitol building security needs.

**Motor carrier electronic permit fees** - Section 9 amends Section 39-12-02 to require the Highway Patrol to charge up to \$15 for issuing an electronic permit. The section currently requires a \$15 fee to be charged for each permit. The fees charged for the electronic permit are deposited in the motor carrier electronic permit transaction fund.

#### **Related Legislation**

**Statewide interoperable radio network** - House Bill No. 1178 authorizes the creation of a statewide interoperable radio network and increases the assessed communications services fee and prepaid wireless emergency 911 fee.

**Community outreach programs and other adjustments** - Senate Bill No. 2097 adds a new subsection to Section 39-03-09 to allow the Highway Patrol to promote public trust and understanding through education, community outreach, and job shadowing programs. The bill also makes other various adjustments to statute to clarify the contents on Highway Patrol officer badges, to update language relating to the issuance of overweight and oversize vehicle permits, and to clarify the ability of public security personnel to possess weapons.

**Sixty-sixth Legislative Assembly of North Dakota  
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1011  
(Appropriations Committee)

AN ACT to provide an appropriation for defraying the expenses of the highway patrol; to create and enact section 39-03-09.1 of the North Dakota Century Code, relating to job shadowing with the highway patrol; to provide for a transfer; to provide an exemption; and to provide for a report.

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

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the highway patrol for the purpose of defraying the expenses of the highway patrol, for the biennium beginning July 1, 2019, and ending June 30, 2021, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Highway patrol	\$57,230,706	\$4,263,397	\$61,494,103
Total all funds	\$57,230,706	\$4,263,397	\$61,494,103
Less estimated income	14,703,278	2,495,420	17,198,698
Total general fund	\$42,527,428	\$1,767,977	\$44,295,405
Full-time equivalent positions	204.00	(7.00)	197.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.** The following amounts reflect one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
Taser and AED equipment	\$358,000	\$0
Pipeline protest law enforcement support	3,234,000	0
Electronic payment processing system	44,000	0
Aircraft engine overhaul	0	81,830
Drone purchase	0	96,228
Shooting range addition	0	1,729,100
Total all funds	\$3,636,000	\$1,907,158
Total special funds	<u>3,636,000</u>	<u>1,825,328</u>
Total general fund	\$0	\$81,830

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The highway patrol shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 3.** Section 39-03-09.1 of the North Dakota Century Code is created and enacted as follows:

**39-03-09.1. Job shadowing.**

For purposes of education and community outreach, and to promote public trust, the superintendent may permit a nonmember of the highway patrol to participate in job shadowing activities, including:

1. Participating in a ride-along program with a member of the highway patrol while on duty;

2. Operating a highway patrol motor vehicle on a closed course under the supervision of a member of the highway patrol; and
3. Discharging a firearm owned and used by the highway patrol while at a training facility and under the supervision of a member of the highway patrol.

**SECTION 4. SPECIAL FUNDS TRANSFER - HIGHWAY TAX DISTRIBUTION FUND.** The estimated income line item in section 1 of this Act includes the sum of \$7,204,043, or so much of the sum as may be necessary, from the state highway tax distribution fund which may be transferred at the direction of the superintendent of the highway patrol for the purpose of defraying the expenses of the highway patrol during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 5. MOTOR CARRIER ELECTRONIC PERMIT TRANSACTION FUND.** The estimated income line item in section 1 of this Act includes \$3,356,069 from the motor carrier electronic permit transaction fund for the purpose of defraying various expenses associated with the issuance of permits and other nonenforcement motor carrier and administrative activities, including the purchase of equipment and the construction of an addition to the indoor shooting range, during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. EXEMPTION.** The amount of \$28,171 appropriated for an aircraft engine overhaul in the special funds line item in section 2 of chapter 23 of the 2017 Session Laws is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 7. PAYMENTS TO HIGHWAY PATROL OFFICERS.** Each patrol officer of the state highway patrol is entitled to receive from funds appropriated in section 1 of this Act an amount not to exceed \$200 per month for the biennium beginning July 1, 2019, and ending June 30, 2021. The payments are in lieu of reimbursement for meals and other expenses, except lodging, while in travel status within the state of North Dakota or while at the patrol officers' respective home stations. The amounts must be paid at the time and in the same manner as salaries are paid to members of the highway patrol and may be paid without the presentation of receipts or other memorandums.

**SECTION 8. RELOCATION OF LAW ENFORCEMENT TRAINING ACADEMY - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.** During the 2019-20 interim, the highway patrol shall develop alternatives to relocate the housing and classroom portions of the law enforcement training academy. In developing the alternatives, the highway patrol shall review locations for a new facility, evaluate the proper capacity of the facility to serve future law enforcement training needs, and obtain estimated costs of each alternative. The highway patrol shall report to the appropriations committees of the sixty-seventh legislative assembly regarding the alternatives to relocate the training academy.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1011.

House Vote:    Yeas 77            Nays 14            Absent 3

Senate Vote:    Yeas 46            Nays 1            Absent 0

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2019,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

**Highway Patrol  
Budget No. 504  
House Bill No. 1011**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
<b>2019-21 legislative appropriations</b>	<b>197.00</b>	<b>\$44,295,405</b>	<b>\$17,198,698</b>	<b>\$61,494,103</b>
2019-21 base budget	204.00	42,527,428	14,703,278	57,230,706
Legislative increase (decrease) to base budget	(7.00)	\$1,767,977	\$2,495,420	\$4,263,397

**ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS**

	<b>Ongoing General Fund Appropriation</b>	<b>One-Time General Fund Appropriation</b>	<b>Total General Fund Appropriation</b>
<b>2019-21 legislative appropriations</b>	<b>\$44,213,575</b>	<b>\$81,830</b>	<b>\$44,295,405</b>
2017-19 legislative appropriations	42,527,428	0	42,527,428
2019-21 legislative increase (decrease) to 2017-19 appropriations	\$1,686,147	\$81,830	\$1,767,977
Percentage increase (decrease) to 2017-19 appropriations	4.0%	100.0%	4.2%

**SUMMARY OF LEGISLATIVE CHANGES TO THE BASE BUDGET AND MAJOR FUNDING ITEMS  
Changes to Base Budget**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
The legislative action:				
Adjusted funding for base payroll and budget changes.		\$207,842	(\$81,149)	\$126,693
Added funding to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020.		889,387	297,576	1,186,963
Added funding for employee health insurance premiums to reflect a revised premium estimate of \$1,426.74 per month.		639,459	212,798	852,257
Removed 4 FTE administrative assistant positions.	(4.00)	(372,697)	(87,683)	(460,380)
Removed 1 FTE cook position.	(1.00)	(105,559)	(17,184)	(122,743)
Removed the authorization for 2 FTE trooper positions and related operating expenses for the positions. Salary funding of \$255,000 for the positions was not removed and is to be used for agency salary equity funding increases.	(2.00)	(95,120)	(20,880)	(116,000)

Added funding for increases in operating expenses, including lease rate increases (\$30,000), mileage rate increases (\$364,000), trooper cell phones (\$78,000), costs of issuing state employee ID cards (\$12,000), operating costs of the indoor shooting range (\$70,000), and Microsoft Office 365 licensing costs (\$146,349).	522,835	177,514	700,349
Added funding from the motor carrier electronic permit fund (\$163,066) and highway tax distribution fund (\$26,034) for ongoing equipment replacement costs, including body armor (\$143,100), Taser cartridges (\$32,000), and automated external defibrillator pad replacements (\$14,000).		189,100	189,100
Added one-time funding for costs to overhaul the agency's aircraft engine.	81,830		81,830
Added one-time funding from the motor carrier electronic permit fund to purchase drones.		96,228	96,228
Added one-time funding from the motor carrier electronic permit fund to construct an addition to the agency's shooting range.		1,729,100	1,729,100
<b>Total</b>	<u>(7.00)</u>	<u>\$1,767,977</u>	<u>\$2,495,420</u>
		<u>\$2,495,420</u>	<u>\$4,263,397</u>

**FTE Changes**

The 2019-21 biennium appropriations for the Highway Patrol include funding for 197 FTE positions, a decrease of 7 FTE positions from the 2017-19 biennium. The Legislative Assembly removed 4 FTE administrative assistant positions, 2 FTE trooper positions, and 1 FTE cook position.

**One-Time Funding**

The following is a summary of one-time funding included in the 2019-21 biennium legislative appropriations for the Highway Patrol:

	General Fund	Motor Carrier Electronic Permit Fund	Total
Aircraft engine overhaul	\$81,830	\$0	\$81,830
Drone purchases	0	96,228	96,228
Shooting range addition	0	1,729,100	1,729,100
<b>Total</b>	<b>\$81,830</b>	<b>\$1,825,328</b>	<b>\$1,907,158</b>

**Other Sections in House Bill No. 1011**

**Job shadowing and community outreach** - Section 3 creates North Dakota Century Code Section 39-03-09.1 to allow individuals to participate in job shadowing and other community outreach events sponsored by the Highway Patrol.

**Funding from highway tax distribution fund** - Section 4 provides that \$7,204,043 of the special funds appropriation for the Highway Patrol is from the highway tax distribution fund.

**Funding from motor carrier electronic permit fund** - Section 5 provides that \$3,356,069 of the special funds appropriation for the Highway Patrol is from the motor carrier electronic permit fund.



**Carryover authority for aircraft engine overhaul** - Section 6 authorizes the Highway Patrol to continue \$28,171 of 2017-19 biennium special funds appropriation authority provided for an aircraft engine overhaul into the 2019-21 biennium. This amount is in addition to the 2019-21 biennium \$81,830 general fund appropriation for the engine overhaul.

**Officer per diem** - Section 7 provides officer per diem of \$200 per month which is in lieu of reimbursement for meals and other expenses while in travel status within the state. This is the same amount of monthly officer per diem as provided during the 2017-19 biennium.

**Alternatives to relocate the Law Enforcement Training Academy** - Section 8 requires the Highway Patrol to develop alternatives to relocate the Law Enforcement Training Academy and to report to the Appropriations Committees of the 67<sup>th</sup> Legislative Assembly regarding the alternatives.

#### **Related Legislation**

**Highway Patrol jurisdiction** - House Bill No. 1223 amends Section 39-03-03 to clarify the jurisdictional areas where the Highway Patrol may exercise general police power.

**Highway Patrol trooper probationary period** - Senate Bill No. 2103 amends Section 39-03-03 to provide new troopers are subject to a 6-month probationary employment period.

# 2021 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2011  
2/12/2021  
Highway Patrol Sub-committee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.
-------------------------------------------------------------------------------------------------

**Senator Krebsbach** opened the hearing at 8:02 a.m.

Senators present: **Krebsbach, Davison and Heckaman.**

**Discussion Topics:**

- Equity Pay
- Salary Study
- Training Facility

**Colonel Brandon Solberg, Superintendent, North Dakota Highway Patrol,** submitted testimony #6467.

**Vice-Chair Kresbach** closed the hearing at 8:25 a.m.

*Skyler Strand, Committee Clerk*

**Senate Appropriations Subcommittee  
Senate Bill 2011  
Senator Karen Krebsbach, Chair  
February 12, 2021**

**Equity Pay Request**

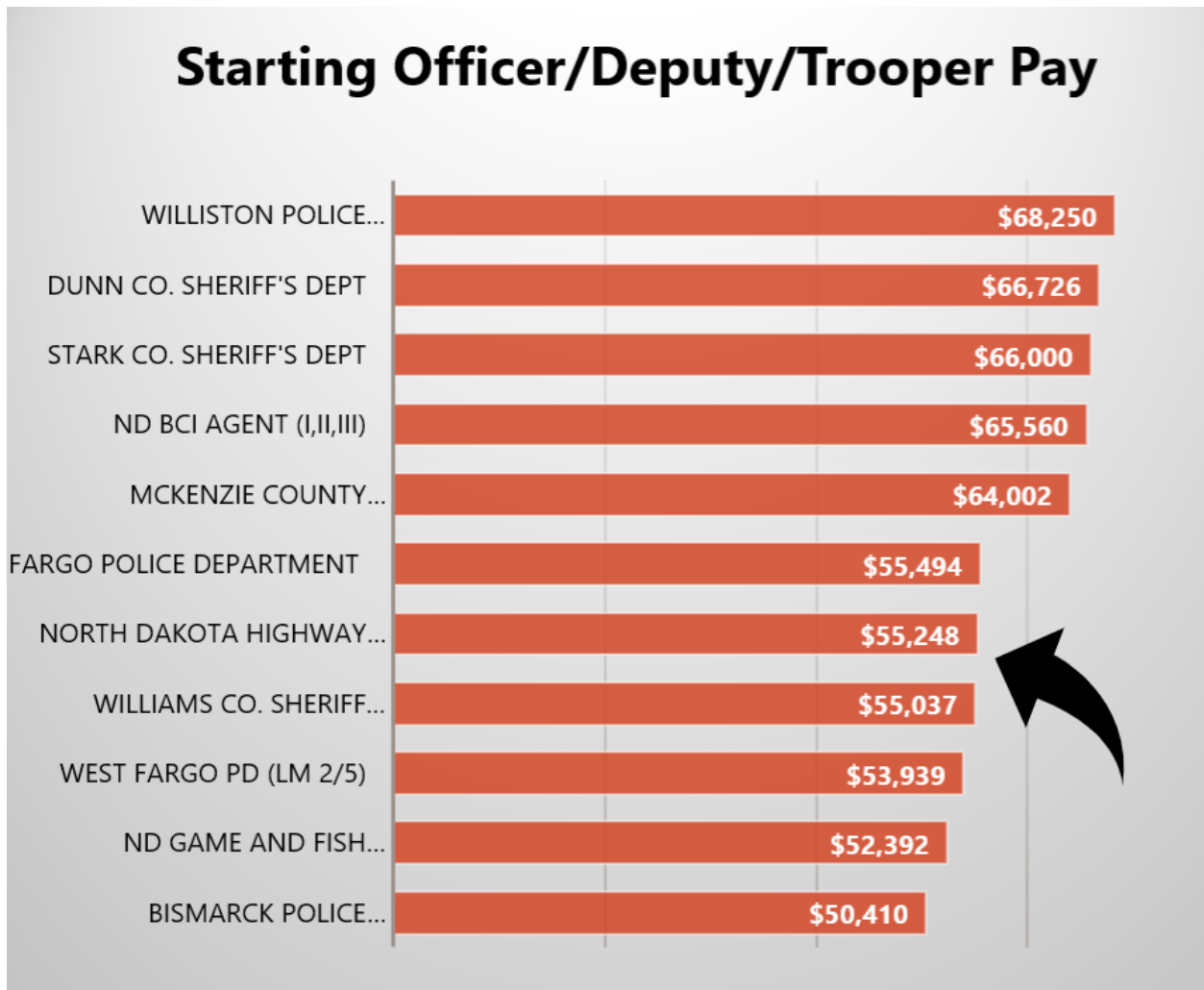
- **Optional Equity Request: \$1,532,000**
  - \$1,156,000 sworn officer equity adjustment
    - \$915,000 from comparison study plus 26.29% benefits
    - Study covered sworn officers only – trooper to lieutenant
    - Would impact 154 out of 159 sworn officer positions
  - \$376,000 market-based equity adjustments
    - Used to provide compensation adjustments for specific agency positions based on market comparisons
    - Potential impact - 159 sworn and 38 civilian positions

**SALARY STUDY - SWORN**

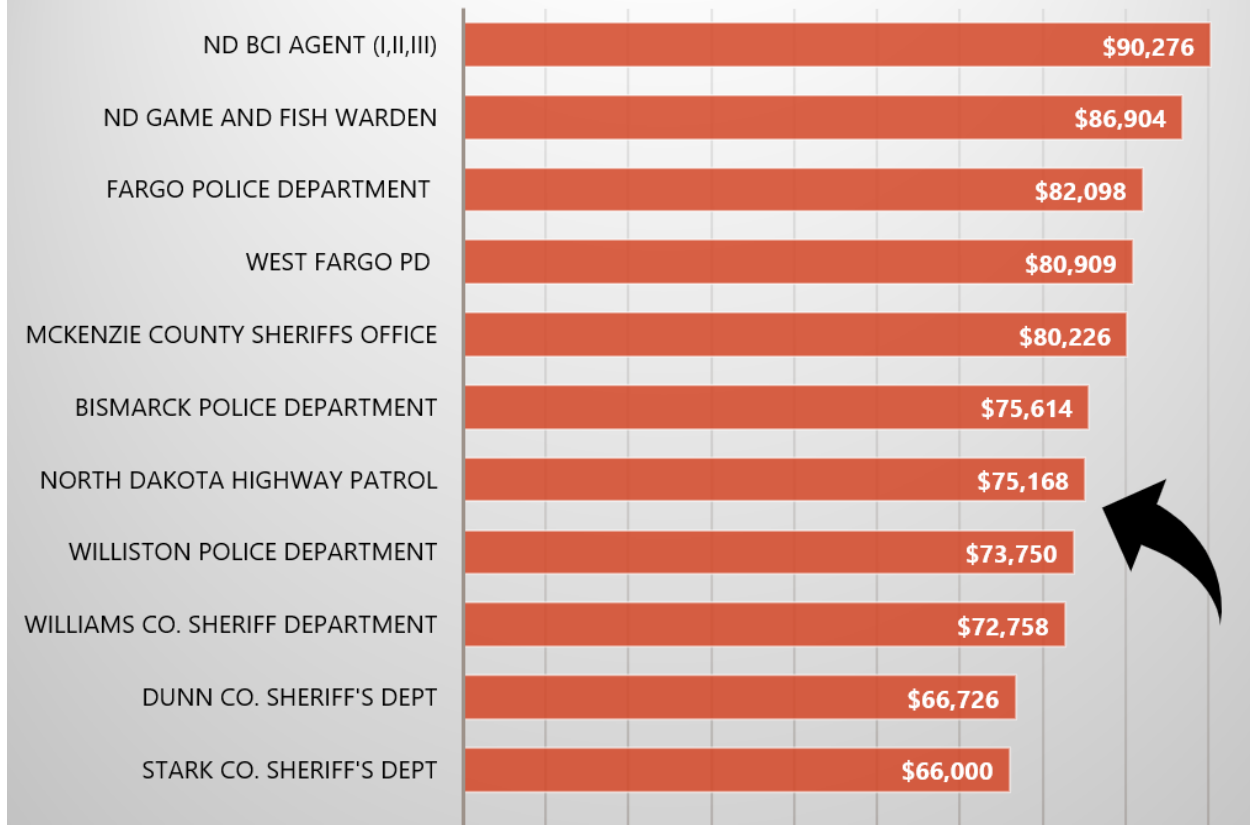
	Sworn/Step	NDHP Rate	Fargo/West Fargo Average	NDHP Biennium /Officer	FGO/WFGO Biennium/ Officer	Diff.	Impact /Step/Biennium	Biennium Funds vs FGO/WFGO
(Academy/FTO)	4	4,604	4,560	\$113,808	\$109,440	\$4,368	\$17,472	
Step 1	5	5,056	4,839	\$121,344	\$116,136	\$5,208	\$26,040	
Step 2	10	5,202	5,118	\$124,848	\$122,832	\$2,016	\$20,160	
Step 3	12	5,303	5,257	\$127,272	\$126,168	\$1,104	\$13,248	
Step 4	0	5,454	5,397	\$130,896	\$129,528	\$1,368	\$0	
Step 5	8	5,611	5,676	\$134,664	\$136,224	\$1,560	\$12,480	
Step 6	23	5,774	5,955	\$138,576	\$142,920	\$4,344	\$99,912	
Step 7	5	5,941	6,234	\$142,584	\$149,616	\$7,032	\$35,160	\$799,440
Step 8	3	6,083	6,513	\$145,992	\$156,312	\$10,320	\$30,960	
Step 9	49	6,264	6,792	\$150,336	\$163,008	\$12,672	\$620,928	
							Total	<b>\$722,520</b>
Sergeants								
Step 1	25	6,953	7,550	\$166,872	\$181,200	5,664	\$141,600	<b>\$141,600</b>
Step 2		7,314						

Lieutenants								
Step 1	7	8,160	9,054	\$195,840	\$217,296	11,328	\$79,296	<b>\$79,296</b>
Step 2		8,582		\$205,968				
			<b>Biennium funding to mirror Fargo/West Fargo Sworn</b>					<b>\$943,416</b>

The Fargo Police Department is the largest law enforcement agency in North Dakota with 186 sworn officers. The North Dakota Highway Patrol is the second largest with 159.



## Top Officer/Deputy/Trooper Pay



### On-Call Pay Request

- Troopers currently receive \$2/hour while on call
- Minimum number of officers on call after hours in each region
- Necessary because there is no 24-hour shift coverage
- Current budget includes \$288,000/biennium to cover an estimated 144,000 hours of call time

### **Proposed On-Call Pay**

- Tiered on-call approach based on individual pay rates
- ¼ time for regular call
- ½ time for emergency call (winter storms, flooding, emergency response team call-ups, etc.)
- Mirrors on-call system used by DOT

- \$1,200,000 for 95% of on-call pay at ¼ time and 5% at ½ time
  - Top trooper pay: \$36.14/hour (or \$9/hour for ¼ time)
- **\$912,000** increase from current funding

### On-Call Cost Comparison

Statewide On-Call Hours/Biennium								
Rate	\$2/hr	\$3/hr	\$4/hr	\$5/hr	\$6/hr	\$7/hr	\$8/hr	\$9/hr
Cost	\$288,000	\$432,000	\$576,000	\$720,000	\$864,000	\$1,008,000	\$1,152,000	\$1,296,000
Increase	\$0*	\$144,000	\$288,000	\$432,000	\$576,000	\$720,000	\$864,000	\$1,008,000

\*Current budget includes \$288,000

### Location-Based Pay Request

#### Historical Transfers

Post Location	Number of Troopers	Net Gain/Loss in Past 10 Years	Ratio of Gain/Loss Compared to Positions
Williston	10	-22	-220%
Watford City	5	-7	-140%
Fargo	15	+17	+113%
Bismarck	11	+18	+163%

### Cost of Living

The cost of living in

Williston, ND is

**7%** HIGHER ↑

You need to earn **\$78,370** in Williston, ND to have the same standard of living that **\$73,000** provides in Fargo, ND.

Source: <https://smartasset.com/mortgage/cost-of-living-calculator>

## Law Enforcement Training Academy Request

Approximately 800 to 1,000 students attend the North Dakota Law Enforcement Training Academy each year (822 in 2017; 1,002 in 2018; and 826 in 2019).

Three basic training academies, one highway patrol academy, and multiple other in-services and training courses are conducted each year (49 courses and 24 meetings in 2017; 46 courses and 41 meetings in 2018 and 2019).

### Permit Fund Loan

Monthly Payments	Term	Debt Issued	Down Payment	Total Project
\$40,000	30 years	\$ 8,900,000	\$ 5,000,000	\$ 13,900,000
\$40,000	20 years	\$ 6,850,000	\$ 5,000,000	\$ 11,850,000
\$32,000	30 years	\$ 7,100,000	\$ 5,000,000	\$ 12,100,000
\$32,000	20 years	\$ 5,500,000	\$ 5,000,000	\$ 10,500,000

- Assumes 3.5% fixed interest rate, \$5 million down payment from the permit fund, and net permit fund revenue for monthly payments
- Total project cost would be \$27,100,000 for new construction

### Property Ownership

The North Dakota Highway Patrol owns the current North Dakota Law Enforcement Training Academy building, but the land has multiple owners:

- Bismarck State College Foundation
- State of North Dakota – Board of Higher Education
- State of North Dakota – National Guard
- Bismarck State College

The North Dakota Highway Patrol signed a 49-year lease with the North Dakota National Guard that covered a portion of the land, but that lease expired on October 1, 2018.

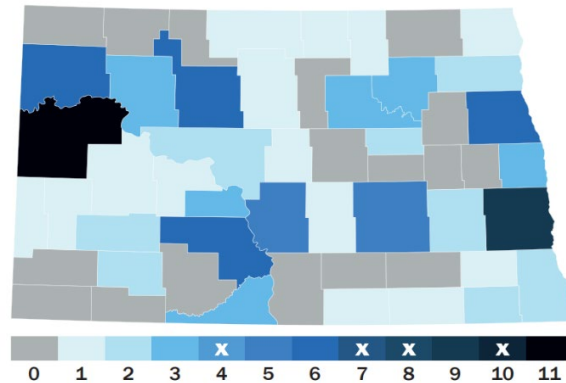
## Proposed Location



- The light blue portion near the lower center part of the map shows the Trust Lands property that is a potential option.
  - The location is a little over one mile from the existing driving pad and indoor/outdoor firing ranges and a safe distance away from the current and future landfill.
- The current Bismarck landfill is in the upper right corner of the map.
  - The yellow outline shows the planned future expansion of the landfill which borders the driving pad.
  - The purple arrow points from the current landfill entrance to the future landfill entrance which would be north of the firing range.
- The red outline shows the property that was given to the highway patrol by the City of Bismarck in 2014.
  - The north half consists of a driving pad on the left side and two firing ranges on the right side.
  - A \$980,000 outdoor firing range that was built by the City of Bismarck was transferred along with the land.
  - The state constructed the driving pad and indoor range.
  - The south half of the property will revert back to the City of Bismarck in August of 2024 if no construction occurs.
- The yellow filled rectangle shows the initial planned location for a new training academy, but this plan was abandoned based on the proximity of the future landfill (dust, debris, birds, and odors).



## Traffic Crash Map



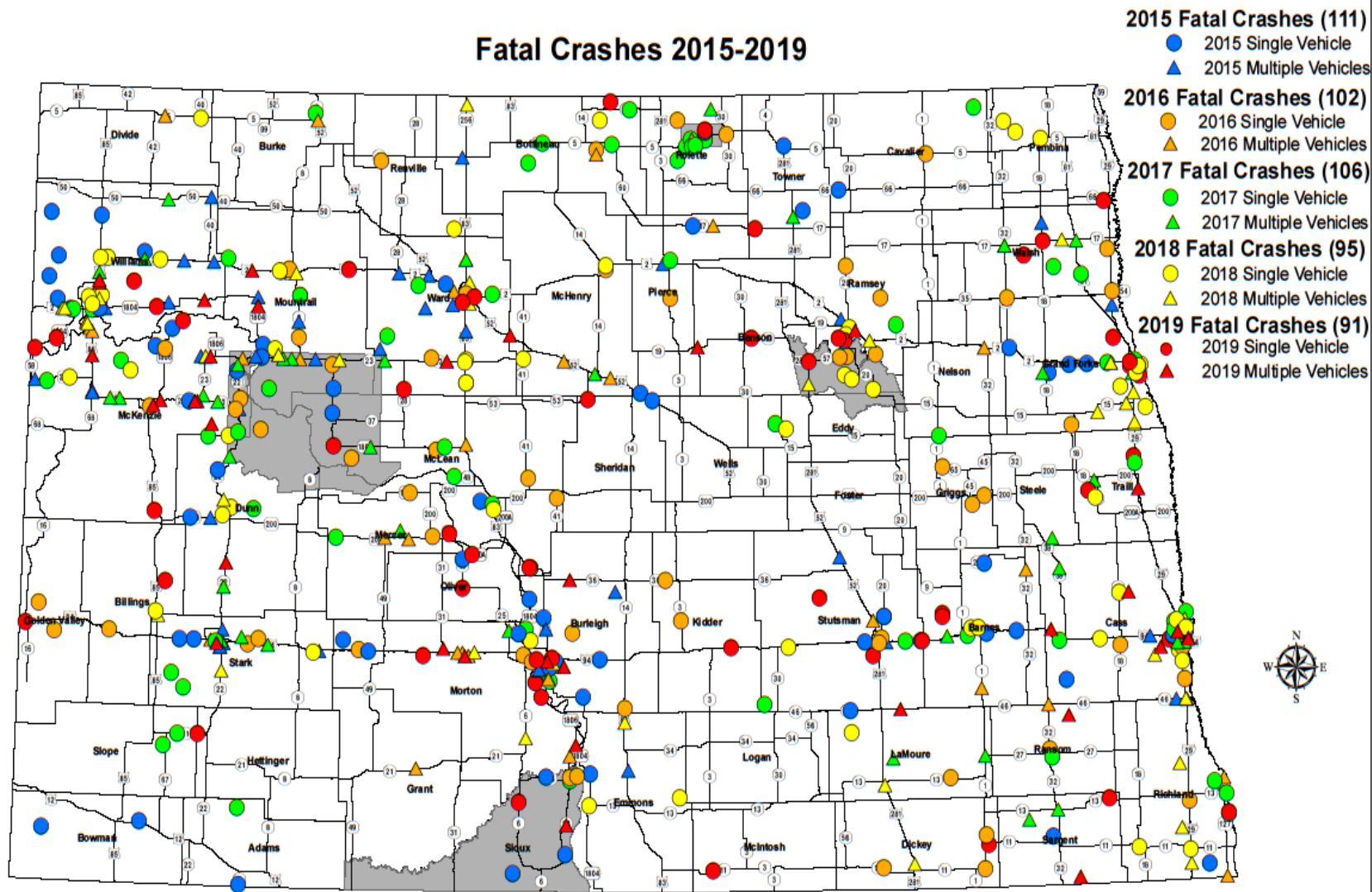
**North Dakota Motor Vehicle Crashes,  
Fatalities and Injuries by County, 2019**

County	Crashes	Fatalities	Injuries	Crash Rate per MVMT
Adams	20	0	11	0.71
Barnes	202	2	56	0.80
Benson	19	3	8	0.21
Billings	47	1	18	0.50
Bottineau	69	1	27	0.84
Bowman	20	0	7	0.45
Burke	34	0	8	0.55
Burleigh	2,624	5	691	3.67
Cass	3,748	9	1,084	2.18
Cavalier	40	0	9	0.66
Dickey	47	1	16	0.81
Divide	19	0	8	0.32
Dunn	141	1	59	0.79
Eddy	28	0	6	0.91
Emmons	39	0	14	0.69
Foster	19	0	7	0.38
Golden Valley	25	1	15	0.52
Grand Forks	1,393	6	426	2.24
Grant	10	0	2	0.27
Griggs	14	0	11	0.50
Hettinger	22	2	10	0.59
Kidder	53	1	19	0.42
Lamoure	35	0	13	0.57
Logan	16	0	5	0.61
McHenry	71	1	40	0.56
McIntosh	29	1	16	0.97
McKenzie	510	11	182	1.01
McLean	99	2	23	0.45
Mercer	83	1	26	0.81
Morton	661	6	181	1.49

County	Crashes	Fatalities	Injuries	Crash Rate per MVMT
Mountrail	127	3	70	0.45
Nelson	40	0	18	0.58
Oliver	11	3	7	0.30
Pembina	81	1	22	0.67
Pierce	24	0	9	0.42
Ramsey	183	3	44	1.34
Ransom	46	1	18	0.83
Renville	19	0	10	0.55
Richland	234	2	79	0.82
Rolette	6	1	8	0.06
Sargent	30	2	12	0.51
Sheridan	16	1	6	0.60
Sioux	3	3	8	0.09
Slope	12	0	2	0.46
Stark	625	2	149	1.56
Steele	4	0	0	0.10
Stutsman	500	5	118	1.44
Towner	7	1	3	0.20
Traill	107	3	42	0.51
Walsh	146	2	40	0.91
Ward	919	6	339	1.40
Wells	17	0	7	0.22
Williams	927	6	249	1.52
<b>TOTAL</b>	<b>14,221</b>	<b>100</b>	<b>4,258</b>	<b>1.44</b>

Motor vehicle fatalities in North Dakota occur each month of the calendar year. However, over the past 5 years more people have died in motor vehicle crashes in the warm weather months in North Dakota (May through October) than the cold weather months. Warm weather months are also peak travel months in North Dakota where more vehicle miles are driven. During the 5 year period (2015-2019), July had the most motor vehicle fatalities in North Dakota.

# Fatal Crashes 2015-2019



- 2015 Fatal Crashes (111)**
  - 2015 Single Vehicle
  - ▲ 2015 Multiple Vehicles
- 2016 Fatal Crashes (102)**
  - 2016 Single Vehicle
  - ▲ 2016 Multiple Vehicles
- 2017 Fatal Crashes (106)**
  - 2017 Single Vehicle
  - ▲ 2017 Multiple Vehicles
- 2018 Fatal Crashes (95)**
  - 2018 Single Vehicle
  - ▲ 2018 Multiple Vehicles
- 2019 Fatal Crashes (91)**
  - 2019 Single Vehicle
  - ▲ 2019 Multiple Vehicles

23 USC § 409 Documents  
NDDOT Reserves All Objections

PREPARED BY THE  
North Dakota Department of Transportation  
Safety Division  
February 2021

# 2021 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2011  
2/15/2021  
Highway Patrol Sub-committee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.
-------------------------------------------------------------------------------------------------

**Senator Krebsbach** opened the hearing at 4:08 p.m.

Senators present: **Krebsbach, Davison and Heckaman.**

**Discussion Topics:**

- Long Sheet
- Amendments

**Brady Larson, Fiscal Analyst, Legislative Council,** submitted testimony #6686

**Brandon Solberg, Colonel, North Dakota Highway Patrol,** answered questions from sub-committee.

**Senator Davison** moved to increase the money in Section 4 of the bill  
**Senator Heckaman** seconded the motion.

The motion passed on a voice vote

**Senator Heckaman** moved to DO PASS AS AMENDED once updated  
**Senator Davison** seconded the motion

The motion passed on a voice vote

**Additional Written Testimony: #6687**

**Vice-Chair Kresbach** closed the hearing at 4:21 p.m.

*Skyler Strand, Committee Clerk*

**Highway Patrol - Budget No. 504**  
**Senate Bill No. 2011**  
**Base Level Funding Changes**

	Executive Budget Recommendation				Senate Version				Senate Changes to Executive Budget Increase (Decrease) - Executive Budget			
	FTE Positions	General Fund	Other Funds	Total	FTE Position	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
<b>2021-23 Biennium Base Level</b>	197.00	\$44,213,575	\$15,373,370	\$59,586,945	197.00	\$44,213,575	\$15,373,370	\$59,586,945	0.00	\$0	\$0	\$0
<b>2021-23 Ongoing Funding Changes</b>												
Base payroll changes		\$278,259	\$45,298	\$323,557		\$278,259	\$45,298	\$323,557				\$0
Salary increase		799,109	255,858	1,054,967		792,963	248,930	1,041,893		(6,146)	(6,928)	(13,074)
Health insurance increase		6,895	2,213	9,108		6,895	2,213	9,108				0
Retirement contribution increase		20,276	6,509	26,785				0		(20,276)	(6,509)	(26,785)
Salary equity funding				0		658,760	107,240	766,000		658,760	107,240	766,000
Operating and FTE position reductions	(2.00)	(2,047,239)	746,180	(1,301,059)	(2.00)	(2,047,239)	746,180	(1,301,059)				0
POST Board training funds				0		47,000	8,000	55,000		47,000	8,000	55,000
Transfer two FTE positions for IT unification	(2.00)			0	(2.00)	9,402	1,531	10,933		9,402	1,531	10,933
Reallocate funding and positions from motor carrier electronic permit fund			175,709	175,709			175,709	175,709				0
Computer aided dispatch fee		51,000	8,000	59,000		51,000	8,000	59,000				0
Agency Capitol complex rent proposal		96,794		96,794				0		(96,794)		(96,794)
Microsoft Office 365 license expenses		16,179	5,963	22,142		16,179	5,963	22,142				0
<b>Total ongoing funding changes</b>	<b>(4.00)</b>	<b>(\$778,727)</b>	<b>\$1,245,730</b>	<b>\$467,003</b>	<b>(4.00)</b>	<b>(\$186,781)</b>	<b>\$1,349,064</b>	<b>\$1,162,283</b>	<b>0.00</b>	<b>\$591,946</b>	<b>\$103,334</b>	<b>\$695,280</b>
<b>One-time funding items</b>												
Hard body armor		\$228,000	\$37,000	\$265,000		\$228,000	\$37,000	\$265,000		\$0	\$0	\$0
Body and in-car cameras		1,158,000		1,158,000		1,158,000		1,158,000		0		0
Law Enforcement Training Academy (SIIF)				0			27,100,000	27,100,000			27,100,000	27,100,000
<b>Total one-time funding changes</b>	<b>0.00</b>	<b>\$1,386,000</b>	<b>\$37,000</b>	<b>\$1,423,000</b>	<b>0.00</b>	<b>\$1,386,000</b>	<b>\$27,137,000</b>	<b>\$28,523,000</b>	<b>0.00</b>	<b>\$0</b>	<b>\$27,100,000</b>	<b>\$27,100,000</b>
<b>Total Changes to Base Level Funding</b>	<b>(4.00)</b>	<b>\$607,273</b>	<b>\$1,282,730</b>	<b>\$1,890,003</b>	<b>(4.00)</b>	<b>\$1,199,219</b>	<b>\$28,486,064</b>	<b>\$29,685,283</b>	<b>0.00</b>	<b>\$591,946</b>	<b>\$27,203,334</b>	<b>\$27,795,280</b>
<b>2021-23 Total Funding</b>	<b>193.00</b>	<b>\$44,820,848</b>	<b>\$16,656,100</b>	<b>\$61,476,948</b>	<b>193.00</b>	<b>\$45,412,794</b>	<b>\$43,859,434</b>	<b>\$89,272,228</b>	<b>0.00</b>	<b>\$591,946</b>	<b>\$27,203,334</b>	<b>\$27,795,280</b>
<i>Total ongoing changes as a percentage of base level</i>	<i>(2.0%)</i>	<i>(1.8%)</i>	<i>8.1%</i>	<i>0.8%</i>	<i>(2.0%)</i>	<i>(0.4%)</i>	<i>8.8%</i>	<i>2.0%</i>				
<i>Total changes as a percentage of base level</i>	<i>(2.0%)</i>	<i>1.4%</i>	<i>8.3%</i>	<i>3.2%</i>	<i>(2.0%)</i>	<i>2.7%</i>	<i>185.3%</i>	<i>49.8%</i>				

**Other Sections in Highway Patrol - Budget No. 504**

	Executive Budget Recommendation	Senate Version
Highway tax distribution fund	Section 3 would provide for \$8,429,312 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.	Section 3 provides for \$8,538,213 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.
Motor carrier electronic permit fund	Section 4 would provide for \$1,519,557 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.	Section 4 provides for \$1,517,199 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.

**Other Sections in Highway Patrol - Budget No. 504**

**Executive Budget Recommendation**

---

**Senate Version**

---

Strategic investment and improvements fund

Section 5 provides for \$27,100,000 of special funds from the strategic investment and improvements funds to be used for the Law Enforcement Training Academy project.

Highway Patrol officer per diem

Section 5 would provide for Highway Patrol officer per diem of \$200 per month during the 2021-23 biennium, the same as provided during the 2019-21 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status in the state.

Section 6 provides for Highway Patrol officer per diem of \$200 per month during the 2021-23 biennium, the same as provided during the 2019-21 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status in the state.

21.0293.01001  
 Title.  
 Fiscal No. 1

Prepared by the Legislative Council staff for  
 Senator Krebsbach  
 February 12, 2021

PROPOSED AMENDMENTS TO SENATE BILL NO. 2011

Page 1, line 1, after the semicolon insert "to provide a report;"

Page 1, replace lines 9 through 15 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Highway patrol	<u>\$59,586,945</u>	<u>\$29,685,283</u>	<u>\$89,272,228</u>
Total all funds	\$59,586,945	\$29,685,283	\$89,272,228
Less estimated income	<u>15,373,370</u>	<u>28,486,064</u>	<u>43,859,434</u>
Total general fund	\$44,213,575	\$1,199,219	\$45,412,794
Full-time equivalent positions	197.00	(4.00)	193.00"

Page 1, line 16, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY"

Page 1, line 17, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace lines 21 through 24 with:

"Shooting range addition	1,729,100	0
Hard body armor	0	265,000
Body and in-car cameras	0	1,158,000
Law enforcement training academy building project	<u>0</u>	<u>27,100,000</u>
Total all funds	\$1,907,158	\$28,523,000
Less estimated income	<u>1,825,328</u>	<u>27,137,000</u>
Total general fund	\$81,830	\$1,386,000

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The highway patrol shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 2, line 2, replace "\$7,204,043" with "\$8,538,213"

Page 2, line 9, replace "\$1,530,741" with "\$1,517,199"

Page 2, after line 11, insert:

**"SECTION 5. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line item in section 1 of this Act includes the sum of \$27,100,000, or so much of the sum as may be necessary, from the strategic investment and improvements fund for the law enforcement training academy building project."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2011 - Highway Patrol - Senate Action**

Base Budget	Senate Changes	Senate Version
----------------	-------------------	-------------------

Highway Patrol	\$59,586,945	\$29,685,283	\$89,272,228
Total all funds	\$59,586,945	\$29,685,283	\$89,272,228
Less estimated income	15,373,370	28,486,064	43,859,434
General fund	\$44,213,575	\$1,199,219	\$45,412,794
FTE	197.00	(4.00)	193.00

### Department 504 - Highway Patrol - Detail of Senate Changes

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adds Funding for Salary Equity Increases <sup>3</sup>	Reduces FTE Positions and Operating Funding <sup>4</sup>	Transfers Positions for IT Unification <sup>5</sup>	Reallocates Funding for Crash Assistance Positions <sup>6</sup>
Highway Patrol	\$323,557	\$1,051,001	\$766,000	(\$1,301,059)	\$10,933	\$175,709
Total all funds	\$323,557	\$1,051,001	\$766,000	(\$1,301,059)	\$10,933	\$175,709
Less estimated income	45,298	251,143	107,240	746,180	1,531	175,709
General fund	\$278,259	\$799,858	\$658,760	(\$2,047,239)	\$9,402	\$0
FTE	0.00	0.00	0.00	(2.00)	(2.00)	0.00

	Restores POST Board Training Funds <sup>7</sup>	Adds Funding for Computer-Aided Dispatch Fees <sup>8</sup>	Adds Funding for Microsoft Office 365 Licensing Expenses <sup>9</sup>	Adds One-Time Funding for Body Armor and Cameras <sup>10</sup>	Adds One-Time Funding for Law Enforcement Training Academy <sup>11</sup>	Total Senate Changes
Highway Patrol	\$55,000	\$59,000	\$22,142	\$1,423,000	\$27,100,000	\$29,685,283
Total all funds	\$55,000	\$59,000	\$22,142	\$1,423,000	\$27,100,000	\$29,685,283
Less estimated income	8,000	8,000	5,963	37,000	27,100,000	28,486,064
General fund	\$47,000	\$51,000	\$16,179	\$1,386,000	\$0	\$1,199,219
FTE	0.00	0.00	0.00	0.00	0.00	(4.00)

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	General Fund	Other Funds	Total
Salary increase	\$792,963	\$248,930	\$1,041,893
Health insurance increase	6,895	2,213	9,108
Total	\$799,858	\$251,143	\$1,051,001

<sup>3</sup> Funding is added for employee salary equity increases.

<sup>4</sup> Two FTE positions are removed and agency operating funding is reduced.

<sup>5</sup> Two FTE positions are transferred to the Information Technology Department for the IT unification initiative resulting in a reduction in salary funding of \$428,137 and an increase in operating expenses of \$439,070.

<sup>6</sup> Funding from the motor carrier electronic permit fund is reallocated to reclassify 1 FTE permit technician position and 2 FTE administrative assistant positions to 1 FTE records technician position and 2 FTE crash assistance personnel positions.

<sup>7</sup> Training funding removed in a prior biennium for the Peace Officer Standards and Training Board is restored.

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<sup>9</sup> Funding is added for Microsoft Office 365 licensing expenses.

<sup>10</sup> One-time funding is added for hard body armor and body and in-car cameras as follows:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Hard body armor	\$228,000	\$37,000	\$265,000
Body and in-car cameras	<u>1,158,000</u>	<u>0</u>	<u>1,158,000</u>
Total	\$1,386,000	\$37,000	\$1,423,000

<sup>11</sup> One-time funding from the strategic investment and improvements fund is added for the Law Enforcement Training Academy building project.

---

This amendment also adjusts sections relating to funding provided from the highway tax distribution fund and motor carrier electronic permit fund and adds a section identifying funding from the strategic investment and improvements fund for the Law Enforcement Training Academy building project.



# 2021 SENATE STANDING COMMITTEE MINUTES

## Appropriations Committee Roughrider Room, State Capitol

SB 2011  
2/17/2021  
Senate Appropriations Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol;
-------------------------------------------------------------------------------------------------

**Senator Holmberg** opened the committee work at 8:12 a.m.

Senators present: **Holmberg, Krebsbach, Wanzek, Bekkedahl, Poolman, Erbele, Dever, Oehlke, Rust, Davison, Hogue, Sorvaag, Mathern, and Heckaman.**

### Discussion Topics:

- Amendment changes

**Senator Krebsbach** presented amendment LC 21.0293.01002 (#6850) and moved its adoption.

**Senator Davison** second.

<b>Senators</b>		<b>Senators</b>	
<i>Senator Holmberg</i>	Y	<i>Senator Hogue</i>	Y
<i>Senator Krebsbach</i>	Y	<i>Senator Oehlke</i>	Y
<i>Senator Wanzek</i>	Y	<i>Senator Poolman</i>	Y
<i>Senator Bekkedahl</i>	Y	<i>Senator Rust</i>	Y
<i>Senator Davison</i>	Y	<i>Senator Sorvaag</i>	Y
<i>Senator Dever</i>	Y	<i>Senator Heckaman</i>	Y
<i>Senator Erbele</i>	Y	<i>Senator Mathern</i>	Y

Roll Call vote 14-0-0. Motion carried.

**Senator Krebsbach** moved DO PASS as AMENDED on SB 2011.

**Senator Davison** second.

<b>Senators</b>		<b>Senators</b>	
<i>Senator Holmberg</i>	Y	<i>Senator Hogue</i>	Y
<i>Senator Krebsbach</i>	Y	<i>Senator Oehlke</i>	Y
<i>Senator Wanzek</i>	Y	<i>Senator Poolman</i>	Y
<i>Senator Bekkedahl</i>	Y	<i>Senator Rust</i>	Y
<i>Senator Davison</i>	Y	<i>Senator Sorvaag</i>	Y
<i>Senator Dever</i>	Y	<i>Senator Heckaman</i>	Y
<i>Senator Erbele</i>	Y	<i>Senator Mathern</i>	Y

Roll Call vote - 14-0-0. Motion carried.

**Senator Holmberg** closed the committee work at 10:18 a.m.

*Rose Laning, Committee Clerk*

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2123  
1

PROPOSED AMENDMENTS TO SENATE BILL NO. 2011

Page 1, line 1, after the semicolon insert "to provide a report;"

Page 1, replace lines 9 through 15 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Highway patrol	\$59,586,945	\$29,685,283	\$89,272,228
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Less estimated income	15,373,370	28,486,064	43,859,434
Total general fund	\$44,213,575	\$1,199,219	\$45,412,794
Full-time equivalent positions	197.00	(4.00)	193.00"

Page 1, line 16, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY"

Page 1, line 17, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace lines 21 through 24 with:

"Shooting range addition	1,729,100	0
Hard body armor	0	265,000
Body and in-car cameras	0	1,158,000
Law enforcement training academy building project	0	27,100,000
Total all funds	\$1,907,158	\$28,523,000
Less estimated income	1,825,328	27,137,000
Total general fund	\$81,830	\$1,386,000

The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The highway patrol shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 2, line 2, replace "\$7,204,043" with "\$8,538,213"

Page 2, line 9, replace "\$1,530,741" with "\$1,706,450"

Page 2, after line 11, insert:

**"SECTION 5. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line item in section 1 of this Act includes the sum of \$27,100,000, or so much of the sum as may be necessary, from the strategic investment and improvements fund for the law enforcement training academy building project."

Renumber accordingly

2023

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2011 - Highway Patrol - Senate Action**

	<b>Base Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
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General fund	\$44,213,575	\$1,199,219	\$45,412,794
FTE	197.00	(4.00)	193.00

**Department 504 - Highway Patrol - Detail of Senate Changes**

	<b>Adjusts Funding for Base Payroll Changes<sup>1</sup></b>	<b>Adds Funding for Salary and Benefit Increases<sup>2</sup></b>	<b>Adds Funding for Salary Equity Increases<sup>3</sup></b>	<b>Reduces FTE Positions and Operating Funding<sup>4</sup></b>	<b>Transfers Positions for IT Unification<sup>5</sup></b>	<b>Reallocates Funding for Crash Assistance Positions<sup>6</sup></b>
Highway Patrol	\$323,557	\$1,051,001	\$766,000	(\$1,301,059)	\$10,933	\$175,709
Total all funds	\$323,557	\$1,051,001	\$766,000	(\$1,301,059)	\$10,933	\$175,709
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	<b>Restores POST Board Training Funds<sup>7</sup></b>	<b>Adds Funding for Computer-Aided Dispatch Fees<sup>8</sup></b>	<b>Adds Funding for Microsoft Office 365 Licensing Expenses<sup>9</sup></b>	<b>Adds One-Time Funding for Body Armor and Cameras<sup>10</sup></b>	<b>Adds One-Time Funding for Law Enforcement Training Academy<sup>11</sup></b>	<b>Total Senate Changes</b>
Highway Patrol	\$55,000	\$59,000	\$22,142	\$1,423,000	\$27,100,000	\$29,685,283
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	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Salary increase	\$792,963	\$248,930	\$1,041,893
Health insurance increase	6,895	2,213	9,108
Total	\$799,858	\$251,143	\$1,051,001

<sup>3</sup> Funding is added for employee salary equity increases.

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<sup>6</sup> Funding from the motor carrier electronic permit fund is reallocated to reclassify 1 FTE permit technician position and 2 FTE administrative assistant positions to 1 FTE records technician position and 2 FTE crash assistance personnel positions.

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3 of 3

<sup>9</sup> Funding is added for Microsoft Office 365 licensing expenses.

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Hard body armor	\$228,000	\$37,000	\$265,000
Body and in-car cameras	<u>1,158,000</u>	<u>0</u>	<u>1,158,000</u>
Total	\$1,386,000	\$37,000	\$1,423,000

<sup>11</sup> One-time funding from the strategic investment and improvements fund is added for the Law Enforcement Training Academy building project.

---

This amendment also adjusts sections relating to funding provided from the highway tax distribution fund and motor carrier electronic permit fund and adds a section identifying funding from the strategic investment and improvements fund for the Law Enforcement Training Academy building project.

**REPORT OF STANDING COMMITTEE**

**SB 2011: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2011 was placed on the Sixth order on the calendar.

Page 1, line 1, after the semicolon insert "to provide a report;"

Page 1, replace lines 9 through 15 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
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Total all funds	\$59,586,945	\$29,685,283	\$89,272,228
Less estimated income	<u>15,373,370</u>	<u>28,486,064</u>	<u>43,859,434</u>
Total general fund	\$44,213,575	\$1,199,219	\$45,412,794
Full-time equivalent positions	197.00	(4.00)	193.00"

Page 1, line 16, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY**"

Page 1, line 17, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, replace lines 21 through 24 with:

"Shooting range addition	1,729,100	0
Hard body armor	0	265,000
Body and in-car cameras	0	1,158,000
Law enforcement training academy building project	<u>0</u>	<u>27,100,000</u>
Total all funds	\$1,907,158	\$28,523,000
Less estimated income	<u>1,825,328</u>	<u>27,137,000</u>
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Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2011 - Highway Patrol - Senate Action**

	Base Budget	Senate Changes	Senate Version
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**Department 504 - Highway Patrol - Detail of Senate Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adds Funding for Salary Equity Increases <sup>3</sup>	Reduces FTE Positions and Operating Funding <sup>4</sup>	Transfers Positions for IT Unification <sup>5</sup>	Reallocates Funding for Crash Assistance Positions <sup>6</sup>
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	Restores POST Board Training Funds <sup>7</sup>	Adds Funding for Computer-Aided Dispatch Fees <sup>8</sup>	Adds Funding for Microsoft Office 365 Licensing Expenses <sup>9</sup>	Adds One-Time Funding for Body Armor and Cameras <sup>10</sup>	Adds One-Time Funding for Law Enforcement Training Academy <sup>11</sup>	Total Senate Changes
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# 6850

21.0293.01002  
Title.  
Fiscal No. 1

Prepared by the Legislative Council staff for  
Senator Krebsbach  
February 15, 2021

## PROPOSED AMENDMENTS TO SENATE BILL NO. 2011

Page 1, line 1, after the semicolon insert "to provide a report;"

Page 1, replace lines 9 through 15 with:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
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Re-number accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2011 - Highway Patrol - Senate Action

Base  
Budget

Senate  
Changes

Senate  
Version



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### Department 504 - Highway Patrol - Detail of Senate Changes

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FTE	0.00	0.00	0.00	0.00	0.00	(4.00)

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

	General Fund	Other Funds	Total
Salary increase	\$792,963	\$248,930	\$1,041,893
Health insurance increase	6,895	2,213	9,108
Total	\$799,858	\$251,143	\$1,051,001

<sup>3</sup> Funding is added for employee salary equity increases.

<sup>4</sup> Two FTE positions are removed and agency operating funding is reduced.

<sup>5</sup> Two FTE positions are transferred to the Information Technology Department for the IT unification initiative resulting in a reduction in salary funding of \$428,137 and an increase in operating expenses of \$439,070.

<sup>6</sup> Funding from the motor carrier electronic permit fund is reallocated to reclassify 1 FTE permit technician position and 2 FTE administrative assistant positions to 1 FTE records technician position and 2 FTE crash assistance personnel positions.

<sup>7</sup> Training funding removed in a prior biennium for the Peace Officer Standards and Training Board is restored.

<sup>8</sup> Funding is added for a computer-aided dispatch system subscription fee.

<sup>9</sup> Funding is added for Microsoft Office 365 licensing expenses.

<sup>10</sup> One-time funding is added for hard body armor and body and in-car cameras as follows:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Hard body armor	\$228,000	\$37,000	\$265,000
Body and in-car cameras	<u>1,158,000</u>	<u>0</u>	<u>1,158,000</u>
Total	\$1,386,000	\$37,000	\$1,423,000

<sup>11</sup> One-time funding from the strategic investment and improvements fund is added for the Law Enforcement Training Academy building project.

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This amendment also adjusts sections relating to funding provided from the highway tax distribution fund and motor carrier electronic permit fund and adds a section identifying funding from the strategic investment and improvements fund for the Law Enforcement Training Academy building project.

**2021 HOUSE APPROPRIATIONS**

**SB 2011**

## Department 504 - Highway Patrol Senate Bill No. 2011

### Executive Budget Comparison to Prior Biennium Appropriations

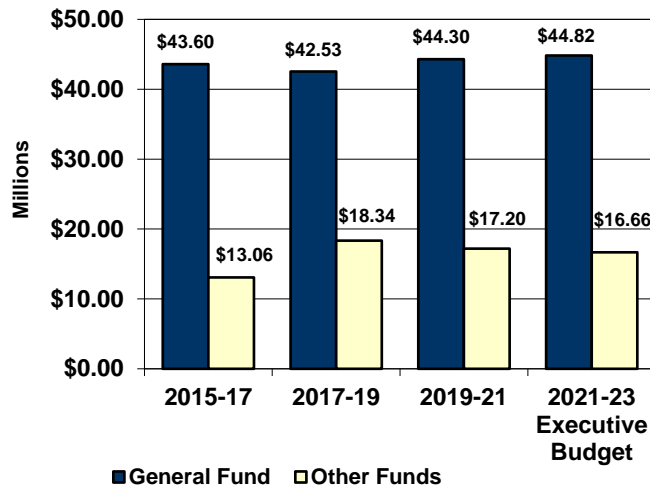
	FTE Positions	General Fund	Other Funds	Total
2021-23 Executive Budget	193.00	\$44,820,848	\$16,656,100	\$61,476,948
2019-21 Legislative Appropriations <sup>1</sup>	197.00	44,295,405	17,198,698	61,494,103
Increase (Decrease)	(4.00)	\$525,443	(\$542,598)	(\$17,155)

<sup>1</sup>The 2019-21 biennium agency appropriation amounts have not been adjusted for additional federal Coronavirus Relief Fund spending authority of \$13,919,094 resulting from Emergency Commission action during the 2019-21 biennium.

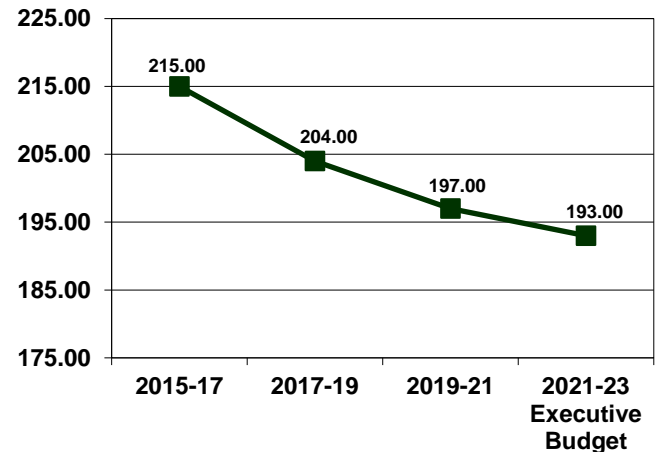
### Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2021-23 Executive Budget	\$43,434,848	\$1,386,000	\$44,820,848
2019-21 Legislative Appropriations	44,213,575	81,830	44,295,405
Increase (Decrease)	(\$778,727)	\$1,304,170	\$525,443

#### Agency Funding



#### FTE Positions



### Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2021-23 Executive Budget	\$44,820,848	\$16,656,100	\$61,476,948
2021-23 Base Level	44,213,575	15,373,370	59,586,945
Increase (Decrease)	\$607,273	\$1,282,730	\$1,890,003

### First House Action

Attached is a comparison worksheet detailing first house changes to base level funding and the executive budget.

### Executive Budget Highlights (With First House Changes in Bold)

	General Fund	Other Funds	Total
1. Adds funding for state employee salary and benefit increases, of which \$1,054,967 is for salary increases, \$9,108 is for health insurance increases, and \$26,785 is for retirement contribution increases. <b>The Senate added salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300 and 2 percent on July 1, 2022, and increases in health insurance premiums from \$1,427 to \$1,429 per month. The Senate did not add funding for retirement contribution increases.</b>	\$826,280	\$264,580	\$1,090,860

2. Removes 2 FTE positions and adjusts agency operating funding	(\$2,047,239)	\$746,180	(\$1,301,059)
3. Adds funding from the motor carrier electronic permit fund to reclassify 1 FTE permit technician position and 2 FTE administrative assistant positions for 1 FTE records technician position and 2 FTE crash assistance personnel positions	\$0	\$175,709	\$175,709
4. Transfers 2 FTE positions to the Information Technology Department as part of the information technology unification initiative. Salary funding of \$428,137 relating to the positions would be reallocated for information technology processing costs.	\$0	\$0	\$0
5. Adds funding for a computer aided dispatching system subscription fee	\$51,000	\$8,000	\$59,000
6. Adds funding for the state agency Capitol grounds rent proposal. <b>The Senate did not add funding for the state agency rent proposal.</b>	\$96,794	\$0	\$96,794
7. Adds funding for Microsoft Office 365 license expenses	\$16,179	\$5,963	\$22,142
8. Adds <b>one-time funding</b> for hard body armor	\$228,000	\$37,000	\$265,000
9. Adds <b>one-time funding</b> for body and in-car cameras	\$1,158,000	\$0	\$1,158,000

### Other Sections in Senate Bill No. 2011

**Highway tax distribution fund** - Section 3 provides for \$8,538,213 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.

**Motor carrier electronic permit fund** - Section 4 provides for \$1,706,450 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.

**Strategic investment and improvements fund** - Section 5 identifies \$27.1 million of special funds from the strategic investment and improvements fund for the law enforcement training academy building project.

**Highway Patrol officer per diem** - Section 6 provides for Highway Patrol officer per diem of \$200 per month during the 2021-23 biennium, the same as provided during the 2019-21 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status within the state.

### Continuing Appropriations

**Highway Patrol assets forfeiture fund** - North Dakota Century Code Section 39-03-18 - Consists of funds obtained from seized assets that may be used for paying expenses associated with the inventory and selling of seized assets, to pay for overtime relating to certain investigations, for purchasing equipment related to criminal interdiction, or to be used to match federal funding for certain programs.

**Motor carrier electronic permit transaction fund** - Section 39-12-02 - An additional fee of up to \$15 is charged for issuing an oversize or overweight vehicle permit electronically. The additional fee is deposited in the motor carrier electronic permit fund and deposits in the fund are appropriated on a continuing basis to the Highway Patrol for the maintenance of the online electronic permitting system.

### Deficiency Appropriation

No deficiency appropriations are being requested for the Highway Patrol.

### Significant Audit Findings

There are no significant audit findings for this agency.

### Major Related Legislation

**House Bill No. 1395 - Federal Coronavirus Relief Fund** - Appropriates federal coronavirus relief funds previously authorized by the Emergency Commission and Budget Section.

**Senate Bill No. 2043 - Highway Patrolmen's Retirement System** - Increases the employer contributions to the highway patrolmen's retirement fund from 19.70 to 23.70 percent by increasing contributions by 2 percent effective January 2022, and 2 percent effective January 2023.

**Highway Patrol - Budget No. 504**  
**Senate Bill No. 2011**  
**Base Level Funding Changes**

	Executive Budget Recommendation				Senate Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
<b>2021-23 Biennium Base Level</b>	197.00	\$44,213,575	\$15,373,370	\$59,586,945	197.00	\$44,213,575	\$15,373,370	\$59,586,945
<b>2021-23 Ongoing Funding Changes</b>								
Base payroll changes		\$278,259	\$45,298	\$323,557		\$278,259	\$45,298	\$323,557
Salary increase		799,109	255,858	1,054,967		792,963	248,930	1,041,893
Health insurance increase		6,895	2,213	9,108		6,895	2,213	9,108
Retirement contribution increase		20,276	6,509	26,785				0
Salary equity funding				0		658,760	107,240	766,000
Operating and FTE position reductions	(2.00)	(2,047,239)	746,180	(1,301,059)	(2.00)	(2,047,239)	746,180	(1,301,059)
Peace Officer Standards and Training Board training funds				0		47,000	8,000	55,000
Transfer two FTE positions for IT unification	(2.00)			0	(2.00)	9,402	1,531	10,933
Reallocate funding and positions from motor carrier electronic permit fund			175,709	175,709			175,709	175,709
Computer aided dispatch fee		51,000	8,000	59,000		51,000	8,000	59,000
Agency Capitol complex rent proposal		96,794		96,794				0
Microsoft Office 365 license expenses		16,179	5,963	22,142		16,179	5,963	22,142
Total ongoing funding changes	(4.00)	(\$778,727)	\$1,245,730	\$467,003	(4.00)	(\$186,781)	\$1,349,064	\$1,162,283
<b>One-time funding items</b>								
Hard body armor		\$228,000	\$37,000	\$265,000		\$228,000	\$37,000	\$265,000
Body and in-car cameras		1,158,000		1,158,000		1,158,000		1,158,000
Law Enforcement Training Academy (Strategic investment and improvements fund)				0			27,100,000	27,100,000
Total one-time funding changes	0.00	\$1,386,000	\$37,000	\$1,423,000	0.00	\$1,386,000	\$27,137,000	\$28,523,000
<b>Total Changes to Base Level Funding</b>	(4.00)	\$607,273	\$1,282,730	\$1,890,003	(4.00)	\$1,199,219	\$28,486,064	\$29,685,283
<b>2021-23 Total Funding</b>	193.00	\$44,820,848	\$16,656,100	\$61,476,948	193.00	\$45,412,794	\$43,859,434	\$89,272,228
<i>Total ongoing changes as a percentage of base level</i>	(2.0%)	(1.8%)	8.1%	0.8%	(2.0%)	(0.4%)	8.8%	2.0%
<i>Total changes as a percentage of base level</i>	(2.0%)	1.4%	8.3%	3.2%	(2.0%)	2.7%	185.3%	49.8%

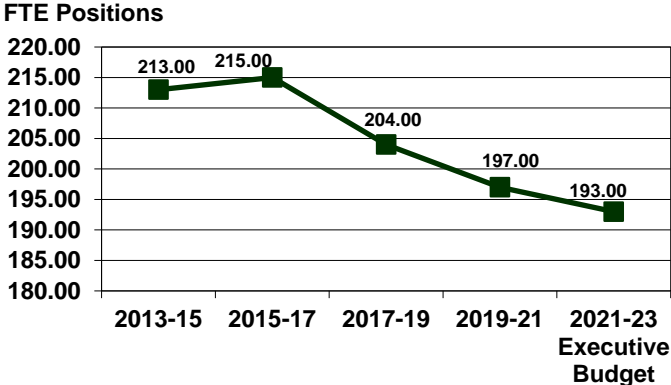
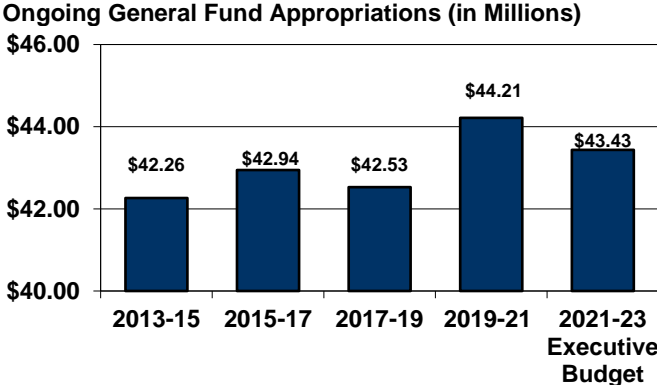
**Other Sections in Highway Patrol - Budget No. 504**

	<u>Executive Budget Recommendation</u>	<u>Senate Version</u>
Highway tax distribution fund	Section 3 would provide for \$8,429,312 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.	Section 3 provides for \$8,538,213 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.
Motor carrier electronic permit fund	Section 4 would provide for \$1,519,557 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.	Section 4 provides for \$1,706,450 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.
Strategic investment and improvements fund		Section 5 provides for \$27.1 million of special funds from the strategic investment and improvements funds to be used for the Law Enforcement Training Academy project.
Highway Patrol officer per diem	Section 5 would provide for Highway Patrol officer per diem of \$200 per month during the 2021-23 biennium, the same as provided during the 2019-21 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status in the state.	Section 6 provides for Highway Patrol officer per diem of \$200 per month during the 2021-23 biennium, the same as provided during the 2019-21 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status in the state.

Department 504 - Highway Patrol

# Historical Appropriations Information

## Ongoing General Fund Appropriations Since 2013-15



Ongoing General Fund Appropriations					
	2013-15	2015-17	2017-19	2019-21	2021-23 Executive Budget
Ongoing general fund appropriations	\$42,261,042	\$42,943,745	\$42,527,428	\$44,213,575	\$43,434,848
Increase (decrease) from previous biennium	N/A	\$682,703	(\$416,317)	\$1,686,147	(\$777,727)
Percentage increase (decrease) from previous biennium	N/A	1.6%	(1.0%)	4.0%	(1.8%)
Cumulative percentage increase (decrease) from 2013-15 biennium	N/A	1.6%	0.6%	4.6%	2.8%

### Major Increases (Decreases) in Ongoing General Fund Appropriations

- 2015-17 Biennium**
  - 1. Added 2 FTE trooper positions \$472,840
  - 2. Increased funding for various operating expenses \$845,723
- 2017-19 Biennium**
  - 1. Adjusted the funding source for permit section staff salaries and wages and related expenses from the general fund to the motor carrier electronic permit transaction fund (\$1,269,165)
  - 2. Added funding for trooper on-call pay \$323,750
  - 3. Removed 11 FTE positions and related funding (\$2,299,602)
- 2019-21 Biennium**
  - 1. Increased funding for operating expenses \$522,835
  - 2. Removed 7 FTE positions (\$573,376)
- 2021-23 Biennium (Executive Budget Recommendation)**
  - 1. Removes 2 FTE positions and adjusts agency operating funding (\$2,047,239)
  - 2. Adds funding for a computer aided dispatching system subscription fee \$51,000
  - 3. Adds funding for the state agency Capitol grounds rent proposal. **The Senate did not add funding for the state agency rent proposal.** \$96,794



# GOVERNOR'S RECOMMENDATION FOR THE HIGHWAY PATROL AS SUBMITTED BY THE OFFICE OF MANAGEMENT AND BUDGET

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the highway patrol for the purpose of defraying the expenses of the highway patrol, for the biennium beginning July 1, 2021 and ending June 30, 2023, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Field Operations	\$59,586,945	\$1,890,003	\$61,476,948
Total All Funds	\$59,586,945	\$1,890,003	\$61,476,948
Less Estimated Income	15,373,370	1,282,730	16,656,100
Total General Fund	\$44,213,575	\$ 607,273	\$44,820,848
Full-time Equivalent Positions	197.00	(4.00)	193.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2019-23</u>
Shooting Range Addition	\$1,729,100	\$ 0
Aircraft Engine Overhaul	81,830	0
Drone Purchase	96,228	0
Hard Body Armor	0	265,000
Body and In-car Cameras	0	1,158,000
Total All Funds	\$1,907,158	\$1,423,000
Total Special Fund	1,825,328	228,000
Total General Fund	\$ 81,830	\$1,195,000

The 2021-23 one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The highway patrol shall report to the appropriations committees of the sixty-eighth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 3 . SPECIAL FUNDS TRANSFER – HIGHWAY TAX DISTRIBUTION FUND.** The estimated income line item in section 1 of this Act includes the sum of \$8,429,312, or so much of the sum as may be necessary, from the state highway tax distribution fund which may be transferred at the direction of the superintendent of the highway patrol for the purpose of defraying the expenses of the highway patrol during the biennium beginning July 1, 2021 and ending June 30, 2023.

**SECTION 4. MOTOR CARRIER ELECTRONIC PERMIT TRANSACTION FUND.** The estimated income line item in section 1 of this Act includes \$1,519,557 from the motor carrier electronic permit transaction fund for the purpose of defraying various expenses associated with the issuance of permits and other nonenforcement motor carrier and administrative activities.

**SECTION 5. PAYMENTS TO HIGHWAY PATROL OFFICERS.** Each patrol officer of the state highway patrol is entitled to receive from funds appropriated in section 1 of this Act an amount not to exceed \$200 per month for the biennium beginning July 1, 2021 and ending June 30, 2023. The payments are in lieu of reimbursement for meals and other expenses, except lodging, while in travel status within the state of North Dakota or while at their respective home stations. The amounts must be paid at the time and in the same manner as salaries are paid to members of the highway patrol and may be paid without the presentation of receipts or other memorandums.

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Appropriations - Government Operations Division Brynhild Haugland Room, State Capitol

SB2011R  
3/9/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide for a transfer.
--------------------------------------------------------------------------------------------------------------------------------

2:15 **Chairman Vigesaa** brought the committee to order. Members present: Chairman Vigesaa, Vice Chairman Brandenburg, Representative Kempenich, Representative Howe, Representative Meier, Representative Mock. Members absent: Representative Bellew.

### Discussion Topics:

- Audit findings
- Hard body armor
- Law enforcement training academy study

2:16 **Brandon Solberg, Colonel, ND Highway Patrol.** Testimony #8314 and #8315.

2:51 **Aaron Hummel, Major, Chief of Staff, ND Highway Patrol** answered questions from the committee.

2:55 **Brandon Solberg** continued with his testimony.

3:46 **Kyle Kvamme and Lee Pierce, Icon Architects.** Testimony #8315.

4:26 **Matt Gardner, ND Motor Carrier's Association** testified in favor of the bill.

4:26 **Chairman Vigesaa** adjourned the meeting.

*Sheri Lewis, Committee Clerk*

**House Appropriations – Government Operations Division  
Senate Bill 2011 – Highway Patrol  
Representative Vigesaa, Chairman  
March 9, 2021**

*Colonel Brandon Solberg, Superintendent  
North Dakota Highway Patrol*

**Introduction**

Good afternoon Mr. Chairman and members of the House Appropriations, Government Operations Division. My name is Brandon Solberg, and I am the superintendent of the North Dakota Highway Patrol.

The North Dakota Highway Patrol was founded in 1935, and the agency's primary statutory authority and responsibility comes from North Dakota Century Code, Chapter 39-03. The highway patrol is comprised of two major components: field operations and administration. Field operations consists of four geographical regions and motor carrier operations. Administration consists of the administrative services division, the support services division, and finance.

Our emphasis as an agency has been on public safety through education and enforcement activities. Educating motorists to make the right decision is preferred over having to take enforcement action but enforcing traffic and criminal laws remains our primary function. Educating the public and trying to prevent crashes and traffic violations from ever occurring is a continual effort. Every day that the department of transportation is open, a batch of new drivers hits the road. If troopers are called to a crash or make a traffic stop, then it's too late – a violation already occurred – so we continue to explore ways to dedicate more time and energy to prevention efforts.

The highway patrol's primary focus is traffic safety, and there continues to be three major contributing factors to serious injury and fatality crashes. Those are speeding, not wearing a seatbelt, and driving impaired. If we could eliminate those three violations, we'd save a lot of lives. Speeding alone is a contributing factor in approximately ¼ of all fatality crashes, but it's such a common violation that many don't recognize the true danger of it. Distracted driving continues to be an issue as well, but it's a more difficult violation to identify after a crash occurs.

The highway patrol fully supports the Vision Zero initiative because reducing crashes and unnecessary injuries and deaths on our roadways has been the agency's mission since 1935. In addition to traffic safety, the highway patrol also assists local law enforcement agencies with emergencies and calls for service, especially when resources are limited. Many law enforcement agencies in North Dakota are smaller, and peace officers work together and help each other out regardless of the color of their uniform.

Two of our state troopers were involved in separate high-risk incidents in 2020 that resulted in attempted murder charges being considered against the suspects involved. Law enforcement is a dangerous occupation, even in North Dakota. The death of Grand Forks Police Officer Cody Holte last year was a stark reminder of that. I'm guilty of making statements in the past that North Dakota is one of the safest states in the nation, but the reality is that we're not topping the charts in safety.

In an article titled *Best & Worst States to Drive In*, North Dakota ranked 40<sup>th</sup> as one of the worst states for traffic safety (McCann 2020). In an article titled *Dangerous States*, North Dakota ranked 17<sup>th</sup> for the least dangerous states factoring property and violent crimes (Stebbins 2020). To think that North Dakota may not even be in the top 1/3 of safest states in the nation is an eye opener, but there is room for improvement. We certainly have the ability to become the safest state in the nation.

Fortunately, most of us who reside here feel safe in our communities. I believe this is one of the reasons many of us choose to live in North Dakota. Maintaining a sense of safety wouldn't be possible without solid partnerships between federal, state, tribal, and local law enforcement agencies, and the highway patrol is grateful for all the first responders and dispatchers who work toward a common public safety goal.

The highway patrol's mission is to make a difference every day by providing high quality law enforcement services to keep North Dakota safe and secure. If you were to ask our employees for one word that summarizes the agency, many of them would say professionalism. Our past and present employees are respected in their communities, and we are fortunate to have strong public support. We're committed to enhancing that public trust by being transparent and continually searching for opportunities to strengthen our relationships with stakeholders even further.

The citizens of North Dakota count on our employees to be responsive and proactive. Our employees enforce traffic laws, investigate crashes, provide safety presentations, help stranded motorists, and assist other agencies and community members during times of crisis. Our employees take pride in performing their duties and serving the citizens of this great state. Our officers are proud to wear the uniform of a North Dakota state trooper, and I appreciate the courage and commitment displayed daily by our entire team.

## **Financial Audit Findings**

### ***Condition:***

*The North Dakota Highway Patrol (NDHP) is not maximizing the use of federal funds. The NDHP returned a total of \$164,583 of available grant funds to the Federal Government related to six grants that closed during the audit period. In addition, expenditures of \$22,387 were incurred after the period of performance for these grants which should have increased the amount of grant funds returned to \$186,970.*

*Furthermore, incorrect state match percentages for federal grants resulted in \$41,895 paid from the general fund that were not reimbursed from available federal funds. If the correct matching percentages would have been used, \$145,075 would have been returned to the Federal Government in unused grant awards and the general fund would have an additional \$41,895.*

**Recommendation:**

*We recommend the NDHP ensure procedures are in place to maximize the use of federal grant funds by complying with federal grant requirements.*

**Highway Patrol Response/Corrective Action Plan:**

The NDHP agrees with the recommendation. Coordination with federal program managers was increased to expend grant awards as close to a 12-month fiscal year as possible and to ensure that all federal transactions are incurred within the period of performance.

Reconciliations between the PeopleSoft accounting system and supporting spreadsheets will be done on a regular basis to ensure that both federal reimbursements and state match percentages are correct.

We will work with our federal partners to attempt to bring the end of the grant period closer to the fiscal year end making the process more efficient.

**Condition:**

*The NDHP did not have blanket bond coverage starting on January 1, 2018 through February 28, 2019. The NDHP collected \$18,375,264 in revenue from January 1, 2018 until the end of the audit period. Blanket bond coverage is determined based on revenue collected by the NDHP in addition to cash and investments.*

***Recommendation:***

*We recommend the NDHP obtain blanket bond coverage and ensure that coverage is renewed on a biennial basis.*

***Highway Patrol Response/Corrective Action Plan:***

The NDHP agrees with the recommendation. The bond coverage was renewed as of March 1, 2019 and will be renewed again by June 30, 2020 to be in line with the next two-year audit period of fiscal years 2019 and 2020.

***Condition:***

*The North Dakota Highway Patrol did not properly capitalize assets. Assets with a value greater than \$5,000, determined by purchase price plus trade-in value, are required to be capitalized. Testing noted an instance where 26 assets with a total value of approximately \$140,000 were not capitalized.*

***Recommendation:***

*We recommend the North Dakota Highway Patrol properly capitalize assets with a value greater than \$5,000.*

***Highway Patrol Response/Corrective Action Plan:***

The NDHP agrees with the recommendation. Steps were taken to communicate more between the accounting and property sections so that the capitalized amount of fixed assets will include all actual costs expended. For clarification, the instance noted with 26 assets was from one purchase of mobile radios where the trade-in value was not calculated into the total price. This was not a widespread issue with 26 different instances.

## Current Biennium Accomplishments

	2019	2020
Road Patrol Hours	129,829	134,427
Traffic Stops	59,956	74,674
Traffic Citations	51,704	68,828
Written Warnings	38,943	43,435
Crashes Investigated	2,334	1,719
Criminal Arrests	4,396	5,806
Safety Talks	415	156
Motor Carrier Permits Issued	179,698	140,489
Assist Other Government Agency	2,978	3,088
Calls for Service	14,843	13,510
Total CAD Incidents	87,850	111,041
DUI Arrests	1,018	1,065
Drug-Related Arrests	964	1,593
Weapon Offenses	36	57
Motorist Assists/Abandoned Vehicles	8,586	8,206
Crash Investigation On-Scene Hours	5,201	3,662
Crash Investigation Follow-up Hours	3,024	3,286
Crash Reconstruction Hours	1,712	2,296
Overloads	990	1,133

- Implemented a revised performance appraisal process
- Created a supervisor engagement committee and continued sworn and civilian employee engagement committee meetings
- Started conducting virtual all-hands meetings
- Recognized as the first state highway patrol agency in the nation authorized to operate UAS over people
- Participated in several overtime programs:
  - Click-it or ticket occupant protection overtime
  - Alcohol enforcement overtime
  - Commercial motor vehicle inspection overtime
  - Border enforcement program
  - Construction zone overtime
- Transitioned to an electronic policy revision process



- Passed a remote accreditation inspection by the Commission on Accreditation for Law Enforcement Agencies in July of 2020
- Attended several meetings with tribal leaders to discuss and work toward public safety agreements
- Grew agency's Facebook page to over 53,000 likes, Twitter account to over 3,600 followers, and Instagram account to over 2,500 followers – added a Facebook page for retirees and families
- Started publishing a Monthly Activities Report to the public
- Raised over \$10,000 during our recent Nail Polish/No Shave November for Cure Duchenne
- Provided enhanced use of force training to NDHP sworn officers and other law enforcement agencies
- Provided force science training to nine use of force instructors
- Provided bias-based profiling training to all NDHP sworn officers
- Provided leadership training opportunities to all employees
- Continued to operate the North Dakota Law Enforcement Training Academy and train new peace officers during the pandemic
- Created and implemented an agency wellness committee
- Released a wellness app for employees, retirees, and their family members focused on overall wellbeing
- Researched and purchased thermal cameras and screening kiosks to help protect state employees and visitors
- Over 75 state troopers, nearly ½ of our available resources, responded to Fargo when protest activity arose in May of 2020
- Certified 13 remote pilot operators to operate UAVs for the purpose of conducting crash investigations and assisting with search and rescue efforts

### **Current Biennium Challenges**

Several impactful events occurred so far this biennium including a global pandemic, a national push for police reform, protest activity, and weak revenue forecasts.

In addition, the highway patrol experienced a strain on resources as one class of 15 recruits started in January and a second class of eight recruits started in September. That total of 23 new officers is a 14% shift in the makeup of our sworn strength over a 12-month period.

The presence of COVID resulted in substantial changes such as administrative staff transitioning to a telework environment, officers having to adjust their tactics to limit physical contact, and everyone increasing the use of personal protective equipment. Several of our employees and their loved ones were isolated, quarantined, or hospitalized, but we were able to maintain adequate staffing while honoring all quarantine orders.

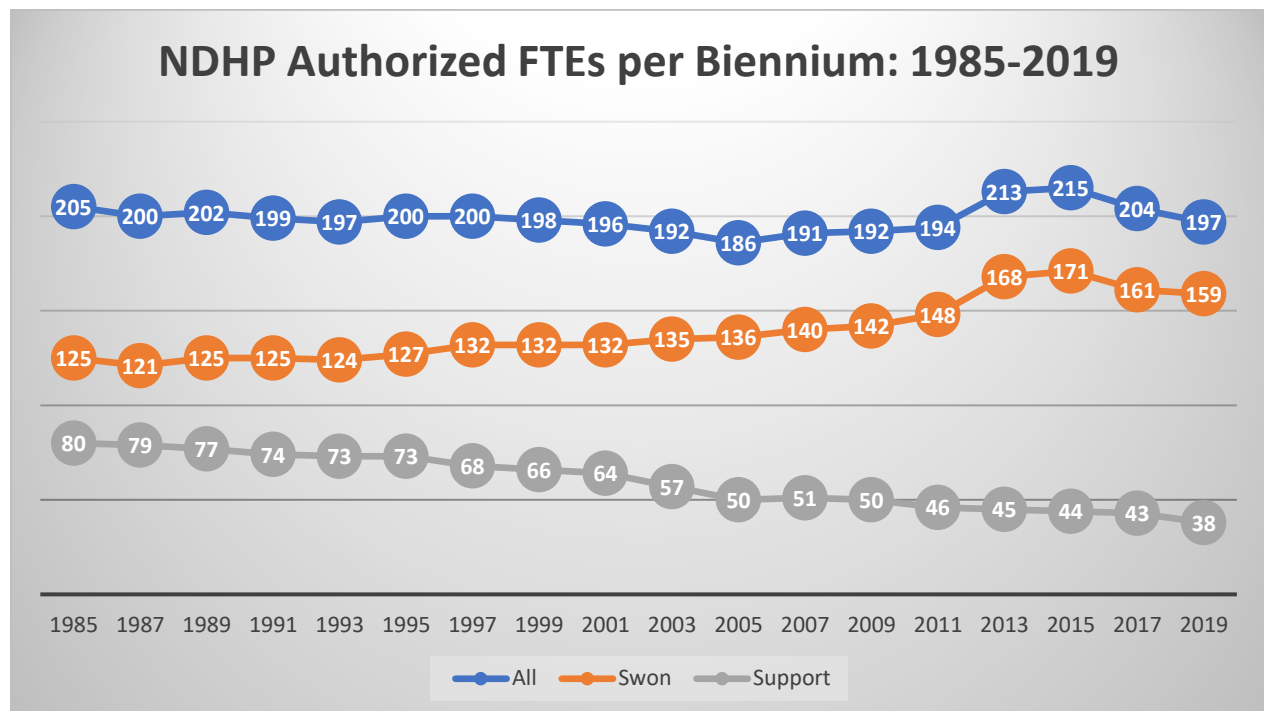
Our state troopers and employees faced unimaginable challenges head-on in 2020, and they continue to perform at the highest levels of professional excellence. It is an honor and privilege to be able to represent our agency and our dedicated and essential employees.

### **2021-23 Biennium Goals**

- Formally evaluate the need for increased patrol coverage and personnel assignments
- Implement criminal interdiction teams to combat and reduce criminal behaviors such as drug and human trafficking
- Maximize resources to provide high quality education and improve outreach efforts statewide
- Continue upgrades to provide modern, efficient law enforcement facilities, vehicles, and equipment
- Increase statewide seat belt use rates on all highways
- Increase public awareness of the hazards of distracted and impaired driving and speeding
- Enhance commercial motor vehicle transportation safety
- Continue historical emphasis on zero fatality crashes by concentrating enforcement and education efforts on driver behavior

- Increase the sharing of information with the public through social media in a timely manner
- Continue to work with DOT to identify additional Vision Zero Safety Corridors and dedicate resources to those areas
- Deter and respond to criminal activity while enhancing public safety through effective utilization of NDHP resources
- Assess stakeholder satisfaction through surveys
- Enhance tribal engagement through the cultural liaison officer program
- Actively participate in the recruitment of prospective NDHP employees
- Provide advanced training to federal, state, tribal, and local law enforcement agencies
- Enhance the agency's attention to employee wellbeing for those who are involved in critical incidents
- Remain competitive with employee salaries and benefits
- Open lines of communication to improve employee engagement and participative decision making

### **Executive Budget Comparison – Full-Time Equivalent Positions**



<b>FTEs</b>	<b>2019-21 Appropriation</b>	<b>2021-23 Request</b>	<b>2021-23 Executive</b>
Sworn Officers	159	159	159
Civilian Positions	38	34	34
<b>Total</b>	<b>197</b>	<b>193</b>	<b>193</b>

- Two capitol security officer positions were removed
- Two IT positions were transferred to NDIIT

### **Executive Budget Comparison – Total Budget**

The base level budget for the highway patrol is \$59,586,945.

<b>Funding Source</b>	<b>2019-21 Appropriation</b>	<b>2021-23 Request</b>	<b>2021-23 Executive</b>
General Funds	\$44,213,575	\$37,581,539	\$44,820,848
Special Funds	8,762,955	8,762,955	9,948,869
Federal Funds	6,610,415	6,610,415	6,707,231
<b>Total</b>	<b>\$59,586,945</b>	<b>\$52,954,909</b>	<b>\$61,476,948</b>

<b>Line Item</b>	<b>2019-21 Appropriation</b>	<b>2021-23 Request</b>	<b>2021-23 Executive</b>
Salaries	\$44,881,003	\$40,433,822	\$45,751,575
Op. Expenses	14,705,942	12,521,087	15,725,373
<b>Total</b>	<b>\$59,586,945</b>	<b>\$52,954,909</b>	<b>\$61,476,948</b>

### **Removal of One-Time Appropriations**

- Aircraft engine overhaul - \$81,830
- sUAS (drone) purchase - \$96,228
- Firing range improvements and classroom addition - \$1,729,000
- Total - \$2,060,892

## Status of One-Time Projects

Project	Appropriation	Fund	Completion
Aircraft Engine Overhaul	\$81,830	General	0%
sUAS Purchase	\$96,228	Permit Fund (276)	90%
Firing Range/Classroom	\$1,729,100	Permit Fund (276)	75%

The aircraft engine overhaul is being completed this month. We expect to fully expend the appropriated funds before the biennium ends.

The purchase of drone equipment is complete, and some additional training is scheduled for the operators. We expect to fully expend the funds.

The firing range construction project is being completed this month with final grade and landscaping to be completed later in the spring. We expect to fully expend the appropriated funds.

## 2021-23 Requested/Recommended One-Time Funding

The following one-time items were included in the executive budget:

- **Compatible Body and In-Vehicle Cameras - \$1,158,000**

The highway patrol requested funding to cover the cost of body worn cameras and compatible in-vehicle mobile video cameras. Although the agency has mobile cameras installed in our field patrol vehicles today, we would like to transition to an integrated system of in-vehicle and body cameras to eliminate issues with data storage and retrieval.

The estimated cost for an integrated body and mobile camera system is approximately \$1,457,400. National Highway Traffic Safety Administration (NHTSA) grant funds typically cover \$150,000 in mobile camera replacement costs each biennium. NHTSA funds are administered through the North Dakota Department of Transportation (DOT), and DOT has tentatively agreed to provide \$150,000 in project funds each year next biennium.

Integrated body cameras and in-vehicle mobile cameras will help ensure that highway patrol interactions are captured on video to improve transparency and enhance public trust.

- **Hard Body Armor - \$265,000**

The hard body armor currently owned by the highway patrol has a five-year manufacturer's life cycle and warranty period which will expire around January of 2022. The current hard body armor was purchased with the use of emergency declaration funding during the Dakota Access Pipeline protests.

This hard armor provides a higher level of protection for our sworn officers than the soft body armor they currently wear. Soft body armor is designed to protect officers against typical handgun ammunition whereas hard armor is designed to protect officers against higher velocity weapons such as rifles, a common type of firearm in our state.

Hard body armor is not designed to be worn daily, but it must be maintained and replaced to ensure our officers are protected when responding to high risk incidents.

## Agency Collections

The highway patrol deposits collections into the following funds:

<b>Fund</b>	<b>2019-21 Collections (Est.)*</b>	<b>2021-23 Collections (Est.)*</b>
Permit Fund (276)	\$2,599,000	\$2,599,000
Highway Fund (200)	\$20,135,000	\$20,135,000
ID Card Fund (141)	\$17,000	\$17,000
HTDF Fuel Tax (400)	\$129,000	\$129,000
Misc. Gen Rev. (001)	\$21,000	\$0
<b>Total</b>	<b>\$22,901,000</b>	<b>\$22,880,000</b>

*\*Estimates based on biennium-to-date collections as of January 31, 2021*

- Highway fund collections from permit and overload fees - \$15,940,141
- ID card processing fund fees - \$13,262

## Executive Budget Guidelines

The executive budget guidelines for the highway patrol included a 5% reprioritization of special funds and a 15% reduction in general funds.

A 5% reprioritization of special funds equates to \$438,148. The following charts detail the proposed reprioritization of special funded positions:

<b>Permit Fund Reductions</b>	<b>Amount</b>
One permit technician	(\$148,669)
Two administrative assistants	(282,134)
Permit office lease	(12,179)
<b>Total Reductions</b>	<b>(\$442,982)</b>

<b>Permit Fund Additions</b>	<b>Amount</b>
One records technician	\$155,203
Two crash assistance program positions	463,488
<b>Total Additions</b>	<b>\$618,691</b>

The motor carrier electronic permit transaction fund (fund 276) currently covers salary costs for three permit technicians, one permit supervisor, and five administrative assistants in addition to the cost to lease space at DOT for our permits office.

The estimated balance of the permits fund at the end of this biennium is \$7.9 million. To support the reprioritization plan, we requested an additional \$175,709 per biennium in spending authority from the permit fund to cover increased salaries for three of the current positions being reclassified. DOT is allowing us to use some of their office space at no cost so the permit office lease expenses are being removed.

Without factoring one-time funded items, the permit fund generates approximately \$108,000 per month in revenue. Current salaries and other ongoing expenses (e.g., soft body armor, AED pads, and taser cartridges) total approximately \$64,000 per month. If this reprioritization plan is approved, approximately \$7,300 per month more would be needed to cover the increases salaries, leaving approximately \$37,000 in additional excess monthly revenue based on the biennium-to-date averages.

A 15% reduction in general funds equates to \$6,632,036. The following chart details the submitted reductions:

<b>General Funds Reduction</b>	<b>Amount</b>
Two capitol security officers - \$130,102.60 each	\$260,205.20
One sergeant position and operating expenses	314,481.64
21 entry-level troopers, op. expenses - \$239,407 each	5,027,558.13
Motor pool	500,000.00
Leases (Fargo 137k, Bismarck 287k, Dickinson 30k)	454,000.00
POST Board training funds	30,000.00
Professional development	10,000.00
Equipment under \$750	15,790.00
Clothing	10,000.00
Repairs	10,000.00
<b>Total Reductions</b>	<b>\$6,632,034.97</b>



## Optional Adjustment Requests

The following optional requests were submitted during the executive budgeting process, including the one-time costs already discussed:

Optional Request	Amount	Executive Budget	Senate Version
Costs to continue <ul style="list-style-type: none"> <li>• 2.5% increase year two - \$318,000</li> <li>• Pay plan difference - \$5,557</li> </ul>	\$323,557	Included	Included
Restore 22 sworn officer positions <ul style="list-style-type: none"> <li>• 21 troopers, one sergeant</li> </ul>	\$5,330,977	Included	Included
Equity pay package <ul style="list-style-type: none"> <li>• \$1,156,000 trooper to lieutenant</li> <li>• \$376,000 market adjustments</li> </ul>	\$1,532,000	Not Included	\$766,000
Location-based pay <ul style="list-style-type: none"> <li>• Williams/McKenzie \$400/month</li> <li>• Dunn/Mountrail \$200/month</li> </ul>	\$172,800	Not Included	Not Included
On-call pay adjustment <ul style="list-style-type: none"> <li>• Currently \$2/hour</li> <li>• Move to ¼ regular and ½ emergency</li> </ul>	\$912,000	Not Included	Not Included
Hard body armor <ul style="list-style-type: none"> <li>• Ballistic panels, helmet, and shield</li> <li>• New carrier</li> </ul>	\$265,000	Included	Included
Statewide Interoperability Radio Network (SIRN) Project <ul style="list-style-type: none"> <li>• Mobile and portable radios</li> </ul>	\$2,612,000	Not Included	Not Included
Computer-aided dispatch user fees (DES)	\$59,000	Included	Included
Body and in-vehicle cameras	\$1,158,000	Included	Included

SitelogIQ facility study recommendations	\$875,000	OMB Budget	N/A
North Dakota Law Enforcement Training Academy <ul style="list-style-type: none"> <li>Option 1 of the four options studied</li> </ul>	\$27,104,000	Not Included	\$27,100,000
Peace Officers Standards and Training (POST) Board training funds <ul style="list-style-type: none"> <li>Restore \$25,000 from 2019-21</li> <li>Restore \$30,000 from 2021-23</li> </ul>	\$55,000	Not Included	\$55,000

**Additional Changes Requested to Executive Budget**

There were items included in the highway patrol’s executive budget that were not requested in our budget submission, and we would ask that those costs be carried into our appropriation. Those additional expenses are in the chart below:

<b>Additional Appropriation</b>	<b>Amount</b>	<b>Senate Version</b>
Lease Rate Increase – Judicial Wing	\$96,794	Not Included
Office 365 Software Upgrades	\$22,142	\$22,142
Executive Compensation Recommendation	\$1,090,860	\$1,090,860
<b>Total Additions</b>	<b>\$1,203,833</b>	

The highway patrol supports the new rent model, Office 365 software, and the executive recommendation for 2% salary increases each year of the biennium along with continued fully funded health insurance.

State employees have shown a willingness to buckle down over the last several years when revenues were short. As a representative of our employees and in recognition of their ongoing, tireless efforts through challenging times, I’d appreciate any attempt to adequately fund salary increases and continue fully funding health insurance premiums next biennium.

Our employees are handling demanding workloads with fewer FTEs, and we've been unable to provide additional equity for those who take on more work due to ongoing budget reductions.

## **Additional Appropriation Considerations**

### ***Highway Tax Distribution Fund***

Currently, the highway patrol has three sections listed in our appropriations bill that we'd ask for your consideration to carry over into next biennium. The first is a transfer of highway tax distribution funds totaling approximately 14% of our appropriation. A transfer of \$8,429,312 in highway tax distribution funds was included in the executive budget recommendation, and the Senate version was adjusted to \$8,538,213.

### ***Unvouchered Expense***

Another section is related to an unvouchered expense of \$200 per month that is provided to sworn officers in lieu of processing individual reimbursement requests for expenses such as meals and lodging while officers are traveling in-state. I'm not sure when this unvouchered expense system began, but it was in place long before I started here over 20 years ago. This cost was included in the executive budget recommendation and the Senate version.

### ***Motor Carrier Permit Fund***

A third section is related to a transfer of special funds from the motor carrier electronic permits fund. This fund has been used to cover expenses related to the online permits system, expenses for permits office staff and field administrative assistants, and ongoing equipment costs to include soft body armor, AED pads, and taser cartridges.

With a reprioritization of special funded positions, the requested amount from the permits fund would be \$1,706,450. This reprioritization was supported in the executive budget recommendation, and the updated amount was included in the Senate version.

<b>Permit Fund Expenditures</b>	<b>Amount</b>
One permit office supervisor	\$204,160
Two permit technicians	297,338
Three administrative assistants	423,201
One records technician	155,203
Two crash assistance program positions	463,488
Ongoing equipment funding	163,060
<b>Total Request</b>	<b>\$1,706,450</b>

***Carry-Over Request – Ammunition***

The supply chain for ammunition, as many of you may be aware, has become a hot topic. Ammunition for most calibers of weapons cannot be found on the shelves. The highway patrol completed our most recent ammunition order in July of 2020, and it is questionable whether we will receive the order by the end of the biennium, nearly a year later.

We are requesting to carry over funds from the current 2019-21 biennium in the amount of \$50,530 to the next biennium to cover the costs of the order in case delivery is late. From a planning standpoint, our ammunition supply is stable, but we do plan to put together an additional order soon in the hopes that it will be delivered during the 2021-23 biennium.

***Federal Spending Authority – CVIEW Compliance***

The highway patrol would like to apply for a grant through the Federal Motor Carrier Safety Administration (FMCSA) to acquire software for a Commercial Vehicle Information Exchange Window (CVIEW). CVIEW is a program used in all but four states.

If our state became CVIEW-compliant, our officers and DOT's motor vehicle department would be able to obtain real-time information such as out-of-service status on commercial motor vehicles (CMVs) that apply for IRP/IFTA or get stopped for an inspection.

CVIEW would improve efficiencies by allowing authorized users to access multiple sources of information through one program. This would reduce the length of a roadside inspection and allow carriers to continue to their destination in a timely manner. Also, becoming CVIEW-compliant would allow our state to apply for \$20 million in competitive grants for CMV inspection and screening technology.

The grant request would be for \$275,000 which would cover the costs associated with providing updates to a top-level design document, which is a requirement of the grant. The grant initially provides 100% federal funding for the project. Ongoing costs are projected to be approximately \$130,000/biennium with a 15% state match or \$19,500/biennium. The cost breakdown is below:

- Update design document - \$45,000
- Implement design document - \$5,000
- Select and implement software - \$225,000 (with 10% contingency)
- Ongoing software maintenance - \$130,000/biennium

We are asking for one-time federal spending authority of \$275,000 to cover the initial costs, ongoing federal spending authority of \$110,500 to cover the federal share, and ongoing state funds of \$19,500 to cover the state share.

Due to the anticipated use of CVIEW to enhance the screening process for commercial motor vehicles, I believe the electronic motor carrier permit transaction fund could be considered as the funding source for the state portion with little impact to the fund.

## **Agency-Related Bills**

- **Senate Bill 2097**
  - Cleans up policy related to commercial motor vehicles
  - Passed the Senate; now with the House Transportation Committee
  - No budgetary impact
- **Senate Bill 2098**
  - Allows the abandoned motor vehicle fund to be accessed for vehicles abandoned on public property
  - Passed the Senate; now with the House Transportation Committee
  - No budgetary impact expected to existing abandoned motor vehicle funding levels
- **Senate Bill 2099**
  - Removal of bond envelopes and notification form
  - Passed the Senate; amended in House Transportation
  - \$9,700 biennial savings; administrative workload reduction
- **House Bill 1502** (delayed bill related to failed SB 2100)
  - Clean up of Title 39
  - Passed the House; now with the Senate Transportation Committee
  - No budgetary impact
- **House Bill 1098**
  - Crash reports and exempt records
  - Passed the House and Senate
  - No budgetary impact, but there would be an administrative workload reduction
- **Senate Bill 2043**
  - PERS proposal to increase employer contributions by 2% in January of 2022 and an additional 2% in January of 2023 to address solvency issues with the highway patrol plan
  - Passed the Senate; awaiting House assignment
  - Fiscal note identifies a \$498,100 appropriation

- **Senate Bill 2046**

- PERS proposal to increase employer contributions by 1% and employee contributions by 1% in January of 2022 to address solvency issues with the main PERS plan
- Passed the Senate with amendments to 0.5% employer and 0.5% employee increases in January 2022

### **Coronavirus Relief Funding**

The highway patrol received \$13,919,094 through the Coronavirus Relief Fund (CRF) during the current biennium. Our first request (Request #1993) was submitted through the Office of Management and Budget (OMB) and was approved for the following items:

- **\$312,000** – Replace ½ of the agency’s mobile laptops to provide camera and microphone capabilities
  - This purchase has been completed.
- **\$21,650** – Purchase temperature scanners for facility screening
  - This purchase has been completed.
- **\$14,000** – Overtime and mileage related to Coronavirus response
  - Approximately ½ of this amount has been expended.
- **\$13,000** – Personal protective equipment supplies
  - Approximately ½ of this amount has been expended.
- **\$10,000** – Purchase remote education software
  - Software options are being researched.
- **\$25,000** – Purchase software to improve agency efficiencies
  - Software options are being researched.
- **\$8,044** – Provide enhanced office cleaning and supplies
  - Approximately ½ of this amount has been expended.

The total of \$404,094 above was requested in June of 2020, and \$368,882 has been expended through February of 2021.

In October of 2020 the highway patrol received a second round of coronavirus relief funding through Request #2026 which was submitted by OMB for the following items:

- **\$13,500,000** – Reimburse agency sworn officer salaries from March 1, 2020, through December 31, 2020
  - The state funds that were covered by this reimbursement will be turned back at the conclusion of the 2019-21 biennium.
- **\$15,000** – Partial funding for the Capitol kiosk project with additional funding to provide a 25% match for FEMA-eligible funding.
  - The total kiosk project cost was \$35,430, and this project has been completed.

### **Law Enforcement Training Academy Study**

The highway patrol's budget appropriation included a section requiring that a study of the North Dakota Law Enforcement Training Academy (LETA) be completed. The highway patrol is responsible for operating the LETA, and the facility is used to train peace officers from multiple law enforcement agencies in our state. Approximately 800 to 1,000 peace officers receive training through the LETA each year.

The highway patrol has been exploring options to modernize the state's law enforcement training facilities since 2011, and this is the first time that an architect was hired to complete a professional study. The vendor selected to complete the study was ICON Architectural Group, and Todd Mitzel, one of ICON's principal architects, is here to present the results.

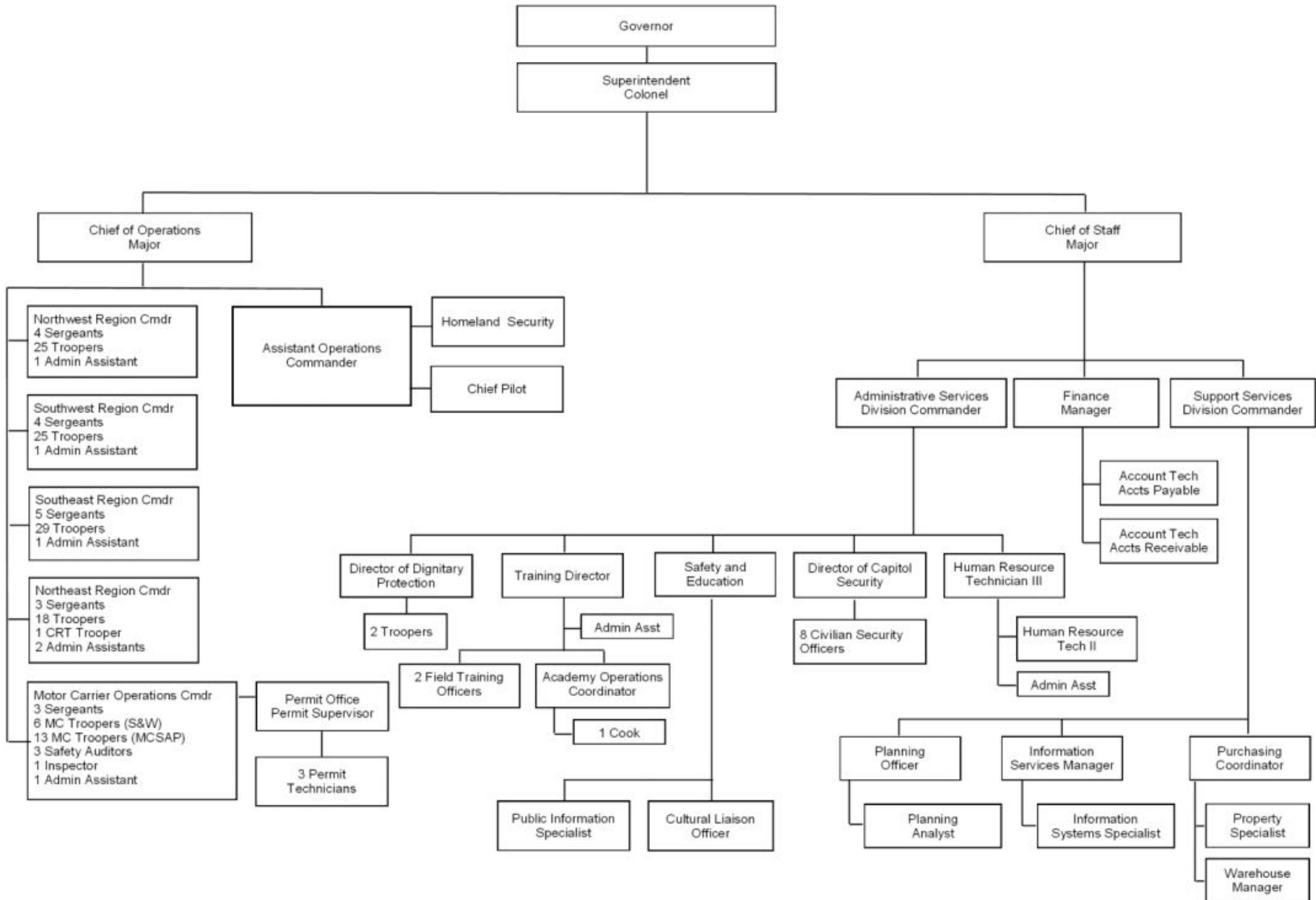


## References

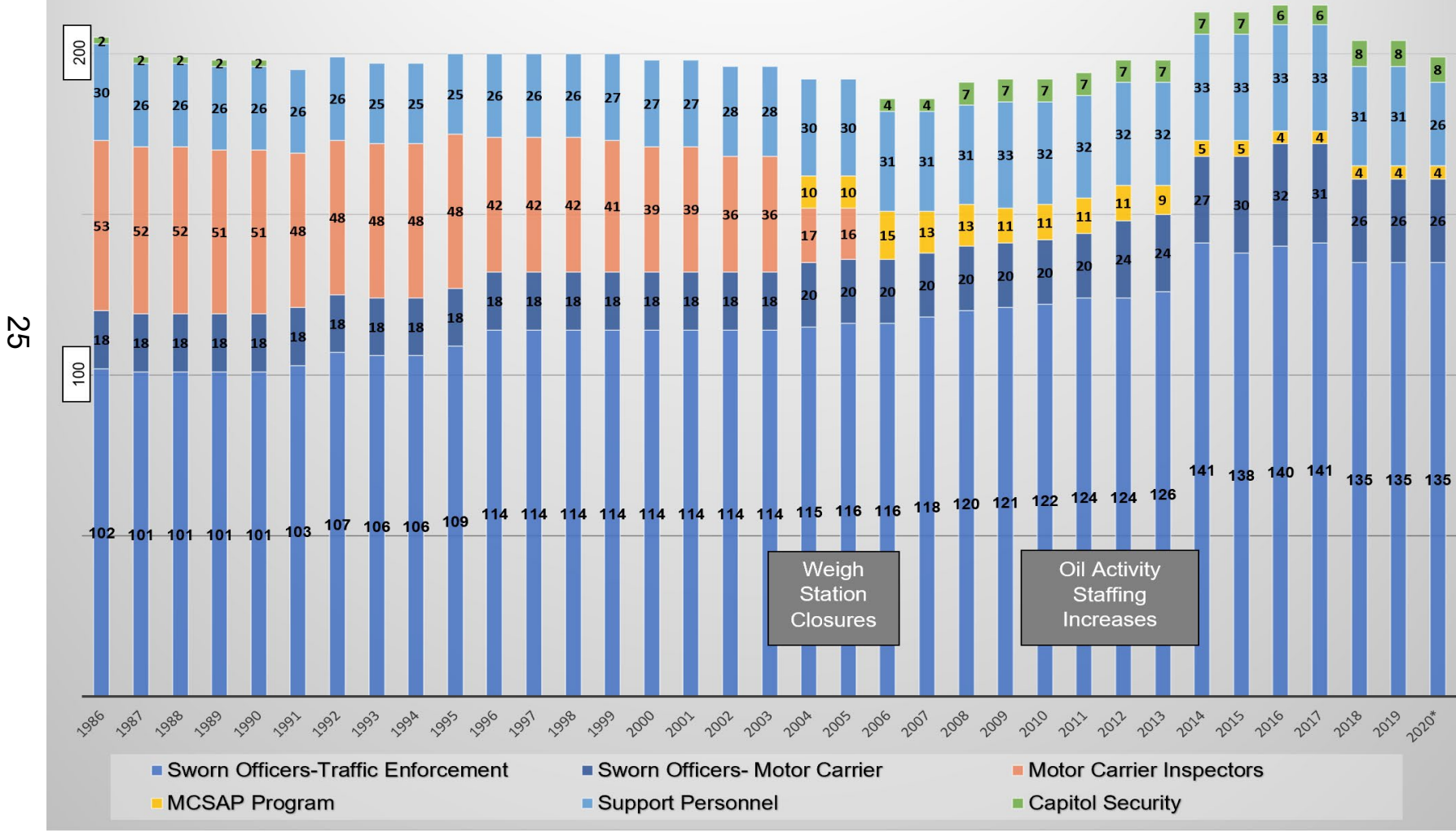
Stebbins, S 2020, 'Dangerous states: Which states have the highest rates of violent crime and most murders?', *USA Today*, 13 January, accessed 9 January 2021, <<https://www.usatoday.com>>.

McCann, A 2020, 'Best & worst states to drive in', *WalletHub*, 21 January, accessed 9 January 2021, <<https://wallethub.com/edu/best-worst-states-to-drive-in/43012>>.

# NORTH DAKOTA HIGHWAY PATROL ORGANIZATION CHART



# North Dakota Highway Patrol Historical Staffing



8315

# SENATE BILL 2011

North Dakota Highway Patrol  
Colonel Brandon Solberg  
January 11, 2020



NORTH  
**Dakota** | Highway Patrol  
Be Legendary.™

# AGENCY OVERVIEW

- Two major components
  - Field operations
  - Administration
- 197 authorized employees
  - 159 sworn
  - 38 civilian
- Motor vehicle permit office
- Law Enforcement Training Academy



# CORE FUNCTION

## Proactive law enforcement services

- Proactive versus reactive

## Meet current and future law enforcement demands

- Traffic safety to public safety

## Ensure the safety of citizens and visitors

- North Dakota can become the safest state in the nation



# HIGHWAY PATROL MISSION

- **Mission**

- To make a difference every day by providing high quality law enforcement services to keep North Dakota safe and secure

- **Vision**

- Public safety through quality service

- **We Serve**

- All North Dakota citizens
- All motorists traveling through ND



# HIGHWAY PATROL VALUES



- **Professionalism**
- **Integrity**
- **Loyalty**
- **Accountability**
- **Respect**
- **Commitment**



# FINANCIAL AUDIT FINDINGS

- **Maximize use of federal grant funds**
  - Expend grant funds within a 12-month period
  - Regular reconciliations with PeopleSoft
- **Renew blanket bond coverage biennially**
  - Monitor expiration dates and add renewal reminders
- **Factor trade-in value for capitalization**
  - Ensure every purchase is properly capitalized

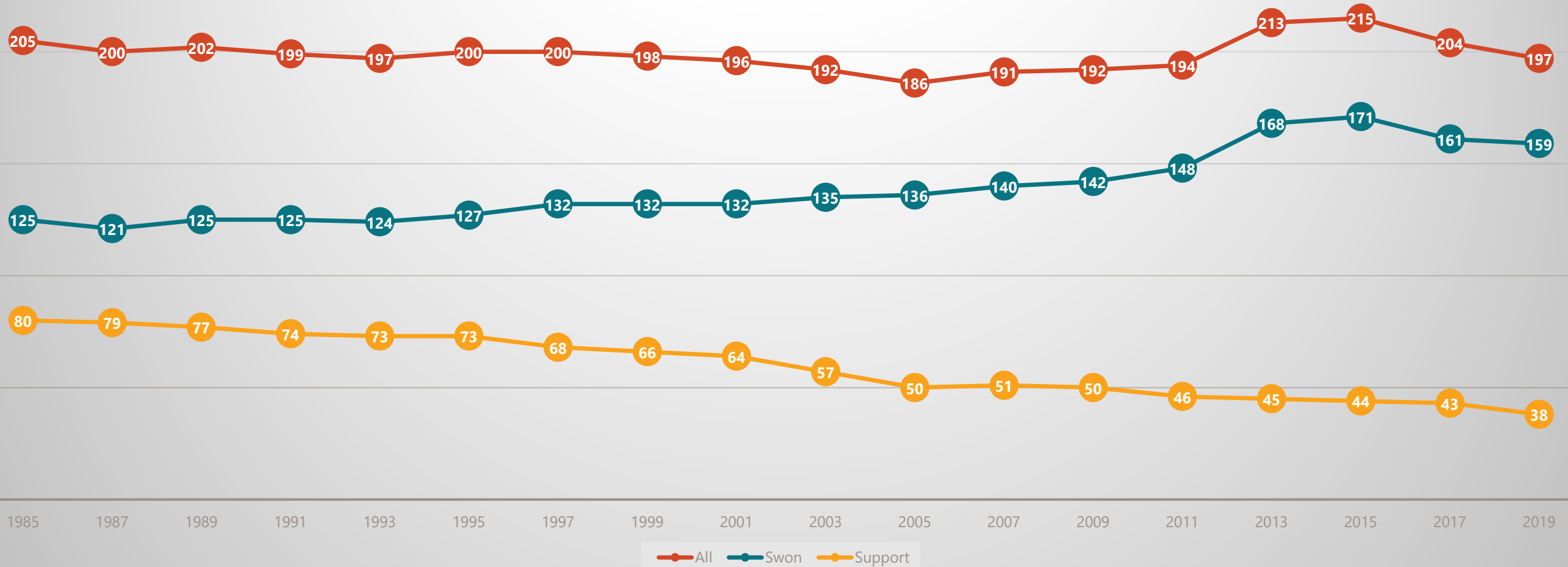
# AGENCY OVERVIEW

- **Accomplishments**
- **Challenges**
- **Goals**



# HISTORICAL STAFFING

NDHP Authorized FTEs per Biennium: 1985-2019



# BUDGET OVERVIEW

## 2019-21 Budget Appropriation

- General Fund: \$44,213,575
- Special Funds: \$8,762,955
- Federal Funds: \$6,610,415
- Total Budget: \$59,586,945

## 2021-23 Executive Budget Limit

- General Fund: \$37,581,539
- Special Funds: \$8,762,955
- Federal Funds: \$6,610,415
- Total Budget: \$52,954,909 (-\$6,632,036 general funds)



# ONE-TIME FUNDING

## ■ **Current Biennium**

- Aircraft engine
- UAS
- Firing range

## ■ **Next biennium**

- Body and in-vehicle cameras
- Hard body armor



# COMPATIBLE BODY AND IN-VEHICLE CAMERAS



Photo courtesy Axon.com

- **\$1,158,000**
  - Total project cost - \$1,458,000
  - NHTSA grant funds - \$300,000
  - Body cameras and back-end - \$542,000
  - Compatible in-vehicle cameras - \$916,000
  - Integration features allow for seamless in-vehicle and body camera synchronization

# HARD BODY ARMOR

## ▪ \$265,000

- Hard armor ballistic coverage expires January 2022
- Estimated cost to replace:
  - Ballistic panels & carrier - \$980
  - Ballistic helmet - \$450
  - Ballistic face shield - \$210
- Total estimated price: \$1,640 per officer
- 159 officers at \$1,640 each: \$260,760



# AGENCY COLLECTIONS

<b>Fund</b>	<b>2019-21 Collections (Est.)*</b>	<b>2021-23 Collections (Est.)*</b>
Permit Fund (276)	\$2,599,000	\$2,599,000
Highway Fund (200)	\$20,135,000	\$20,135,000
ID Card Fund (141)	\$17,000	\$17,000
HTDF Fuel Tax (400)	\$129,000	\$129,000
Misc. Gen Rev. (001)	\$21,000	\$0
<b>Total</b>	<b>\$22,901,000</b>	<b>\$22,880,000</b>

*\*Based on biennium to date collections through 01/31/21*

- Fines for traffic violations are collected by the courts and used “for the benefit of the common schools of the state.”



# EXECUTIVE BUDGET GUIDELINES

- 5% Reprioritization of Special Funds
- 15% Reduction of General Funds



# 5% SPECIAL FUNDS REPRIORITIZATION

- **\$443,983 Permit Fund Reduction**

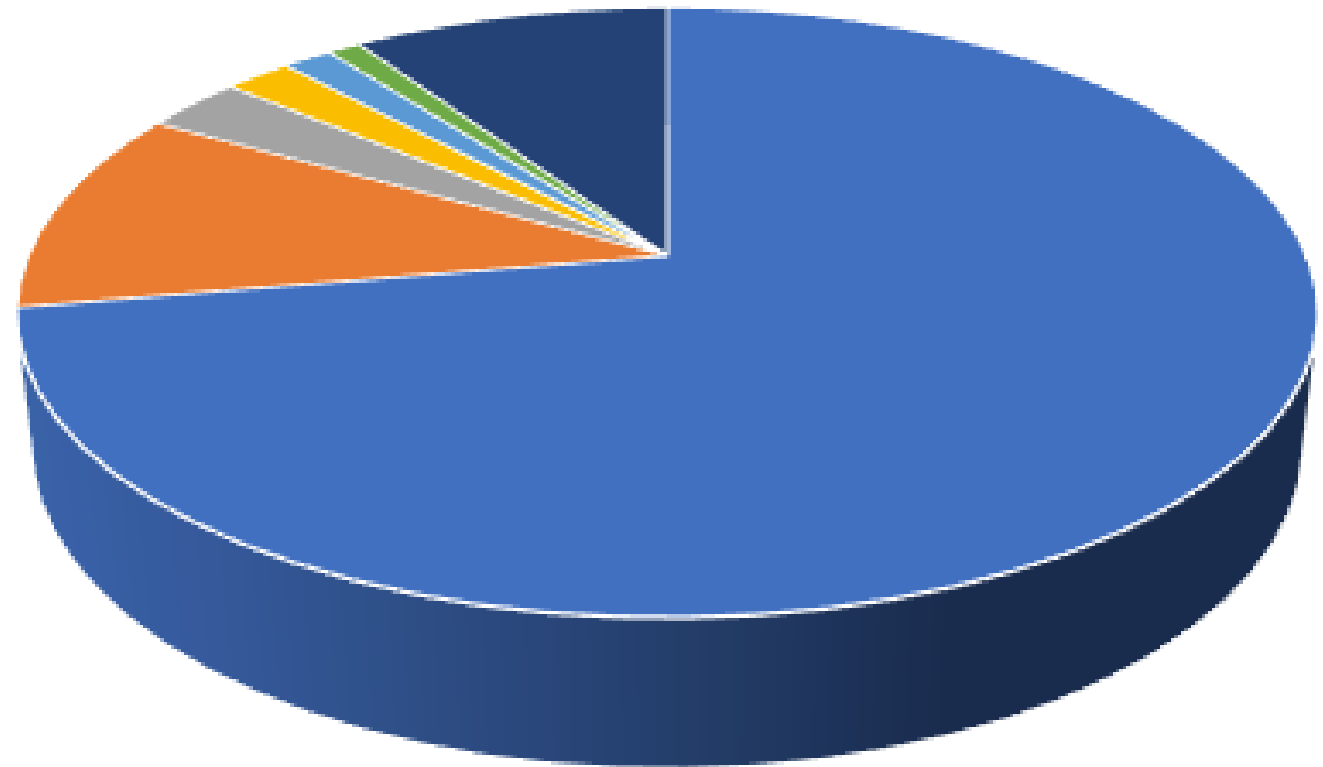
- One (1) Permit Technician - \$148,669
- Two (2) Field Administrative Assistants - \$282,134
- Permit Office Lease Space - \$12,179

- **\$618,691 Permit Fund Increase**

- One (1) Records Technician - \$155,203
- Two (2) Crash Assistance Program Positions - \$463,488

# HIGHWAY PATROL BUDGET BREAKDOWN

- 73% salaries and benefits (FTEs)
- 11% motor pool
- 3% equipment
- 2% data processing
- 1.5% leases
- 1% vehicle installations
- Others <1% each area



■ Salaries ■ Mileage ■ Equipment ■ DP ■ Leases ■ Installation ■ Other

# 15% GENERAL FUNDS REDUCTION

<b>General Funds Reduction</b>	<b>Amount</b>
Two capitol security officers - \$130,102.60 each	\$260, 205.20
One sergeant position and operating expenses	314,481.64
21 entry-level troopers, op. expenses - \$239,407 each	5,027,558.13
Motor pool	500,000.00
Leases (Fargo 137k, Bismarck 287k, Dickinson 30k)	454,000.00
POST Board training funds	30,000.00
Professional development	10,000.00
Equipment under \$750	15,790.00
Clothing	10,000.00
Repairs	10,000.00
<b>Total Reductions</b>	<b>\$6,632,034.97</b>

# OPTIONAL ADJUSTMENT REQUESTS

1. **Restoration of Pay Plan Funding - \$323,557**
2. **FTE Requests - \$5,330,976 (\$4,186,976 salaries; \$1,144,000 operating expenses)**
3. **Equity Pay Increases - \$1,532,000**
4. **On-Call and Location-Based Pay - \$1,056,000**
5. **Hard Body Armor Funding - \$265,000**
6. **SIRN Radio Funding - \$2,612,000**
7. **CAD User Fees - \$59,000**
8. **Body Cameras - \$1,158,000**
9. **Law Enforcement Training Academy (LETA) Project - \$27,104,000**
10. **LETA Maintenance/Capital Improvements (SitelogIQ) - \$875,000 (OMB)**
11. **Restoration of ND POST Board Training Funds - \$55,000**



# ADDITIONAL CHANGES REQUESTED

<b>Additional Appropriation</b>	<b>Amount</b>
Lease Rate Increase – Judicial Wing	\$96,794
Office 365 Software Upgrades	\$16,179
Executive Compensation Recommendation	\$1,090,860
<b>Total Additions</b>	<b>\$1,203,833</b>

- **Executive Budget Recommendation**
  - 2% salary increases each year
  - Fully funded health insurance

# APPROPRIATION CONSIDERATIONS

- **Highway Tax Distribution Fund Transfer**
  - \$8,429,312 (approximately 14% of appropriation)
- **Monthly Unvouchered Expense**
  - \$200/month/officer
- **Permit Transaction Fund Transfer**
  - \$1,706,450 (staffing separate from software maintenance)
- **Ammunition Carry-Over**
  - \$50,530
- **CVIEW Compliance**
  - \$275,000 one-time federal spending authority
  - \$110,500 ongoing federal spending authority
  - \$19,500 ongoing state funds

# BILLS IMPACTING AGENCY

- SB 2097 – CMV Updates
- SB 2098 – Abandoned Motor Vehicles
- SB 2099 – Bond Envelopes, Notification Form
- HB 1502 – Title 39 Clean-Up
- HB 1098 – Crash Reporting
- SB 2043 – PERS Highway Patrol Plan
- SB 2046 – PERS Main Plan



# CORONAVIRUS RELIEF FUNDING

## ▪ **Request 1993 – June 2020**

- \$312,000 – mobile laptops with cameras and mics
- \$92,094 – miscellaneous costs such as temperature scanners, overtime, PPE, cleaning supplies, and software to enhance a virtual environment

## ▪ **Request 2026 – October 2020**

- \$13,500,000 – salaries, March 1 through December 31
- \$15,000 – kiosk screening at Capitol

**NORTH DAKOTA  
LAW ENFORCEMENT  
TRAINING ACADEMY**

**NORTH DAKOTA LAW ENFORCEMENT  
TRAINING ACADEMY**

## **LEGISLATIVE MANAGEMENT STUDY ND LAW ENFORCEMENT TRAINING ACADEMY**

SECTION 8. RELOCATION OF LAW ENFORCEMENT TRAINING ACADEMY - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. During the 2019-20 interim, the highway patrol shall develop alternatives to relocate the housing and classroom portions of the law enforcement training academy. In developing the alternatives, the highway patrol shall review locations for a new facility, evaluate the proper capacity of the facility to serve future law enforcement training needs, and obtain estimated costs of each alternative. The highway patrol shall report to the appropriations committees of the sixty-seventh legislative assembly regarding the alternatives to relocate the training academy.

# | OPTIONS EVALUATED

## OPTION 1

Build a new LETA facility located within the Bismarck, ND area that would replace the current facility with its current needs.

## OPTION 2

Build Option 1 plus provide additional space for the NDHP Southwest Regional Office and NDHP Headquarters.

## OPTION 3

Build Option 2 plus provide additional space for the Attorney General's Office.

## OPTION 4

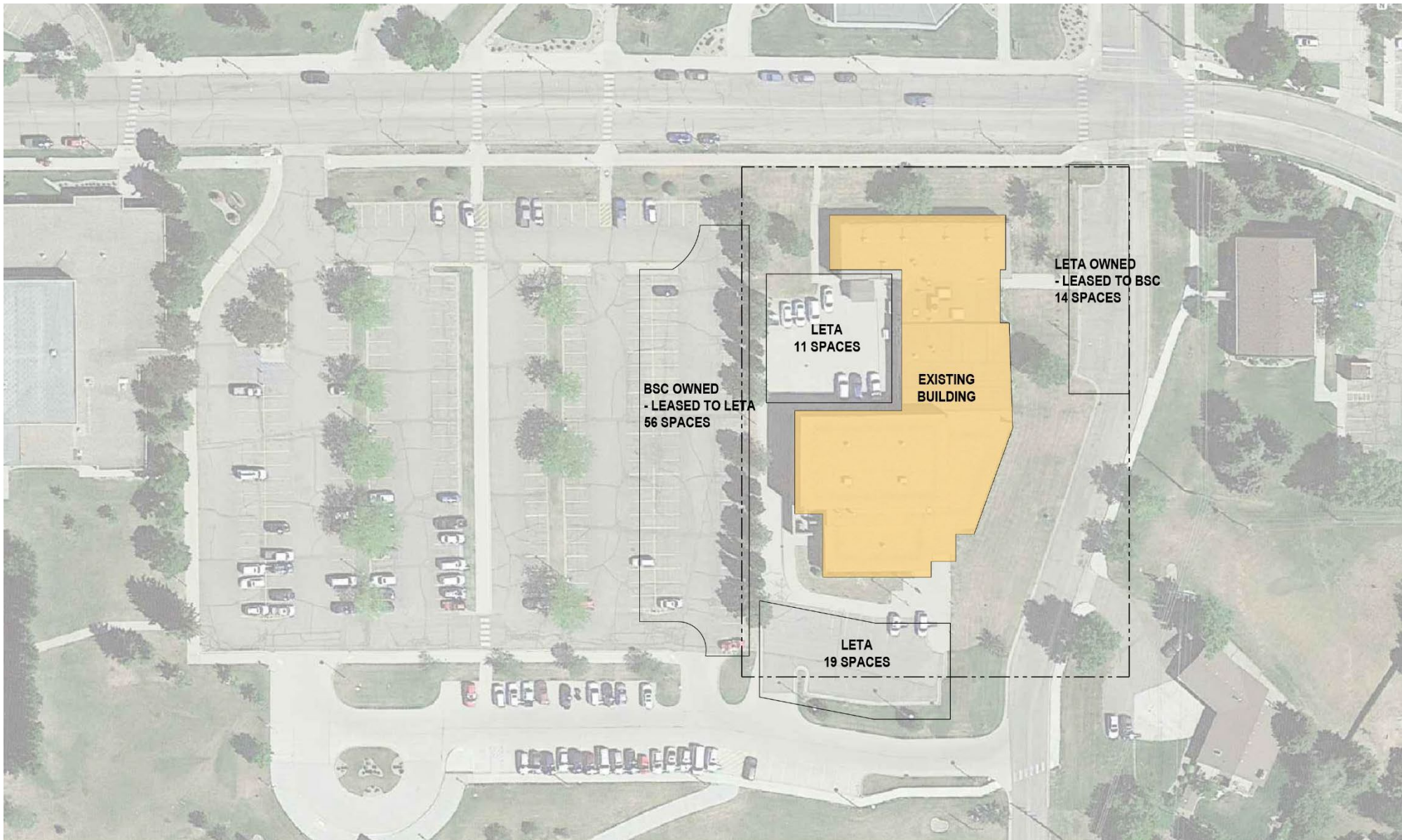
Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.

# EXISTING FACILITY

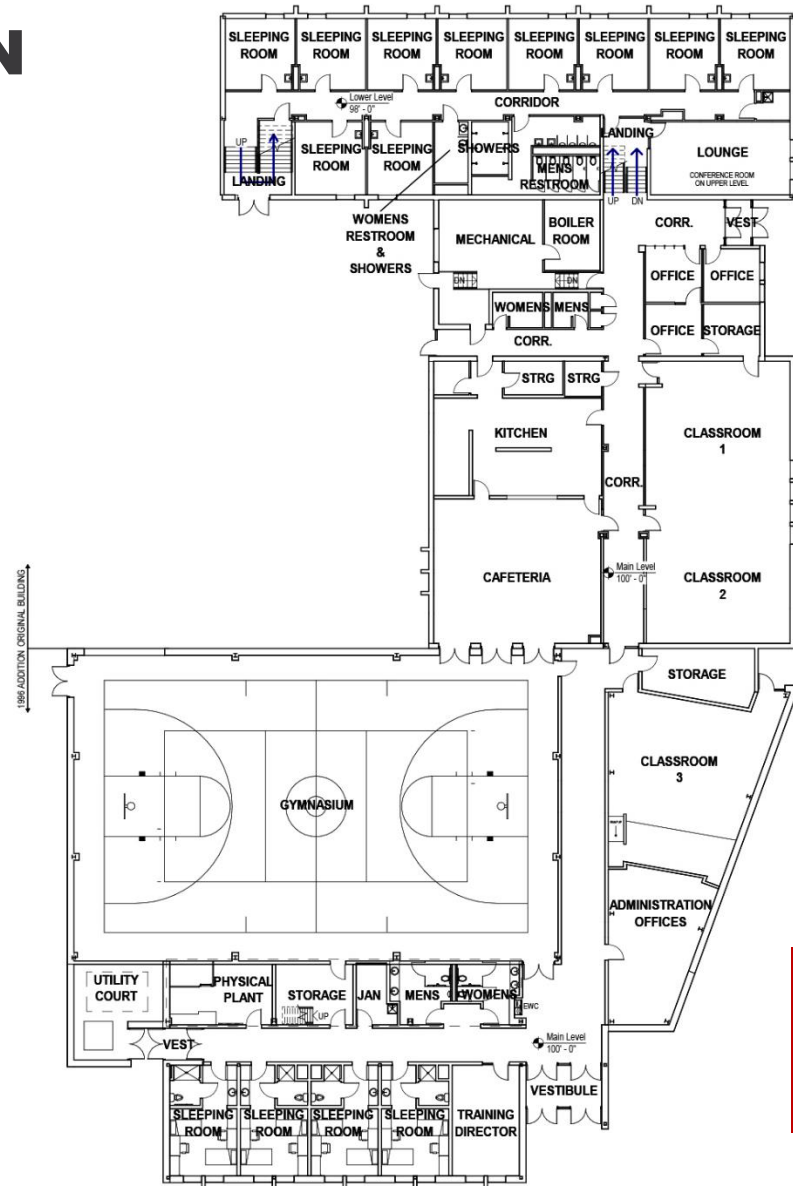
NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY



# EXISTING SITE



# EXISTING FLOOR PLAN



Bed Count - 44  
Classrooms - 3  
Cafeteria Occupancy - 40

# | CURRENT CONDITIONS

NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY





# | CURRENT CONDITIONS

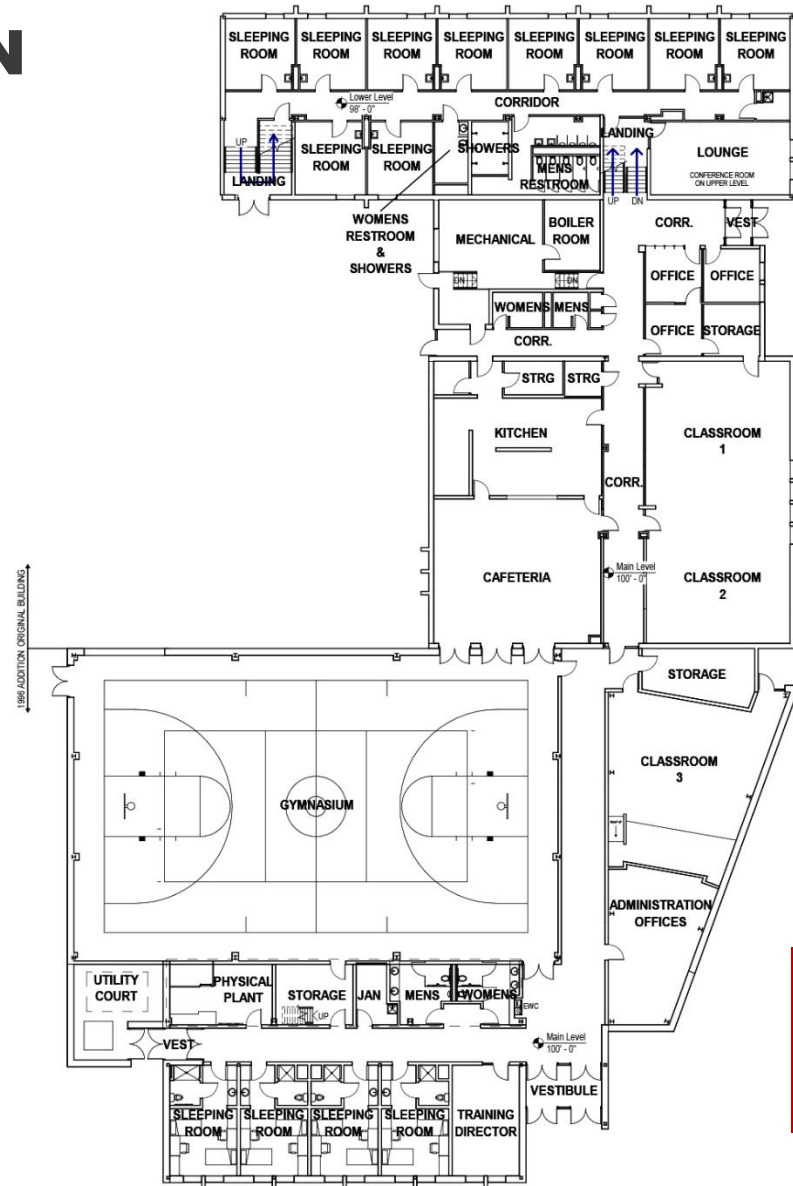
NORTH DAKOTA LAW ENFORCEMENT TRAINING ACADEMY



# | CURRENT CONDITIONS



# EXISTING FLOOR PLAN



Bed Count - 44  
Classrooms - 3  
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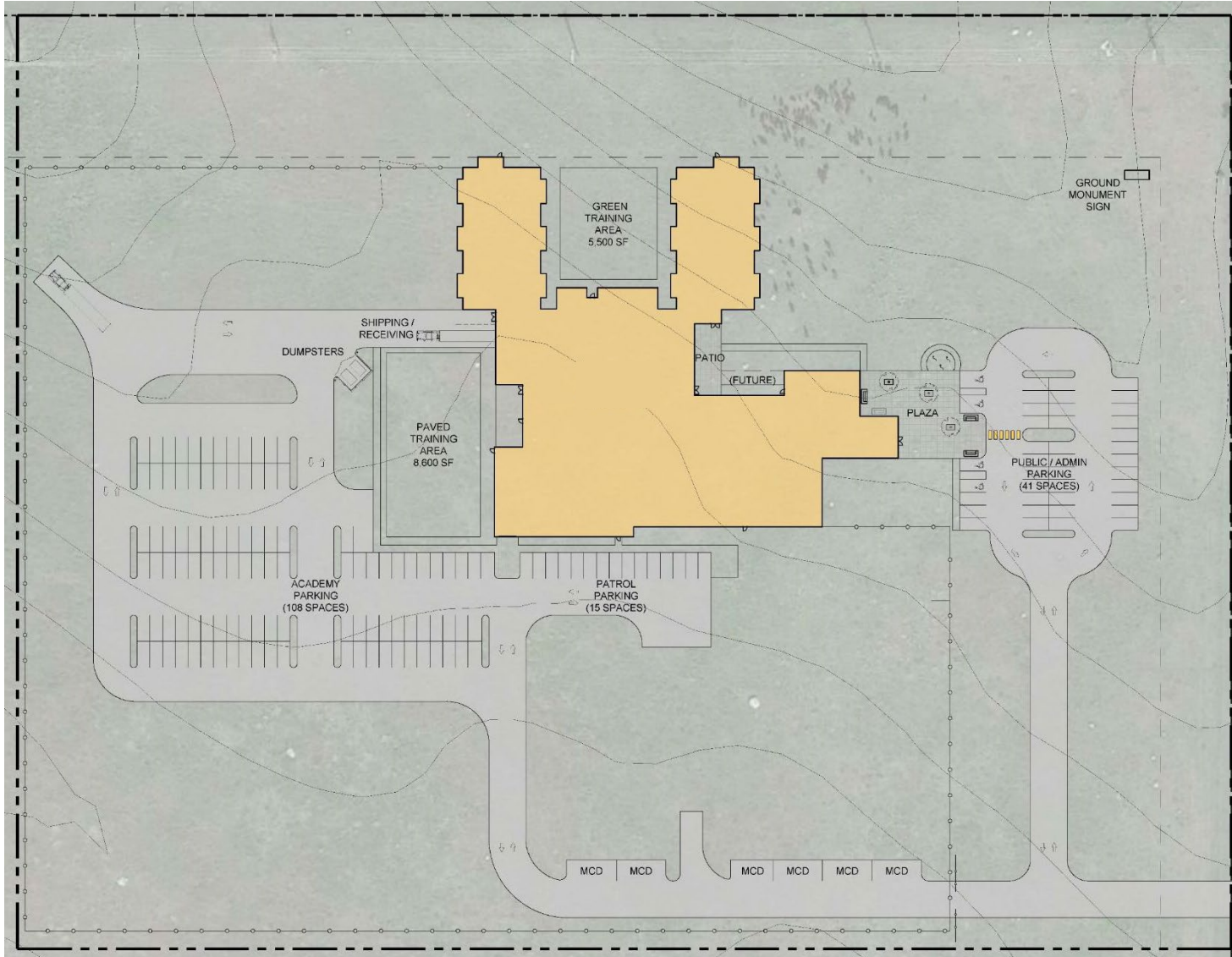
## OPTION 4

Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.

# | SITE CONSIDERATIONS



# SITE PLAN



**TOTAL PROJECT COST** Legislative Biennium 2021-2023 **\$27,103,944**

Legislative Biennium 2023-2025 8% **\$29,272,259**

Legislative Biennium 2025-2027 8% **\$31,614,040**

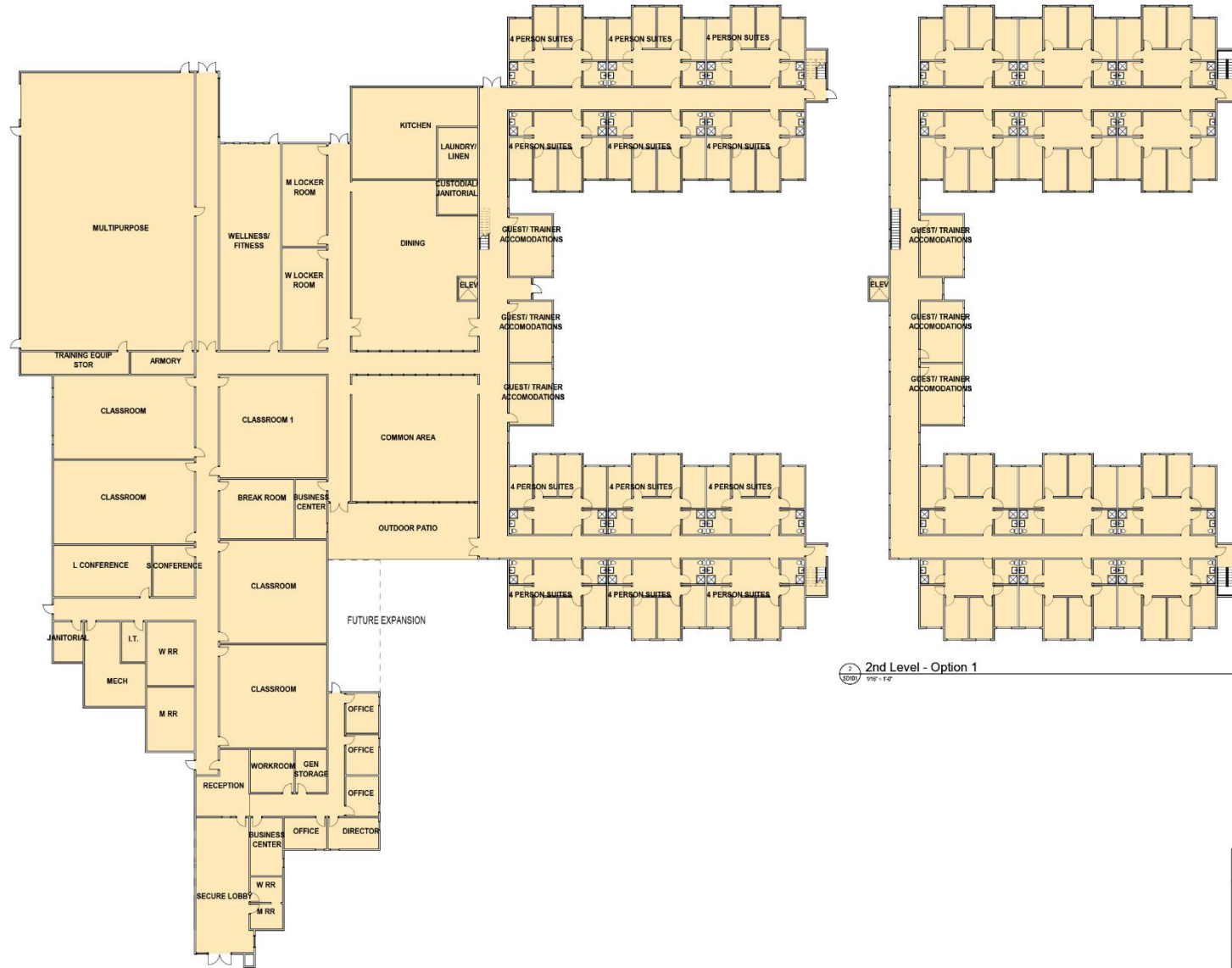
Bed Count – 102 (+58)  
Classrooms – 5 (+2)  
Cafeteria Occupancy – 90(+50)

**LEGEND**

LETA

GROSS AREA CALCULATIONS:	
LETA:	45,909 SF
LETA (2ND LEVEL):	14,864 SF
<b>TOTAL:</b>	<b>60,773 SF</b>

# OPTION 1



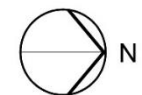
<b>TOTAL PROJECT COST</b>		<b>\$27,103,944</b>
<b>Legislative Biennium 2021-2023</b>		
<b>Legislative Biennium 2023-2025</b>	<b>8%</b>	<b>\$29,272,259</b>
<b>Legislative Biennium 2025-2027</b>	<b>8%</b>	<b>\$31,614,040</b>

Bed Count – 102 (+58)  
 Classrooms – 5 (+2)  
 Cafeteria Occupancy – 90(+50)

2nd Level - Option 1

**LEGEND**

LETA



<b>GROSS AREA CALCULATIONS:</b>	
LETA:	45,909 SF
LETA (2ND LEVEL):	14,864 SF
<b>TOTAL:</b>	<b>60,773 SF</b>

# | OPTIONS EVALUATED

## OPTION 1

Build a new LETA facility located within the Bismarck, ND area that would replace the current facility with its current needs.

## OPTION 2

Build Option 1 plus provide additional space for the NDHP Southwest Regional Office and NDHP Headquarters.

## OPTION 3

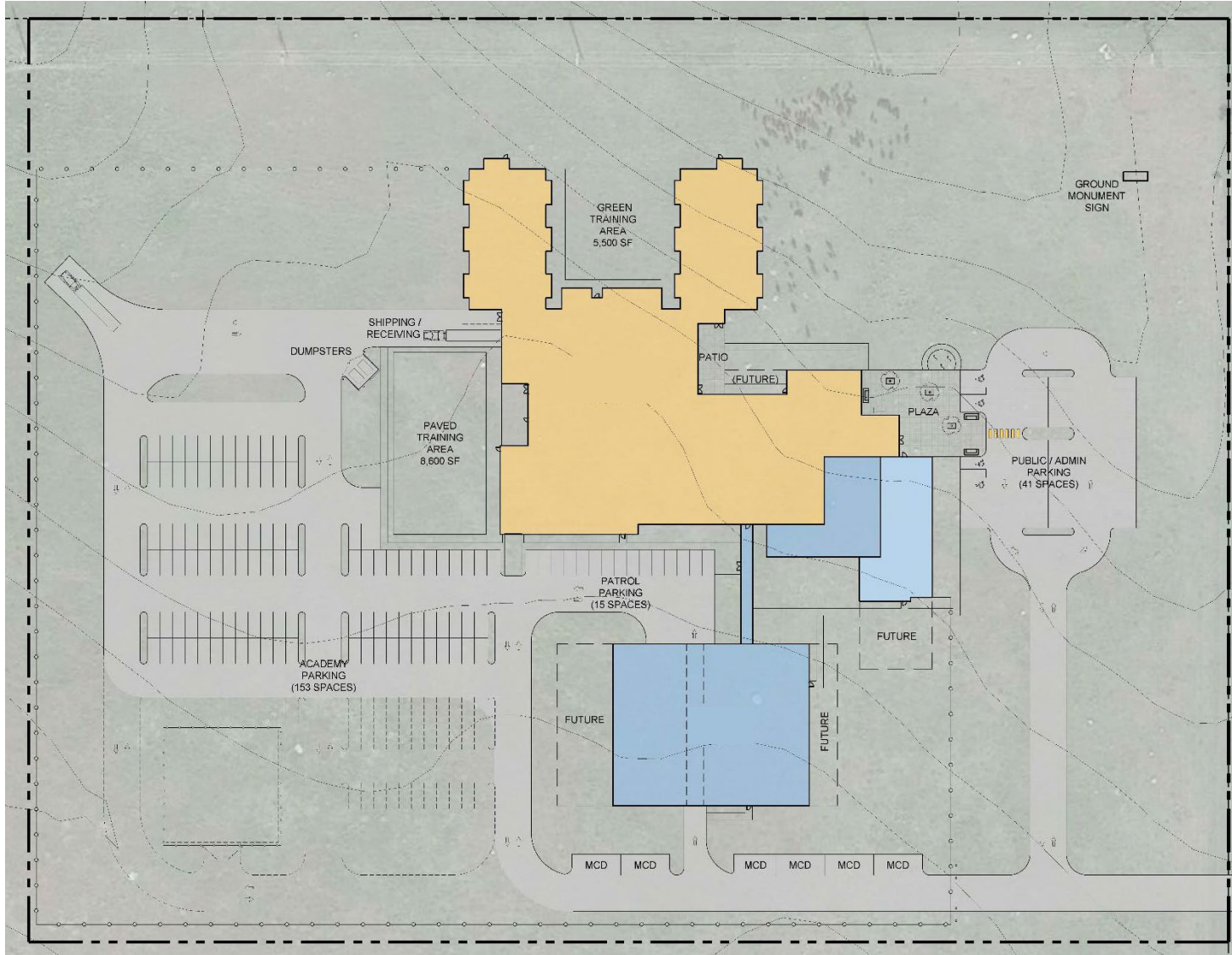
Build Option 2 plus provide additional space for the Attorney General's Office.

## OPTION 4

Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.



# SITE PLAN



TOTAL PROJECT COST \$35,772,212

Legislative Biennium 2023-2025 8% \$38,633,989

Legislative Biennium 2025-2027 8% \$41,724,708

Bed Count – 102 (+58)  
 Classrooms – 5 (+2)  
 Cafeteria Occupancy – 90(+50)

**LEGEND**

- SW DISTRICT
- HQ
- LETA

**GROSS AREA CALCULATIONS:**

LETA:	60,773 SF
HQ:	4,943 SF
SW DISTRICT:	20,701 SF
<b>TOTAL:</b>	<b>86,417 SF</b>



## OPTION 1

Build a new LETA facility located within the Bismarck, ND area that would replace the current facility with its current needs.

## OPTION 2

Build Option 1 plus provide additional space for the NDHP Southwest Regional Office and NDHP Headquarters.

## OPTION 3

Build Option 2 plus provide additional space for the Attorney General's Office.

## OPTION 4

Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.

# SITE PLAN



<b>TOTAL PROJECT COST</b>		<b>\$51,594,959</b>
<b>Legislative Biennium 2023-2025</b>	<b>8%</b>	<b>\$55,722,556</b>
<b>Legislative Biennium 2025-2027</b>	<b>8%</b>	<b>\$60,180,361</b>

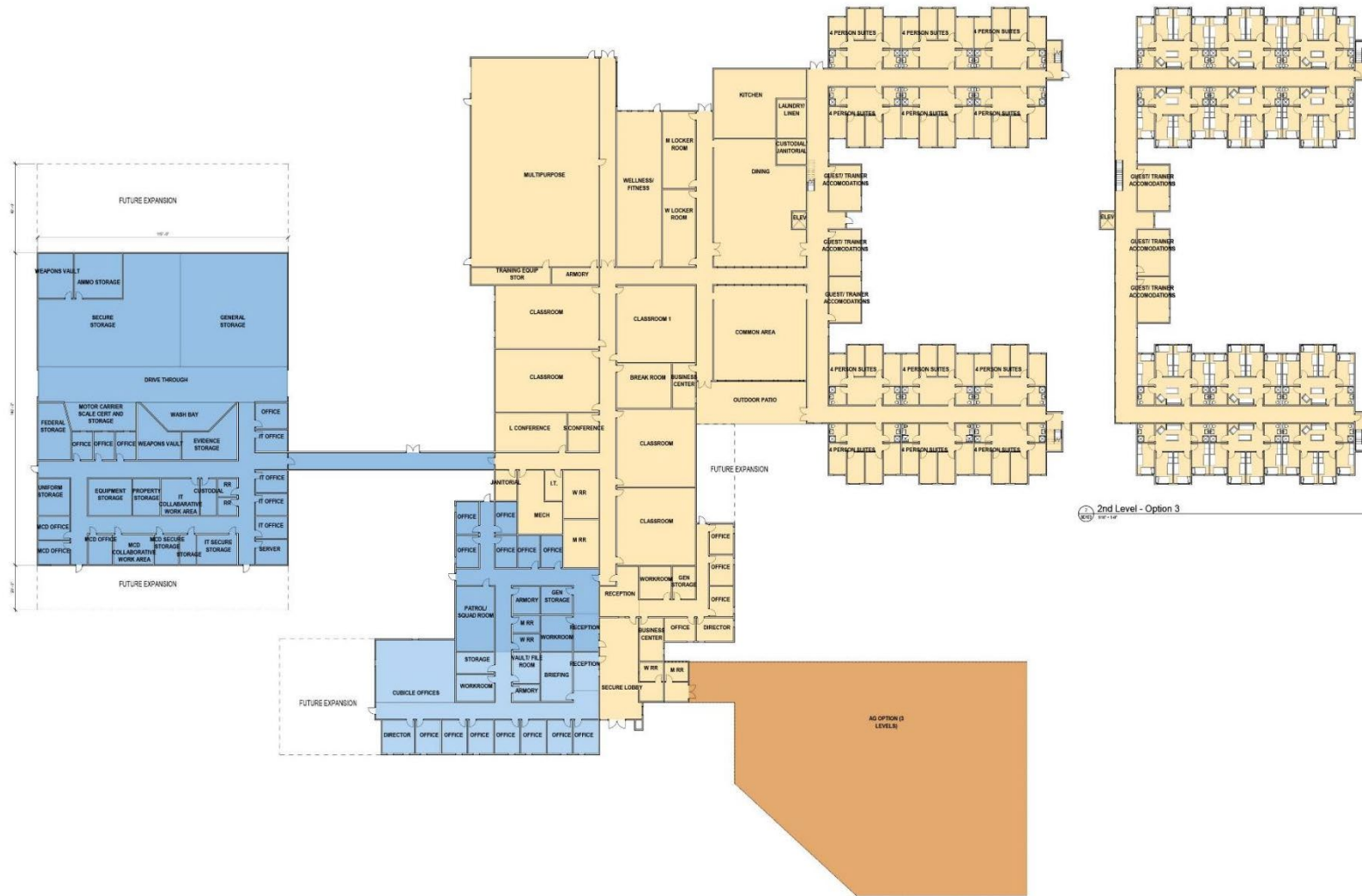
Bed Count – 102 (+58)  
 Classrooms – 5 (+2)  
 Cafeteria Occupancy – 90(+50)

**LEGEND**

- AG
- SW DISTRICT
- HQ
- LETA

<b>GROSS AREA CALCULATIONS:</b>	
LETA:	60,773 SF
HQ:	4,943 SF
SW DISTRICT:	20,701 SF
AG:	39,261 SF
<b>TOTAL:</b>	<b>125,678 SF</b>

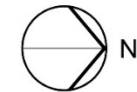
# OPTION 3



<b>TOTAL PROJECT COST</b>		<b>\$51,594,959</b>
<b>Legislative Biennium 2023-2025</b>	<b>8%</b>	<b>\$55,722,556</b>
<b>Legislative Biennium 2025-2027</b>	<b>8%</b>	<b>\$60,180,361</b>

**LEGEND**

- AG
- SW DISTRICT
- HQ
- LETA



<b>GROSS AREA CALCULATIONS:</b>	
LETA:	60,773 SF
HQ:	4,943 SF
SW DISTRICT:	20,701 SF
AG:	39,261 SF
<b>TOTAL:</b>	<b>125,678 SF</b>

**Bed Count – 102 (+58)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**

Overall Main Floor - Option 3

2nd Level - Option 3

# | OPTIONS EVALUATED

## OPTION 1

Build a new LETA facility located within the Bismarck, ND area that would replace the current facility with its current needs.

## OPTION 2

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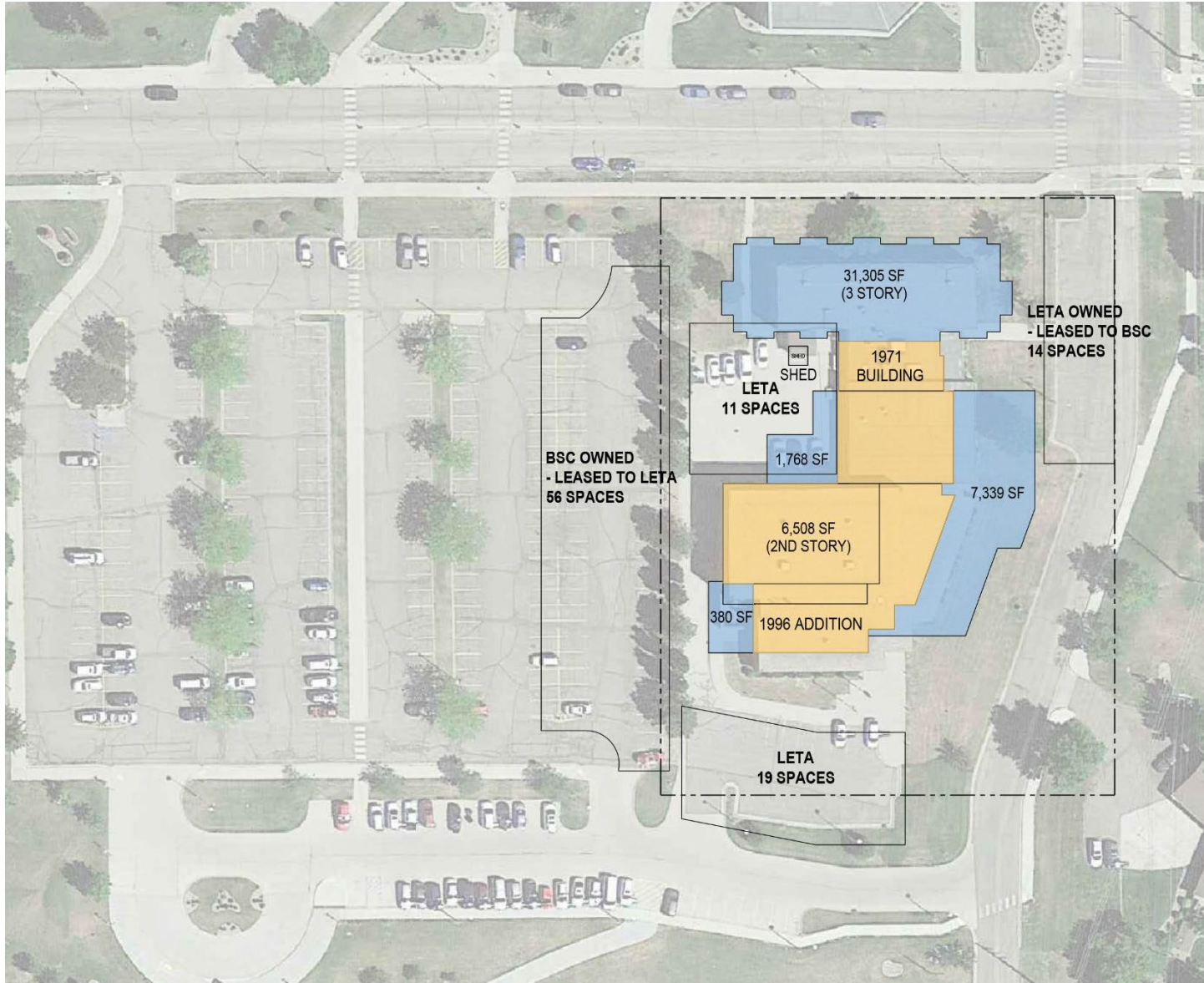
## OPTION 3

Build Option 2 plus provide additional space for the Attorney General's Office.

## OPTION 4

Remodel and update the current facility located at 1320 Schaefer Street, Bismarck, ND.

# OPTION 4A



<b>TOTAL PROJECT COST</b>		<b>\$24,458,765</b>
<b>Legislative Biennium 2021-2023</b>		
<b>Legislative Biennium 2023-2025</b>	<b>8%</b>	<b>\$26,415,466</b>
<b>Legislative Biennium 2025-2027</b>	<b>8%</b>	<b>\$28,528,704</b>

**Bed Count – 104 (+60)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**

# OPTION 4A

TOTAL PROJECT COST \$24,458,765  
 Legislative Biennium 2021-2023

Legislative Biennium 2023-2025 8% \$26,415,466

Legislative Biennium 2025-2027 8% \$28,528,704

**LEGEND**

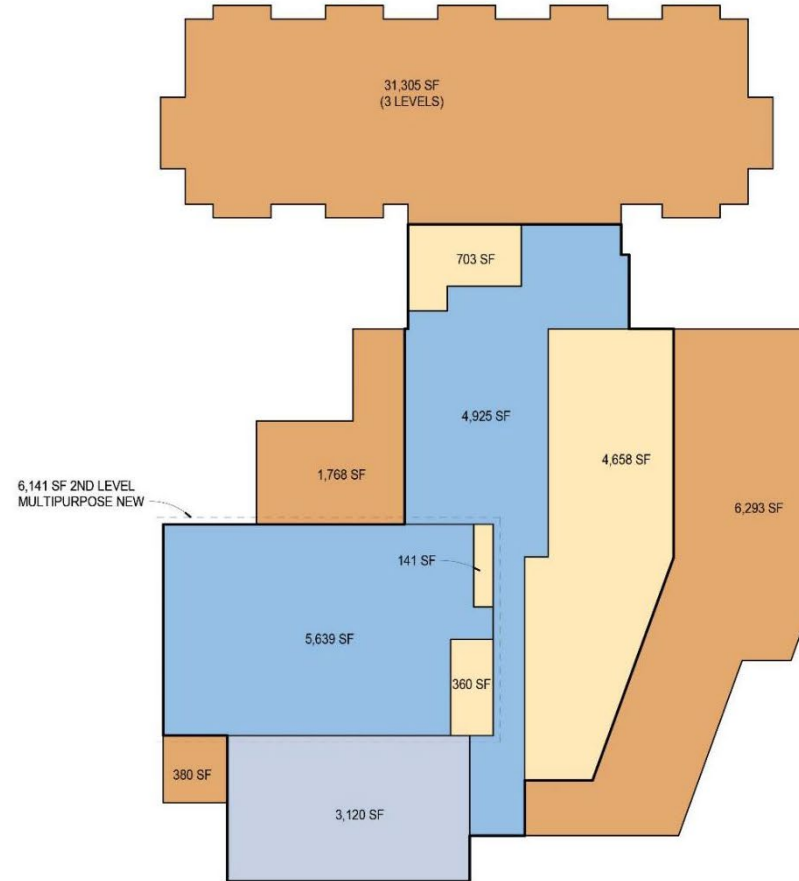
- ADMIN
- TRAINING SPACES
- DORMITORY
- CIRCULATION

**GROSS AREA CALCULATIONS:**

Main Floor:	38,424 SF
2nd Level Dorm:	10,435 SF
3rd Level Dorm:	10,435 SF
2nd Level Classes:	6,508 SF
<b>TOTAL:</b>	<b>65,802 SF</b>

**RENO LEGEND:**

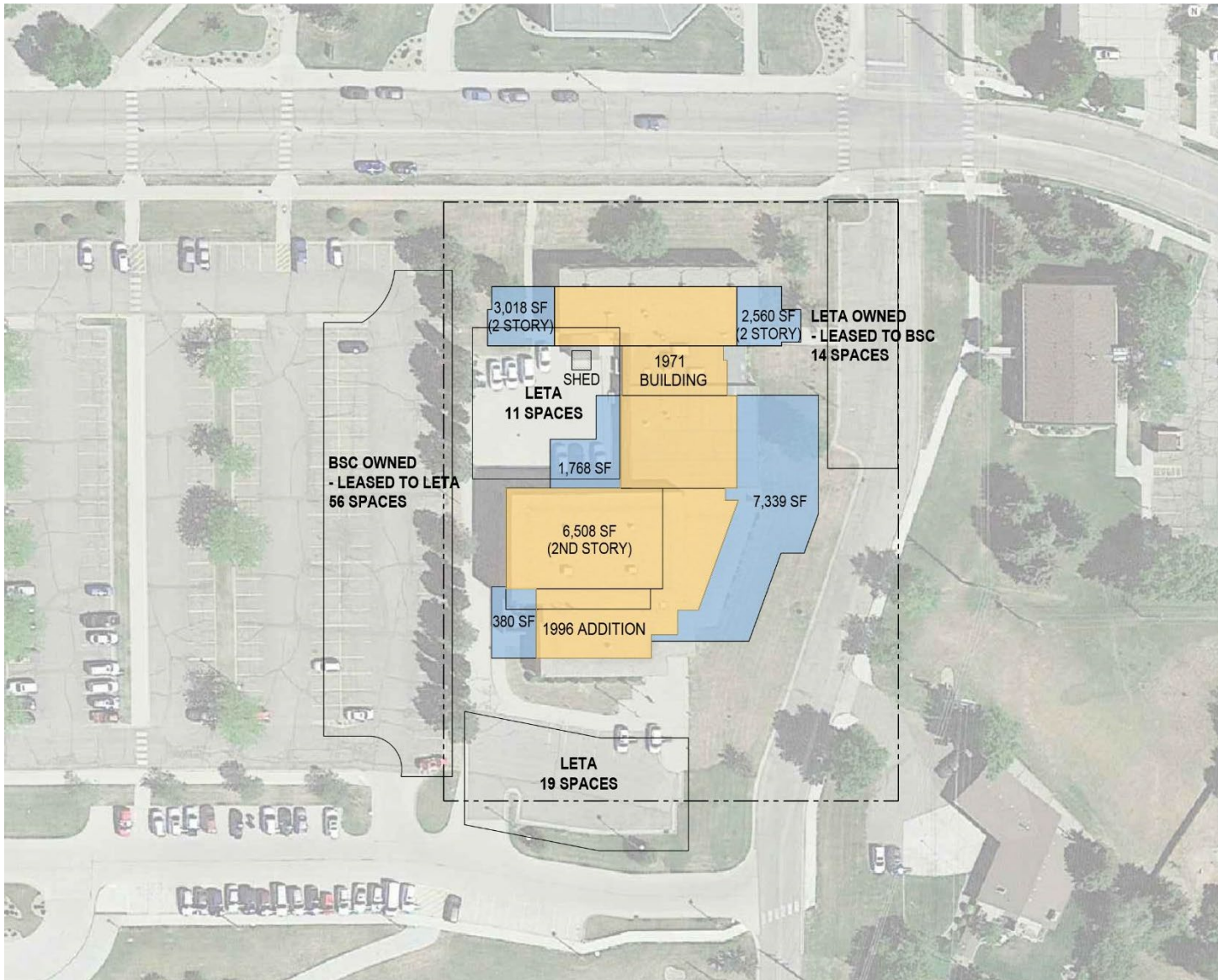
<span style="display: inline-block; width: 15px; height: 10px; background-color: #e69d00; border: 1px solid black; margin-right: 5px;"></span> NEW	45,887 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #fff2cc; border: 1px solid black; margin-right: 5px;"></span> MAJOR	5,862 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #d9e1f2; border: 1px solid black; margin-right: 5px;"></span> MODERATE	10,564 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #a6c9ec; border: 1px solid black; margin-right: 5px;"></span> MINOR	3,120 SF



Bed Count – 104 (+60)  
 Classrooms – 5 (+2)  
 Cafeteria Occupancy – 90(+50)



# OPTION 4B



**TOTAL PROJECT COST** \$16,130,515

Legislative Biennium

2021-2023

Legislative Biennium 8% \$17,420,957

2023-2025

Legislative Biennium 8% \$18,814,633

2025-2027

Bed Count – 93 (+49)  
 Classrooms – 5 (+2)  
 Cafeteria Occupancy – 90(+50)

# OVERALL MAIN FLOOR PLAN OPTION 4B

### LEGEND

- ADMIN
- TRAINING SPACES
- DORMITORY
- CIRCULATION

### GROSS AREA CALCULATIONS:

Main Floor:	35,701 SF
2nd Level Dorm:	7,006 SF
2nd Level Classes:	6,508 SF
<b>TOTAL:</b>	<b>49,215 SF</b>

### RENO LEGEND:

<span style="display: inline-block; width: 15px; height: 10px; background-color: #d9534f; border: 1px solid black; margin-right: 5px;"></span> NEW	20,867 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #fff2cc; border: 1px solid black; margin-right: 5px;"></span> MAJOR	14,492 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #d9e1f2; border: 1px solid black; margin-right: 5px;"></span> MODERATE	10,370 SF
<span style="display: inline-block; width: 15px; height: 10px; background-color: #e6e6fa; border: 1px solid black; margin-right: 5px;"></span> MINOR	3,120 SF

**TOTAL PROJECT COST** **\$16,130,515**

**Legislative Biennium**

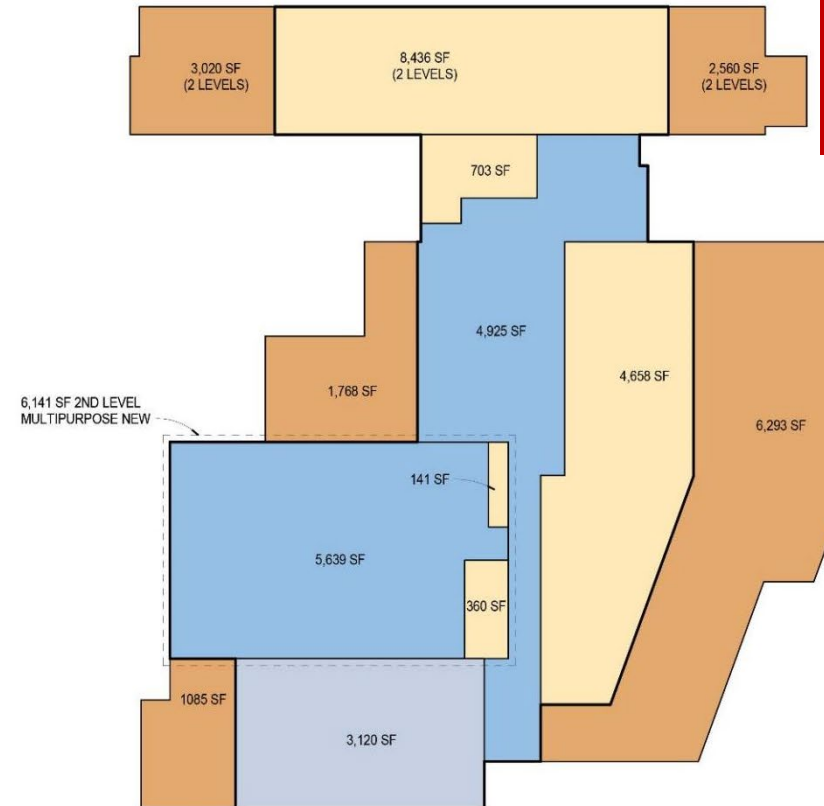
**2021-2023**

**Legislative Biennium** **8%** **\$17,420,957**

**2023-2025**

**Legislative Biennium** **8%** **\$18,814,633**

**2025-2027**



**Bed Count – 93 (+49)**  
**Classrooms – 5 (+2)**  
**Cafeteria Occupancy – 90(+50)**

## **Options 4A and 4B Would Require The Below Concessions:**

- Insufficient Parking – Would require leased spaces from BSC and City variance for lack or required parking spots
- Lack of Proper Exterior Training Space – Difficult to conduct tactical training on BSC campus
- Large Building Footprint – Would require city variance for setbacks and impervious area
- Temporary Transitional Space – Expenses of temporary relocation and leased space
- Reinvesting Into Aging Structures – Capital spent on buildings from 1971 and 1997
- Does not consider BSC Reuse Opportunity – BSC has interest in repurposing the current facility
- Multipurpose Room Limitations – Converting to classroom presents many drawback

# I COST SUMMARY

## OPTION 1

NEW LETA FACILITY

**\$27,103,944**

(2021-2023 Legislative Biennium)

**\$29,272,259**

(2023-2025 Legislative Biennium)

**\$31,614,040**

(2025-2027 Legislative Biennium)

## OPTION 2

NEW LETA FACILITY

+ SW & HQ

**\$35,772,212**

(2021-2023 Legislative Biennium)

**\$38,633,989**

(2023-2025 Legislative Biennium)

**\$41,724,708**

(2025-2027 Legislative Biennium)

## OPTION 3

NEW LETA FACILITY

+ SW, HQ, & AG

**\$51,594,959**

(2021-2023 Legislative  
Biennium)

**\$55,722,556**

(2023-2025 Legislative  
Biennium)

**\$60,180,361**

(2025-2027 Legislative  
Biennium)

## OPTION 4

OPTION 4A

RENOVATE CURRENT FACILITY

**\$24,458,765\***

(2021-2023 Legislative Biennium)

**\$26,415,466\***

(2023-2025 Legislative Biennium)

**\$28,528,704\***

(2025-2027 Legislative Biennium)

OPTION 4B

RENOVATE CURRENT FACILITY

**\$16,130,515\***

(2021-2023 Legislative Biennium)

**\$17,420,957\***

(2023-2025 Legislative Biennium)

**\$18,814,633\***

(2025-2027 Legislative Biennium)

\*Does not consider the potential cost of temporary facilities during construction

**NORTH DAKOTA  
LAW ENFORCEMENT  
TRAINING ACADEMY**

**THANK YOU**  
QUESTIONS?



# SENATE BILL 2011

North Dakota Highway Patrol  
Colonel Brandon Solberg

January 11, 2021



NORTH  
**Dakota** | Highway Patrol  
Be Legendary.™

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Appropriations - Government Operations Division Brynhild Haugland Room, State Capitol

SB2011  
3/17/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide for a transfer.
--------------------------------------------------------------------------------------------------------------------------------

09:34 **Chairman Vigesaa** brought the committee to order. Members present: Chairman Vigesaa, Vice Chairman Brandenburg, Representative Kempenich, Representative Howe, Representative Bellew, Representative Mock, Representative Meier.

### Discussion Topics:

- Cares funding for SORN
- Unmanned aerial vehicle (UAV) project update
- Law enforcement training academy

09:36 **Colonel Brandon Solberg, Superintendent, ND Highway Patrol.** Testimony #9730 and #9729.

10:59 **Chairman Vigesaa** adjourned the meeting.

*Sheri Lewis, Committee Clerk*

**House Appropriations – Government Operations Division  
Senate Bill 2011 – Highway Patrol  
Representative Don Vigesaa, Chair  
March 17, 2021**

### Historical Agency Statistics

Activity Type	2015	2016	2017	2018	2019	2020
Road Patrol Hours	154,873	159,685	148,989	151,834	129,829	134,427
Traffic Stops	82,248	68,500	62,248	68,500	59,956	74,674
Traffic Citations	74,541	58,340	65,121	68,518	51,704	68,828
Written Warnings	40,768	36,671	42,209	43,919	38,943	43,435
Crashes Investigated	2,244	1,990	2,077	2,159	2,334	1,719
Criminal Arrests	9,084	6,710	5,372	5,379	4,396	5,806
Safety Talks	520	356	273	384	415	156
Motor Carrier Permits Issued	199,964	164,080	164,770	178,956	179,698	140,489
Assist Other Government Agency	2,206	2,810	2,927	3,186	2,978	3,088
Calls for Service	12,696	11,598	12,947	14,000	14,843	13,510
Total CAD Incidents	106,641	90,719	87,337	93,327	87,850	111,041
DUI Arrests	1,626	1,194	1,135	1,158	1,018	1,065
Drug-related Arrests	1,339	1,338	1,382	1,483	964	1,593
Weapon Offenses	135	79	56	61	36	57
Motorist Assists/Abandoned Vehicles	11,970	11,184	5,691	6,918	8,586	8,206
Crash Investigation On-Scene Hours	5,667	4,859	5,142	4,961	5,201	3,662
Crash Investigation Follow-up Hours	3,250	2,322	2,870	3,286	3,024	3,286
Crash Reconstruction Hours	1,714	1,964	1,008	1,021	1,712	2,296
Overloads	1,412	1,287	1,412	1,287	990	1,133

### Equity Funding Breakdown

- **Budget Request: \$1,532,000**
  - \$1,156,000 salary and benefits
    - Ranks of trooper, sergeant, and lieutenant (154 of 159)
    - \$915,000 from comparison study plus 26.29% benefits
  - \$376,000 salary and benefits
    - Used to provide compensation adjustments for targeted agency positions based on market comparisons
    - Potential impact to 38 civilian and 159 sworn officers



- **Senate Version: \$766,000**
  - Senate version included half of the requested amount
  - Salary and benefit plan would likely be reduced by 1/2

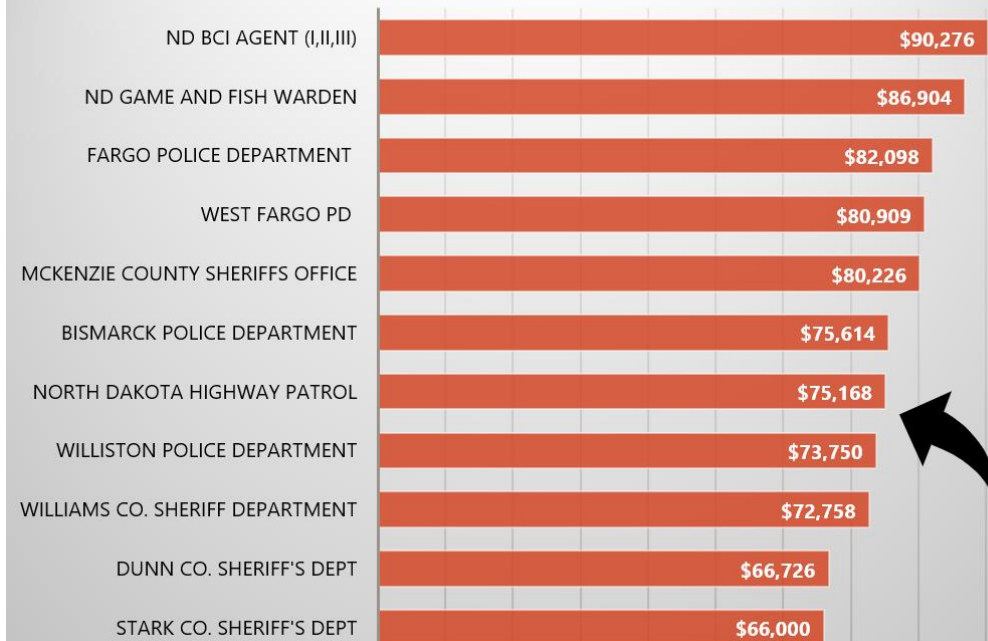
## Equity Pay Study – Fargo/West Fargo

SALARY STUDY - SWORN								
Troopers	Sworn per Step	NDHP Rate	Fargo/WF Average	NDHP Biennium per Officer	Fargo/WF Biennium per Officer	Difference	Impact per Step/Biennium	Biennium Funds vs Fargo/WF
(LETA/FTO)	4	4,604	4,560	\$113,808	\$109,440	\$4,368	N/A	
Step 1	5	5,056	4,839	\$121,344	\$116,136	\$5,208	N/A	
Step 2	10	5,202	5,118	\$124,848	\$122,832	\$2,016	N/A	
Step 3	12	5,303	5,257	\$127,272	\$126,168	\$1,104	N/A	
Step 4	0	5,454	5,397	\$130,896	\$129,528	\$1,368	N/A	
Step 5	8	5,611	5,676	\$134,664	\$136,224	-\$1,560	-\$12,480	
Step 6	23	5,774	5,955	\$138,576	\$142,920	-\$4,344	-\$99,912	
Step 7	5	5,941	6,234	\$142,584	\$149,616	-\$7,032	-\$35,160	-\$799,440
Step 8	3	6,083	6,513	\$145,992	\$156,312	-\$10,320	-\$30,960	
Step 9	49	6,264	6,792	\$150,336	\$163,008	-\$12,672	-\$620,928	
Sergeants								
Step 1	25	6,953	7,550	\$166,872	\$181,200	-\$5,664	-\$141,600	-\$141,600
Step 2		7,314		\$175,536				
Lieutenants								
Step 1	7	8,160	9,054	\$195,840	\$217,296	-\$11,328	-\$79,296	-\$79,296
Step 2		8,582		\$205,968				
Biennium Funding Needed to Mirror Fargo/WF Sworn (Line Level, 1st & 2nd Level Supervisors)								\$1,020,336

## Starting Officer/Deputy/Trooper Pay



## Top Officer/Deputy/Trooper Pay



## CARES Funding for SIRN

A question was asked during previous testimony whether CARES funding was available for the Statewide Interoperability Radio Network (SIRN). The CARES Act provides that payments may only be used to cover costs that:

1. Are necessary expenditures incurred due to the public health emergency with respect to COVID–19;
2. Were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. Were incurred during the period that begins on March 1, 2020, and ends on December 31, 2021.

Based on the criteria established for the CARES funding, I do not believe that the purchase of SIRN-compatible radios would qualify. A more detailed listing of items which would likely be deemed as eligible expenditures is below:

1. Medical expenses
2. Public health expenses
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID– 19 public health emergency
4. Expenses of actions to facilitate compliance with COVID–19-related public health measures, such as:
  - a. Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID–19 public health precautions.
  - b. Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID–19 precautions.
  - c. Expenses to improve telework capabilities for public employees to enable compliance with COVID–19 public health precautions.
  - d. Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID– 19 public health precautions.
  - e. COVID–19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement

- of social distancing measures, to enable compliance with COVID–19 public health precautions.
- f. Expenses for care for homeless populations provided to mitigate COVID–19 effects and enable compliance with COVID–19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID–19 public health emergency, such as:
    - a. Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
    - b. Expenditures related to a State, territorial, local, or Tribal government payroll support program.
    - c. Unemployment insurance costs related to the COVID–19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
  6. Any other COVID–19-related expenses reasonably necessary to the function of government that satisfy the fund’s eligibility criteria.

## **Pitman Robertson Excise Tax**

North Dakota Highway Patrol (NDHP) ammunition purchases are not subject to the Pittman Robertson Excise tax at the wholesale or retail level. Our research indicates that this excise tax is collected directly from ammunition manufacturers or importers, not as part of wholesale or retail transactions.

## **Unmanned Aerial Vehicle (UAV) Project Update**

The NDHP has purchased a total of seven unmanned aerial vehicles:

- Five UAVs are “DJI Mavic 2 Pros”
  - Equipped with high definition cameras
  - Used primarily for measuring crash scenes
  - Jamestown, Bismarck, Williston, Minot, and Grand Forks
- One UAV is a “DJI Mavic Enterprise Zoom”
  - Equipped with a high definition camera
  - Equipped with a parachute so that it can fly over people

- Used primarily for civil unrest and search and rescue
- Stored in Bismarck (same size as a Mavic Pro)
- One UAV is a “DJI Matrice 300”
  - Larger and more advanced drone
  - Equipped with FLIR and high-resolution camera
  - Used primarily for search and rescue
  - Stored in Bismarck

### **Ongoing Fees Related to Video Camera Upgrades/Replacement Cycle**

The items listed below may result in additional expenses to implement a new mobile and body camera system:

- Digital Video Storage
  - Adding a body camera for each officer would double the amount of digital video storage needed. We currently pay NDIT approximately \$1,100 per month for storage. We have been working with NDIT to identify potential options to provide future cost savings for digital video storage.
  - Potential increase: \$26,400/biennium
- Maintenance Contract
  - The NDHP currently pays \$44,064 per biennium for an annual maintenance agreement for a mobile video system. We anticipate that the addition of body cameras could add approximately 20 percent to this amount.
  - Potential increase: \$8,800/biennium
- Vehicle Installation
  - The cost to install a mobile video system is currently \$720.
  - Upgrades could be timed to scheduled vehicle changeovers which occur approximately every five years.
  - Potential increase: \$0

### **Camera Liability Concerns**

A question was asked about the implementation of body cameras and whether it would increase our exposure to liability. From an agency standpoint, we’ve found the opposite over the years with our cameras.

Often, video recordings validate the decision-making abilities and actions of our state troopers when a concern surfaces. Supervisors are required by policy to review certain videos such as using force along with a sampling of other videos such as basic traffic stops. Supervisors use video reviews as a mechanism to enhance training and maintain quality control.

The addition of body cameras would enhance the level of protection for our troopers and the State of North Dakota. A question was asked if the highway patrol would be open to liability if we had cameras that weren't functioning properly during an event. We consulted with our legal counsel, and it was believed that a dysfunctional camera would have little to no liability because the officer could still provide testimony based on the officer's observations and testimony.

### Debt Service – Permit Fund

Monthly Payments	Term	Debt Issued	Down Payment	Total Project
\$40,000	30 years	\$ 8,900,000	\$ 5,000,000	\$ 13,900,000
\$40,000	20 years	\$ 6,850,000	\$ 5,000,000	\$ 11,850,000
\$32,000	30 years	\$ 7,100,000	\$ 5,000,000	\$ 12,100,000
\$32,000	20 years	\$ 5,500,000	\$ 5,000,000	\$ 10,500,000

- Assumed fixed interest rate of 3.5%

## House Appropriations – Government Operations Division

### SB 2011

Tuesday March 9, 2021 (testimony date)

**1. What is the threshold to kick-in ADA compliance?**

- City of Bismarck has adopted both the 2018 IBC (International Building Code) and 2018 IEBC (International Existing Building Code).
- The IEBC provides technical requirements for existing buildings that undergo different levels of alterations.
  - a. Level I – includes replacement or covering of existing materials, elements, equipment or fixtures using new materials for the same purpose.
  - b. Level II – includes space reconfiguration that could be up to and including 50 percent of the area of the building. (50% or less)
  - c. Level III – includes alterations that cover 50 percent of the aggregate area of the building.
- In both options 4A and 4B, there is a level beyond 50% of the aggregate floor area of the building being reconfigured and or altered, which would mandate updated building code throughout, including ADA compliance.

**2. Is that 50% of value or 50% of SF? What is the 50% of?**

- 50% of the building floor area per the 2018 IEBC (International Existing Building Code)

**3. Is the LETA building grandfathered in?**

- No

**4. Are we under legal obligation to make it ADA compliant?**

- Yes, the ADA is within the current adopted building code. Any work done needs to be ADA compliant. See reference to 2018 IEBC, which is adopted by the City of Bismarck.

**5. Who owns the building?**

- HP owns the building
- Property is owned by: BSC, BSC Foundation, National Guard, Board of Higher Education

**6. Is it worth anything to anyone else?**

- Yes – BSC could utilize this building on it's campus for current or additional programs.
- At this time, no one has approached BSC in regards to this. There was an 49-year lease agreement that expired August 2018.

**7. The second floor – how many beds?**

- Option #1 – each dormitory floor plate is equal to 48 private sleeping rooms/beds.

**8. Can we add up and put a second floor later?**

- Yes we could. However, there are several items to consider when doing this:
  - a. Need to make sure the base build is enough beds to accommodate the needs of the LETA program.
  - b. The cost to increase the footings, foundations and structure to accommodate this would increase the cost of the initial/base build. If the second level is never built, this would be money wasted. It has been ICON's experience that the additional build does not happen down the road.
  - c. If the second floor is added later, the first floor would need to be vacated during construction. This would be an additional cost incurred to relocate officers during construction. The roofing on the first level would need to be ripped off and discarded to build the second level at a later date, adding cost to the overall project. And, construction costs typically go up as years go by; so, by waiting, there will be an increased cost/sf for the second floor dormitory rooms.
  - d. An option would be to build the 2-story dormitory (option #1) with the first floor finished and the second floor only an exterior shell with windows. This space could stay unoccupied until the LETA program needs it. And, since it would be non-structural construction when finishing, this could be done while the first floor remains occupied.
  - e. Another option would be to build either the east or west wing as a 2-story dormitory with the other being a future build as needed. This would be the most economical way to approach a base build with future expansion. It accommodates a fully built dormitory without having to invest any money for future until it is needed. If the additional wing (east or west) is never built, there is open green space to accommodate the LETA program.

**9. Would the NDHP be purchasing the entire property on the east side of town (1 sq. mile)?**

- No, NDHP would only buy what is needed – approximately 13-14 acres.

**10. Would like to see the scenario of the second floor vs. adding on later.**

- See options listed above in item #8.

**11. Does the cost listed within the packet provided include cost of land?**

- The cost of land (\$2.1M for 13 acres) is included in the estimates. This was based upon the study done in 2015 and escalated costs to get to 2020 pricing. Infrastructure costs was included in the estimate as well.
- Temporary facilities—housing for officers and staff for training, meals, training/classroom space, administrative space – not included in the costs presented.



Per conversation after the hearing. Col. Solberg, Major Hummel, Kyle Kvamme, Lee Pierce.

**How long would Option 4A and/or 4B take to complete?**

Estimated construction time 14-16 months.

Temporary facility estimated costs:

- **Offices/instructional space cost range = \$125,788 - \$154,816**
  - a. Per Bismarck-Mandan EDC, commercial business rental property in our area is \$13 - \$16/sf. Typical lease has a 3-year minimum timeline.
  - b. Existing offices/classroom/gymnasium training space = 9,676 sf
    - i. Gymnasium = 5808 sf
    - ii. Office = 1286 sf
    - iii. Classroom = 2582 sf
- **Hotel cost range = \$1,490,227.20 - \$1,703,116.80** (based on full occupancy of 44 beds at extg. LETA facility)
  - a. State rate for hotel lodging \$86.40.
  - b. Lodging needed to be provided for officers/instructors offsite:
    - i. 44 officers/instructors x \$86.40 = \$3,801.60/night
    - ii. 7 nights x \$3,801.60 = \$26,611.20/week
    - iii. 4 weeks x \$26,611.20 = \$106,444.80/month
    - iv. 14 - 16 months construction time x \$106,444.80 = \$1,490,227.20 – 1,703,116.80
- **Food cost range = ???**
  - a. I was not sure if LETA provide a per diem for food for the officers/instructors when they are going through the program. But, I wanted you to be aware this would be another cost to add to temporary facilities.

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Appropriations - Government Operations Division Brynhild Haugland Room, State Capitol

SB2011  
3/23/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide for a transfer.
--------------------------------------------------------------------------------------------------------------------------------

3:59 **Chairman Vigesaa** brought the committee to order. Members present: Chairman Vigesaa, Vice Chairman Brandenburg, Representative Howe, Representative Bellew, Representative Meier, Representative Mock. Members absent: Representative Kempenich.

### Discussion Topics:

- Law enforcement training center

4:00 **Representative Mock** discussed the bill.

4:25 **Chairman Vigesaa** closed the meeting.

*Sheri Lewis, Committee Clerk*

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Appropriations - Government Operations Division Brynhild Haugland Room, State Capitol

SB2011  
3/26/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide for a transfer.
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10:13 **Chairman Vigesaa** brought the committee to order. Members present: Chairman Vigesaa, Vice Chairman Brandenburg, Representative Kempenich, Representative Bellew, Representative Howe, Representative Meier, Representative Mock.

**Discussion Topics:**

- IT unification
- Law enforcement training center

10:13 **Representative Mock** explained the bill.

11:19 **Chairman Vigesaa** adjourned the meeting.

*Sheri Lewis, Committee Clerk*

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Appropriations - Government Operations Division Brynhild Haugland Room, State Capitol

SB2011  
4/5/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide for a transfer.
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09:15 **Chairman Vigesaa** brought the committee to order. Members present: Chairman Vigesaa, Vice Chairman Brandenburg, Representative Kempenich, Representative Howe, Representative Meier, Representative Mock. Members absent: Representative Bellew.

### Discussion Topics:

- IT unification
- FTE's
- One-time expenses
- Equity package
- SIRN radios

09:15 **Representative Mock** explained the possible amendment to reduce general funds by \$16 million and to replace them with Covid money.

09:19 **Representative Mock** explained the possible reduction of 2 FTE's that were requested.

09:25 **Representative Mock** explained the transfer of funds from the permit fund to pay for hard body armor.

09:59 **Representative Mock** discussed SIRN radios.

10:01 **Chairman Vigesaa** adjourned the meeting.

*Sheri Lewis, Committee Clerk*

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Appropriations - Government Operations Division Brynhild Haugland Room, State Capitol

SB2011  
4/6/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide for a transfer.
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09:06 **Chairman Vigesaa** brought the committee to order. Members present: Chairman Vigesaa, Vice Chairman Brandenburg, Representative Howe, Representative Meier, Representative Mock. Members absent: Representative Kempenich, Representative Bellew.

### Discussion Topics:

- Amendments
- Law enforcement training center

09:06 **Representative Mock** gave a statement as to where he is concerning the bill.

09:11 **Chairman Vigesaa** adjourned the meeting.

*Sheri Lewis, Committee Clerk*

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Appropriations - Government Operations Division Brynhild Haugland Room, State Capitol

SB2011  
4/7/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide for a transfer.
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09:18 **Chairman Vigesaa** called the meeting to order. Members present: Chairman Vigesaa, Vice Chairman Brandenburg, Representative Howe, Representative Meier, Representative Mock. Members absent: Representative Kempenich, Representative Bellew.

### Discussion Topics:

- Amendments

09:20 **Representative Mock** gave an update of the amendment status.

09:20 **Chairman Vigesaa** adjourned the meeting.

*Sheri Lewis, Committee Clerk*

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Appropriations - Government Operations Division Brynhild Haugland Room, State Capitol

SB2011  
4/8/2021

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide for a transfer.
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11:36 **Chairman Vigesaa** brought the committee to order. Members present: Chairman Vigesaa, Vice Chairman Brandenburg, Representative Howe, Representative Bellew, Representative Mock. Members absent: Representative Kempenich, Representative Meier.

### Discussion Topics:

- Base budget changes
- Equity payments
- Law enforcement training center

11:36 **Representative Mock** discussed the worksheet. Testimony #11461.

11:53 **Representative Mock** made a motion to adopt the amendment LC21.0293.02004 #11462

11:53 **Representative Howe** seconded the motion.

12:01: Voice vote. Motion carried.

12:02 **Representative Mock** made a motion for a "Do Pass as Amended".

12:02 **Representative Howe** seconded the motion.

12:02 Roll call vote: 4 Yeas 1 Nay 2 Absent.

12:02 Motion carried.

<i>Representatives</i>	<b>Yes</b>	<b>No</b>
<i>Chairman Vigesaa</i>	X	
<i>Vice Chairman Brandenburg</i>	X	
<i>Representative Kempenich</i>	A	
<i>Representative Howe</i>	X	
<i>Representative Meier</i>	A	
<i>Representative Bellew</i>		X
<i>Representative Mock</i>	X	

12:03 **Chairman Vigesaa** closed the meeting.

*Sheri Lewis, Committee Clerk*

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2011

Page 1, line 2, remove "and"

Page 1, line 2, after "transfer" insert "; to provide an exemption; to provide a statement of legislative intent; and to declare an emergency"

Page 1, replace lines 11 through 15 with:

"Highway patrol	<u>\$59,586,945</u>	<u>\$3,004,062</u>	<u>\$62,591,007</u>
Total all funds	\$59,586,945	\$3,004,062	\$62,591,007
Less estimated income	<u>15,373,370</u>	<u>10,139,875</u>	<u>25,513,245</u>
Total general fund	\$44,213,575	(\$7,135,813)	\$37,077,762
Full-time equivalent positions	197.00	(4.00)	193.00"

Page 2, replace lines 2 through 5 with:

"Commercial motor carrier system		<u>0</u>	<u>275,000</u>
Total all funds		\$1,907,158	\$1,698,000
Less estimated income		<u>1,825,328</u>	<u>1,698,000</u>
Total general fund		\$81,830	\$0"

Page 2, after line 9, insert:

**"SECTION 3. APPROPRIATION - 2019-21 BIENNIUM - FEDERAL CORONAVIRUS RELIEF FUND - SPENDING RESTRICTION.** There is appropriated from federal funds derived from the federal coronavirus relief fund, not otherwise appropriated, the sum of \$8,100,000, or so much of the sum as may be necessary, to the highway patrol for law enforcement officer payroll costs for the period beginning January 1, 2021, and ending June 30, 2021. The funding appropriated in this section replaces existing legislative appropriations. The highway patrol may not spend the funding appropriated from the general fund and highway tax distribution fund for law enforcement payroll costs during the period identified.

**SECTION 4. ESTIMATED INCOME - FEDERAL CORONAVIRUS RELIEF FUND.** The estimated income line item in section 1 of this Act includes the sum of \$8,100,000, or so much of the sum as may be necessary, from the federal coronavirus relief fund for law enforcement officer payroll costs for the period beginning July 1, 2021, and ending December 31, 2021."

Page 2, line 11, replace "\$8,538,213" with "\$7,376,374"

Page 2, line 18, replace "\$1,706,450" with "\$3,147,244"

Page 2, replace lines 21 through 24 with:

**"SECTION 7. SALARY EQUITY FUNDING.** Section 1 of this Act includes the sum of \$872,093 for salary equity funding. This amount, along with any funding available from agency operational savings that may be reallocated, may be used for:

1. Salary equity adjustments that may not exceed \$1,125,000 in total for the biennium;



2. Law enforcement officer on-call pay that may not exceed 25 percent of the officer's hourly salary for regular on-call duties and may not exceed 50 percent of the officer's hourly salary for emergency on-call duties; and
3. Location incentive pay based on existing agency policies.

**SECTION 8. EXEMPTION.** The sum of \$50,530 from the general fund appropriated in section 1 of chapter 11 of the 2019 session laws is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 3, after line 2, insert:

**"SECTION 10. LEGISLATIVE INTENT.** It is the intent of the sixty-seventh legislative assembly that federal funding available to the state from the federal American Rescue Plan Act be appropriated to the highway patrol for the purchase of statewide interoperable radio network compatible radios during the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 11. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2011 - Highway Patrol - House Action**

	Base Budget	Senate Version	House Changes	House Version
Highway Patrol	\$59,586,945	\$89,272,228	(\$26,681,221)	\$62,591,007
Total all funds	\$59,586,945	\$89,272,228	(\$26,681,221)	\$62,591,007
Less estimated income	15,373,370	43,859,434	(18,346,189)	25,513,245
General fund	\$44,213,575	\$45,412,794	(\$8,335,032)	\$37,077,762
FTE	197.00	193.00	0.00	193.00

**Department 504 - Highway Patrol - Detail of House Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Adjusts Salaries Funding Source <sup>2</sup>	Adjusts Salary Equity Funding <sup>3</sup>	Adds Funding for CVIEW System <sup>4</sup>	Removes Funding for Training Academy <sup>5</sup>	Adjusts Funding Sources of One-Time Funding <sup>6</sup>
Highway Patrol	(\$92,314)		\$106,093	\$405,000	(\$27,100,000)	
Total all funds	(\$92,314)	\$0	\$106,093	\$405,000	(\$27,100,000)	\$0
Less estimated income	(18,042)	6,966,000	14,853	405,000	(27,100,000)	1,386,000
General fund	(\$74,272)	(\$6,966,000)	\$91,240	\$0	\$0	(\$1,386,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Total House Changes
Highway Patrol	(\$26,681,221)
Total all funds	(\$26,681,221)
Less estimated income	(18,346,189)
General fund	(\$8,335,032)
FTE	0.00

<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The Senate provided salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300, and 2 percent on July 1, 2022.

<sup>2</sup> Federal coronavirus relief funding of \$8.1 million is appropriated for law enforcement officer salaries for the period beginning July 1, 2021, and ending December 31, 2021. Funding for salaries is reduced from the general fund (\$6,966,000) and highway tax distribution fund (\$1,134,000). Funding of \$8.1 million from the federal Coronavirus Relief Fund is also appropriated in Section 3 of the bill for law enforcement officer salaries for the period beginning January 1, 2021, and ending June 30, 2021, resulting in additional general fund unspent appropriations (turnback) of \$6,966,000 and highway tax distribution fund unspent appropriations of \$1,134,000.

<sup>3</sup> Salary equity funding is adjusted to provide total funding of \$872,093. The Senate provided equity funding of \$766,000. A section is also added to provide the equity funding, along with any agency budget savings, may be used to provide total equity adjustments for the biennium of \$1,125,000, to provide on-call pay, and to provide location incentive pay.

<sup>4</sup> Ongoing funding from federal funds (\$110,500) and the motor carrier electronic permit transaction fund (\$19,500) is added for costs to participate in the Commercial Vehicle Information Exchange Window motor carrier system. One-time funding of \$275,000 of federal funding is also added to implement the program.

<sup>5</sup> One-time funding from the strategic investment and improvements fund added by the Senate for the Law Enforcement Training Academy project is removed.

<sup>6</sup> Funding for hard body armor and body and in-car cameras is adjusted as follows:

	Senate			House
	General Fund	Highway Tax Distribution Fund	Total	Motor Carrier Electronic Permit Fund
Hard body armor	\$228,000	\$37,000	\$265,000	\$265,000
Cameras	1,158,000		1,158,000	1,158,000
<b>Total</b>	<b>\$1,386,000</b>	<b>\$37,000</b>	<b>\$1,423,000</b>	<b>\$1,423,000</b>

This amendment also:

- Adjusts sections identifying the amount of funding appropriated from the highway tax distribution fund and motor carrier electronic permit transaction fund.
- Removes a section identifying funding to be used from the strategic investment and improvements fund for the Law Enforcement Training Academy project.
- Adds a section to authorize the carryover of \$50,530 of unused 2019-21 biennium appropriations into the 2021-23 biennium. This will reduce Highway Patrol turnback by an estimated \$50,530.
- Adds a section of legislative intent that federal funding available from the American Rescue Plan Act be used to purchase Highway Patrol radios during the 2023-25 biennium.

**Highway Patrol - Budget No. 504  
Senate Bill No. 2011  
Base Level Funding Changes**

	Senate Version				House Version				House Changes to Senate Version Increase (Decrease) - Senate Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
<b>2021-23 Biennium Base Level</b>	197.00	\$44,213,575	\$15,373,370	\$59,586,945	197.00	\$44,213,575	\$15,373,370	\$59,586,945	0.00	\$0	\$0	\$0
<b>2021-23 Ongoing Funding Changes</b>												
Base payroll changes		\$278,259	\$45,298	\$323,557		\$278,259	\$45,298	\$323,557				\$0
Salary increase		792,963	248,930	1,041,893		718,691	230,888	949,579		(\$74,272)	(\$18,042)	(92,314)
Health insurance increase		6,895	2,213	9,108		6,895	2,213	9,108				0
Retirement contribution increase				0				0				0
Salary equity funding		658,760	107,240	766,000		750,000	122,093	872,093		91,240	14,853	106,093
CRF Reallocation				0		(6,966,000)	6,966,000	0		(6,966,000)	6,966,000	0
Operating and FTE position reductions	(2.00)	(2,047,239)	746,180	(1,301,059)	(2.00)	(2,047,239)	746,180	(1,301,059)				0
Peace Officer Standards and Training Board training funds		47,000	8,000	55,000		47,000	8,000	55,000				0
Transfer two FTE positions for IT unification	(2.00)	9,402	1,531	10,933	(2.00)	9,402	1,531	10,933				0
Reallocate funding and positions from motor carrier electronic permit fund			175,709	175,709			175,709	175,709				0
Computer aided dispatch fee		51,000	8,000	59,000		51,000	8,000	59,000				0
Agency Capitol complex rent proposal				0				0				0
Microsoft Office 365 license expenses		16,179	5,963	22,142		16,179	5,963	22,142				0
CVIEW system				0			130,000	130,000			130,000	130,000
<b>Total ongoing funding changes</b>	<b>(4.00)</b>	<b>(\$186,781)</b>	<b>\$1,349,064</b>	<b>\$1,162,283</b>	<b>(4.00)</b>	<b>(\$7,135,813)</b>	<b>\$8,441,875</b>	<b>\$1,306,062</b>	<b>0.00</b>	<b>(\$6,949,032)</b>	<b>\$7,092,811</b>	<b>\$143,779</b>
<b>One-time funding items</b>												
Hard body armor		\$228,000	\$37,000	\$265,000		\$0	\$265,000	\$265,000		(\$228,000)	\$228,000	\$0
Body and in-car cameras		1,158,000		1,158,000		0	1,158,000	1,158,000		(1,158,000)	1,158,000	0
Law Enforcement Training Academy (Strategic investment and improvements fund)			27,100,000	27,100,000			0	0			(27,100,000)	(27,100,000)
CVIEW one-time costs				0			275,000	275,000			275,000	275,000
<b>Total one-time funding changes</b>	<b>0.00</b>	<b>\$1,386,000</b>	<b>\$27,137,000</b>	<b>\$28,523,000</b>	<b>0.00</b>	<b>\$0</b>	<b>\$1,698,000</b>	<b>\$1,698,000</b>	<b>0.00</b>	<b>(\$1,386,000)</b>	<b>(\$25,439,000)</b>	<b>(\$26,825,000)</b>
<b>Total Changes to Base Level Funding</b>	<b>(4.00)</b>	<b>\$1,199,219</b>	<b>\$28,486,064</b>	<b>\$29,685,283</b>	<b>(4.00)</b>	<b>(\$7,135,813)</b>	<b>\$10,139,875</b>	<b>\$3,004,062</b>	<b>0.00</b>	<b>(\$8,335,032)</b>	<b>(\$18,346,189)</b>	<b>(\$26,681,221)</b>
<b>2021-23 Total Funding</b>	<b>193.00</b>	<b>\$45,412,794</b>	<b>\$43,859,434</b>	<b>\$89,272,228</b>	<b>193.00</b>	<b>\$37,077,762</b>	<b>\$25,513,245</b>	<b>\$62,591,007</b>	<b>0.00</b>	<b>(\$8,335,032)</b>	<b>(\$18,346,189)</b>	<b>(\$26,681,221)</b>
<i>Total ongoing changes as a percentage of base level</i>	<i>(2.0%)</i>	<i>(0.4%)</i>	<i>8.8%</i>	<i>2.0%</i>	<i>(2.0%)</i>	<i>(16.1%)</i>	<i>54.9%</i>	<i>2.2%</i>				
<i>Total changes as a percentage of base level</i>	<i>(2.0%)</i>	<i>2.7%</i>	<i>185.3%</i>	<i>49.8%</i>	<i>(2.0%)</i>	<i>(16.1%)</i>	<i>66.0%</i>	<i>5.0%</i>				

Other Sections in Highway Patrol - Budget No. 504

	<u>Senate Version</u>	<u>House Version</u>
Federal coronavirus relief fund	Not included.	Section 3 appropriates \$8.1 million of federal coronavirus relief funds for law enforcement officer salaries for the period beginning January 1, 2021, and ending June 30, 2021. Section 4 identifies \$8.1 million of federal coronavirus relief funds for law enforcement officer salaries for the period beginning July 1, 2021, and ending December 31, 2021. Section 11 declares Section 3 to be an emergency measure.
Highway tax distribution fund	Section 3 provides for \$8,538,213 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.	Section 5 provides for \$7,376,374 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.
Motor carrier electronic permit fund	Section 4 provides for \$1,706,450 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.	Section 6 provides for \$3,147,244 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.
Strategic investment and improvements fund	Section 5 provides for \$27.1 million of special funds from the strategic investment and improvements funds to be used for the Law Enforcement Training Academy project.	Not included.
Salary equity funding	Not included.	Section 7 identifies funding that may be used for salary equity funding, on-call pay, and location incentive pay.
Carryover authority	Not included.	Section 8 authorizes the Highway Patrol to continue up to \$50,530 from the 2019-21 biennium for an ammunition purchase.
Highway Patrol officer per diem	Section 6 provides for Highway Patrol officer per diem of \$200 per month during the 2021-23 biennium, the same as provided during the 2019-21 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status in the state.	Section 9 provides for Highway Patrol officer per diem of \$200 per month during the 2021-23 biennium, the same as provided during the 2019-21 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status in the state.
Radio purchase	Not included.	Section 10 provides legislative intent that federal fund from the American Rescue Plan Act be used to purchase radios for the Highway Patrol during the 2023-25 biennium.

21.0293.02004  
Title.  
Fiscal No. 2

Prepared by the Legislative Council staff for  
Representative Mock  
April 7, 2021

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2011

Page 1, line 2, remove "and"

Page 1, line 2, after "transfer" insert "; to provide an exemption; to provide a statement of legislative intent; and to declare an emergency"

Page 1, replace lines 11 through 15 with:

"Highway patrol	<u>\$59,586,945</u>	<u>\$3,004,062</u>	<u>\$62,591,007</u>
Total all funds	\$59,586,945	\$3,004,062	\$62,591,007
Less estimated income	<u>15,373,370</u>	<u>10,139,875</u>	<u>25,513,245</u>
Total general fund	\$44,213,575	(\$7,135,813)	\$37,077,762
Full-time equivalent positions	197.00	(4.00)	193.00"

Page 2, replace lines 2 through 5 with:

"Commercial motor carrier system		<u>0</u>	<u>275,000</u>
Total all funds		\$1,907,158	\$1,698,000
Less estimated income		<u>1,825,328</u>	<u>1,698,000</u>
Total general fund		\$81,830	\$0"

Page 2, after line 9, insert:

**"SECTION 3. APPROPRIATION - 2019-21 BIENNIUM - FEDERAL CORONAVIRUS RELIEF FUND - SPENDING RESTRICTION.** There is appropriated from federal funds derived from the federal coronavirus relief fund, not otherwise appropriated, the sum of \$8,100,000, or so much of the sum as may be necessary, to the highway patrol for law enforcement officer payroll costs for the period beginning January 1, 2021, and ending June 30, 2021. The funding appropriated in this section replaces existing legislative appropriations. The highway patrol may not spend the funding appropriated from the general fund and highway tax distribution fund for law enforcement payroll costs during the period identified.

**SECTION 4. ESTIMATED INCOME - FEDERAL CORONAVIRUS RELIEF FUND.** The estimated income line item in section 1 of this Act includes the sum of \$8,100,000, or so much of the sum as may be necessary, from the federal coronavirus relief fund for law enforcement officer payroll costs for the period beginning July 1, 2021, and ending December 31, 2021."

Page 2, line 11, replace "\$8,538,213" with "\$7,376,374"

Page 2, line 18, replace "\$1,706,450" with "\$3,147,244"

Page 2, replace lines 21 through 24 with:

**"SECTION 7. SALARY EQUITY FUNDING.** Section 1 of this Act includes the sum of \$872,093 for salary equity funding. This amount, along with any funding available from agency operational savings that may be reallocated, may be used for:

1. Salary equity adjustments that may not exceed \$1,125,000 in total for the biennium;

2. Law enforcement officer on-call pay that may not exceed 25 percent of the officer's hourly salary for regular on-call duties and may not exceed 50 percent of the officer's hourly salary for emergency on-call duties; and
3. Location incentive pay based on existing agency policies.

**SECTION 8. EXEMPTION.** The sum of \$50,530 from the general fund appropriated in section 1 of chapter 11 of the 2019 session laws is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 3, after line 2, insert:

**"SECTION 10. LEGISLATIVE INTENT.** It is the intent of the sixty-seventh legislative assembly that federal funding available to the state from the federal American Rescue Plan Act be appropriated to the highway patrol for the purchase of statewide interoperable radio network compatible radios during the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 11. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2011 - Highway Patrol - House Action**

	Base Budget	Senate Version	House Changes	House Version
Highway Patrol	\$59,586,945	\$89,272,228	(\$26,681,221)	\$62,591,007
Total all funds	\$59,586,945	\$89,272,228	(\$26,681,221)	\$62,591,007
Less estimated income	15,373,370	43,859,434	(18,346,189)	25,513,245
General fund	\$44,213,575	\$45,412,794	(\$8,335,032)	\$37,077,762
FTE	197.00	193.00	0.00	193.00

**Department 504 - Highway Patrol - Detail of House Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Adjusts Salaries Funding Source <sup>2</sup>	Adjusts Salary Equity Funding <sup>3</sup>	Adds Funding for CVIEW System <sup>4</sup>	Removes Funding for Training Academy <sup>5</sup>	Adjusts Funding Sources of One-Time Funding <sup>6</sup>
Highway Patrol	(\$92,314)		\$106,093	\$405,000	(\$27,100,000)	
Total all funds	(\$92,314)	\$0	\$106,093	\$405,000	(\$27,100,000)	\$0
Less estimated income	(18,042)	6,966,000	14,853	405,000	(27,100,000)	1,386,000
General fund	(\$74,272)	(\$6,966,000)	\$91,240	\$0	\$0	(\$1,386,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Total House Changes
Highway Patrol	(\$26,681,221)
Total all funds	(\$26,681,221)
Less estimated income	(18,346,189)
General fund	(\$8,335,032)
FTE	0.00

<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The Senate provided salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300, and 2 percent on July 1, 2022.

<sup>2</sup> Federal coronavirus relief funding of \$8.1 million is appropriated for law enforcement officer salaries for the period beginning July 1, 2021, and ending December 31, 2021. Funding for salaries is reduced from the general fund (\$6,966,000) and highway tax distribution fund (\$1,134,000). Funding of \$8.1 million from the federal Coronavirus Relief Fund is also appropriated in Section 3 of the bill for law enforcement officer salaries for the period beginning January 1, 2021, and ending June 30, 2021, resulting in additional general fund unspent appropriations (turnback) of \$6,966,000 and highway tax distribution fund unspent appropriations of \$1,134,000.

<sup>3</sup> Salary equity funding is adjusted to provide total funding of \$872,093. The Senate provided equity funding of \$766,000. A section is also added to provide the equity funding, along with any agency budget savings, may be used to provide total equity adjustments for the biennium of \$1,125,000, to provide on-call pay, and to provide location incentive pay.

<sup>4</sup> Ongoing funding from federal funds (\$110,500) and the motor carrier electronic permit transaction fund (\$19,500) is added for costs to participate in the Commercial Vehicle Information Exchange Window motor carrier system. One-time funding of \$275,000 of federal funding is also added to implement the program.

<sup>5</sup> One-time funding from the strategic investment and improvements fund added by the Senate for the Law Enforcement Training Academy project is removed.

<sup>6</sup> Funding for hard body armor and body and in-car cameras is adjusted as follows:

	Senate			House
	General Fund	Highway Tax Distribution Fund	Total	Motor Carrier Electronic Permit Fund
Hard body armor	\$228,000	\$37,000	\$265,000	\$265,000
Cameras	1,158,000		1,158,000	1,158,000
<b>Total</b>	<b>\$1,386,000</b>	<b>\$37,000</b>	<b>\$1,423,000</b>	<b>\$1,423,000</b>

This amendment also:

- Adjusts sections identifying the amount of funding appropriated from the highway tax distribution fund and motor carrier electronic permit transaction fund.
- Removes a section identifying funding to be used from the strategic investment and improvements fund for the Law Enforcement Training Academy project.
- Adds a section to authorize the carryover of \$50,530 of unused 2019-21 biennium appropriations into the 2021-23 biennium. This will reduce Highway Patrol turnback by an estimated \$50,530.
- Adds a section of legislative intent that federal funding available from the American Rescue Plan Act be used to purchase Highway Patrol radios during the 2023-25 biennium.

# 2021 HOUSE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Brynhild Haugland Room, State Capitol

SB 2011  
4/8/2021

BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide a report; and to provide for a transfer.

**Chairman Delzer-** Opened the meeting for SB 2011

<b>Attendance</b>	<b>P/A</b>
Representative Jeff Delzer	P
Representative Keith Kempenich	P
Representative Bert Anderson	P
Representative Larry Bellew	P
Representative Tracy Boe	P
Representative Mike Brandenburg	P
Representative Michael Howe	P
Representative Gary Kreidt	P
Representative Bob Martinson	P
Representative Lisa Meier	P
Representative Alisa Mitskog	P
Representative Corey Mock	P
Representative David Monson	P
Representative Mike Nathe	P
Representative Jon O. Nelson	P
Representative Mark Sanford	P
Representative Mike Schatz	P
Representative Jim Schmidt	P
Representative Randy A. Schobinger	P
Representative Michelle Strinden	P
Representative Don Vigesaa	P

## **Discussion Topics:**

- Budget Changes
- Amendment

**3:01 Representative Mock** – Explains the budget, its changes and the proposed amendment 21.0293.02004. (testimony # 11651) He also discusses the long sheet print out of the budget (testimony # 11461)

**3:23 Representative Mock** Makes a motion to adopt the amendment with the exception of section 10

**Representative Howe** Second

Further discussion



**Voice Vote- Motion Carries**

**Representative Mock** Makes a motion for a Do Pass as Amended

**Representative Schobinger** Second

Further discussion

**3:25 Roll Call Vote was Taken;**

<b>Representatives</b>	<b>Vote</b>
Representative Jeff Delzer	N
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	N
Representative Tracy Boe	Y
Representative Mike Brandenburg	Y
Representative Michael Howe	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Jim Schmidt	Y
Representative Randy A. Schobinger	Y
Representative Michelle Strinden	Y
Representative Don Vigesaa	Y

**Motion Carries 19-2-0 Representative Mock will carry the bill**

**Additional written testimony:** No Additional Testimony

**3:30 Chairman Delzer-** Closes the meeting for SB 2011

*Risa Berube,*

*House Appropriations Committee Clerk*

DA 4/9/21  
1 of 3

21.0293.02005  
Title.03000  
Fiscal No. 3

Prepared by the Legislative Council staff for  
the House Appropriations Committee  
April 8, 2021

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2011

Page 1, line 2, remove "and"

Page 1, line 2, after "transfer" insert "; to provide an exemption; and to declare an emergency"

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Total all funds	\$59,586,945	\$3,004,062	\$62,591,007
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Total general fund	\$44,213,575	(\$7,135,813)	\$37,077,762
Full-time equivalent positions	197.00	(4.00)	193.00"

Page 2, replace lines 2 through 5 with:

"Commercial motor carrier system		<u>0</u>	<u>275,000</u>
Total all funds		\$1,907,158	\$1,698,000
Less estimated income		<u>1,825,328</u>	<u>1,698,000</u>
Total general fund		\$81,830	\$0"

Page 2, after line 9, insert:

**"SECTION 3. APPROPRIATION - 2019-21 BIENNIUM - FEDERAL CORONAVIRUS RELIEF FUND - SPENDING RESTRICTION.** There is appropriated from federal funds derived from the federal coronavirus relief fund, not otherwise appropriated, the sum of \$8,100,000, or so much of the sum as may be necessary, to the highway patrol for law enforcement officer payroll costs for the period beginning January 1, 2021, and ending June 30, 2021. The funding appropriated in this section replaces existing legislative appropriations. The highway patrol may not spend the funding appropriated from the general fund and highway tax distribution fund for law enforcement payroll costs during the period identified.

**SECTION 4. ESTIMATED INCOME - FEDERAL CORONAVIRUS RELIEF FUND.** The estimated income line item in section 1 of this Act includes the sum of \$8,100,000, or so much of the sum as may be necessary, from the federal coronavirus relief fund for law enforcement officer payroll costs for the period beginning July 1, 2021, and ending December 31, 2021."

Page 2, line 11, replace "\$8,538,213" with "\$7,376,374"

Page 2, line 18, replace "\$1,706,450" with "\$3,147,244"

Page 2, replace lines 21 through 24 with:

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1. Salary equity adjustments that may not exceed \$1,125,000 in total for the biennium;

DF 9/9/21  
2 of 3

2. Law enforcement officer on-call pay that may not exceed 25 percent of the officer's hourly salary for regular on-call duties and may not exceed 50 percent of the officer's hourly salary for emergency on-call duties; and
3. Location incentive pay based on existing agency policies.

**SECTION 8. EXEMPTION.** The sum of \$50,530 from the general fund appropriated in section 1 of chapter 11 of the 2019 Session Laws is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 3, after line 2, insert:

"**SECTION 10. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2011 - Highway Patrol - House Action**

	Base Budget	Senate Version	House Changes	House Version
Highway Patrol	\$59,586,945	\$89,272,228	(\$26,681,221)	\$62,591,007
Total all funds	\$59,586,945	\$89,272,228	(\$26,681,221)	\$62,591,007
Less estimated income	15,373,370	43,859,434	(18,346,189)	25,513,245
General fund	\$44,213,575	\$45,412,794	(\$8,335,032)	\$37,077,762
FTE	197.00	193.00	0.00	193.00

**Department 504 - Highway Patrol - Detail of House Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Adjusts Salaries Funding Source <sup>2</sup>	Adjusts Salary Equity Funding <sup>3</sup>	Adds Funding for CVIEW System <sup>4</sup>	Removes Funding for Training Academy <sup>5</sup>	Adjusts Funding Sources of One-Time Funding <sup>6</sup>
Highway Patrol	(\$92,314)		\$106,093	\$405,000	(\$27,100,000)	
Total all funds	(\$92,314)	\$0	\$106,093	\$405,000	(\$27,100,000)	\$0
Less estimated income	(18,042)	6,966,000	14,853	405,000	(27,100,000)	1,386,000
General fund	(\$74,272)	(\$6,966,000)	\$91,240	\$0	\$0	(\$1,386,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Total House Changes
Highway Patrol	(\$26,681,221)
Total all funds	(\$26,681,221)
Less estimated income	(18,346,189)
General fund	(\$8,335,032)
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<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The Senate provided salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300, and 2 percent on July 1, 2022.

<sup>2</sup> Federal coronavirus relief funding of \$8.1 million is appropriated for law enforcement officer salaries for the period beginning July 1, 2021, and ending December 31, 2021. Funding for salaries is reduced from the general fund (\$6,966,000) and highway tax distribution fund (\$1,134,000). Funding of \$8.1 million from the federal Coronavirus

Relief Fund is also appropriated in Section 3 of the bill for law enforcement officer salaries for the period beginning January 1, 2021, and ending June 30, 2021, resulting in additional general fund unspent appropriations (turnback) of \$6,966,000 and highway tax distribution fund unspent appropriations of \$1,134,000.

<sup>3</sup> Salary equity funding is adjusted to provide total funding of \$872,093. The Senate provided equity funding of \$766,000. A section is also added to provide the equity funding, along with any agency budget savings, may be used to provide total equity adjustments for the biennium of \$1,125,000, to provide on-call pay, and to provide location incentive pay.

<sup>4</sup> Ongoing funding from federal funds (\$110,500) and the motor carrier electronic permit transaction fund (\$19,500) is added for costs to participate in the Commercial Vehicle Information Exchange Window motor carrier system. One-time funding of \$275,000 of federal funding is also added to implement the program.

<sup>5</sup> One-time funding from the strategic investment and improvements fund added by the Senate for the Law Enforcement Training Academy project is removed.

<sup>6</sup> Funding for hard body armor and body and in-car cameras is adjusted as follows:

	Senate			House
	General Fund	Highway Tax Distribution Fund	Total	Motor Carrier Electronic Permit Fund
Hard body armor	\$228,000	\$37,000	\$265,000	\$265,000
Cameras	1,158,000		1,158,000	1,158,000
Total	\$1,386,000	\$37,000	\$1,423,000	\$1,423,000

This amendment also:

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- Removes a section identifying funding to be used from the strategic investment and improvements fund for the Law Enforcement Training Academy project.
- Adds a section to authorize the carryover of \$50,530 of unused 2019-21 biennium appropriations into the 2021-23 biennium. This will reduce Highway Patrol turnback by an estimated \$50,530.

**REPORT OF STANDING COMMITTEE**

**SB 2011, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2011 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

Page 1, line 2, after "transfer" insert "; to provide an exemption; and to declare an emergency"

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**SECTION 8. EXEMPTION.** The sum of \$50,530 from the general fund appropriated in section 1 of chapter 11 of the 2019 Session Laws is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2021, and ending June 30, 2023."

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Renumber accordingly

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**Department 504 - Highway Patrol - Detail of House Changes**

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This amendment also:

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- Adds a section to authorize the carryover of \$50,530 of unused 2019-21 biennium appropriations into the 2021-23 biennium. This will reduce Highway Patrol turnback by an estimated \$50,530.

21.0293.02004  
 Title.  
 Fiscal No. 2

Prepared by the Legislative Council staff for  
 Representative Mock  
 April 7, 2021

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2011

Page 1, line 2, remove "and"

Page 1, line 2, after "transfer" insert "; to provide an exemption; to provide a statement of legislative intent; and to declare an emergency"

Page 1, replace lines 11 through 15 with:

"Highway patrol	<u>\$59,586,945</u>	<u>\$3,004,062</u>	<u>\$62,591,007</u>
Total all funds	\$59,586,945	\$3,004,062	\$62,591,007
Less estimated income	<u>15,373,370</u>	<u>10,139,875</u>	<u>25,513,245</u>
Total general fund	\$44,213,575	(\$7,135,813)	\$37,077,762
Full-time equivalent positions	197.00	(4.00)	193.00"

Page 2, replace lines 2 through 5 with:

"Commercial motor carrier system		<u>0</u>	<u>275,000</u>
Total all funds		\$1,907,158	\$1,698,000
Less estimated income		<u>1,825,328</u>	<u>1,698,000</u>
Total general fund		\$81,830	\$0"

Page 2, after line 9, insert:

**"SECTION 3. APPROPRIATION - 2019-21 BIENNIUM - FEDERAL CORONAVIRUS RELIEF FUND - SPENDING RESTRICTION.** There is appropriated from federal funds derived from the federal coronavirus relief fund, not otherwise appropriated, the sum of \$8,100,000, or so much of the sum as may be necessary, to the highway patrol for law enforcement officer payroll costs for the period beginning January 1, 2021, and ending June 30, 2021. The funding appropriated in this section replaces existing legislative appropriations. The highway patrol may not spend the funding appropriated from the general fund and highway tax distribution fund for law enforcement payroll costs during the period identified.

**SECTION 4. ESTIMATED INCOME - FEDERAL CORONAVIRUS RELIEF FUND.** The estimated income line item in section 1 of this Act includes the sum of \$8,100,000, or so much of the sum as may be necessary, from the federal coronavirus relief fund for law enforcement officer payroll costs for the period beginning July 1, 2021, and ending December 31, 2021."

Page 2, line 11, replace "\$8,538,213" with "\$7,376,374"

Page 2, line 18, replace "\$1,706,450" with "\$3,147,244"

Page 2, replace lines 21 through 24 with:

**"SECTION 7. SALARY EQUITY FUNDING.** Section 1 of this Act includes the sum of \$872,093 for salary equity funding. This amount, along with any funding available from agency operational savings that may be reallocated, may be used for:

1. Salary equity adjustments that may not exceed \$1,125,000 in total for the biennium;



2. Law enforcement officer on-call pay that may not exceed 25 percent of the officer's hourly salary for regular on-call duties and may not exceed 50 percent of the officer's hourly salary for emergency on-call duties; and
3. Location incentive pay based on existing agency policies.

**SECTION 8. EXEMPTION.** The sum of \$50,530 from the general fund appropriated in section 1 of chapter 11 of the 2019 session laws is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 3, after line 2, insert:

**"SECTION 10. LEGISLATIVE INTENT.** It is the intent of the sixty-seventh legislative assembly that federal funding available to the state from the federal American Rescue Plan Act be appropriated to the highway patrol for the purchase of statewide interoperable radio network compatible radios during the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 11. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2011 - Highway Patrol - House Action**

	Base Budget	Senate Version	House Changes	House Version
Highway Patrol	\$59,586,945	\$89,272,228	(\$26,681,221)	\$62,591,007
Total all funds	\$59,586,945	\$89,272,228	(\$26,681,221)	\$62,591,007
Less estimated income	15,373,370	43,859,434	(18,346,189)	25,513,245
General fund	\$44,213,575	\$45,412,794	(\$8,335,032)	\$37,077,762
FTE	197.00	193.00	0.00	193.00

**Department 504 - Highway Patrol - Detail of House Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Adjusts Salaries Funding Source <sup>2</sup>	Adjusts Salary Equity Funding <sup>3</sup>	Adds Funding for CVIEW System <sup>4</sup>	Removes Funding for Training Academy <sup>5</sup>	Adjusts Funding Sources of One-Time Funding <sup>6</sup>
Highway Patrol	(\$92,314)		\$106,093	\$405,000	(\$27,100,000)	
Total all funds	(\$92,314)	\$0	\$106,093	\$405,000	(\$27,100,000)	\$0
Less estimated income	(18,042)	6,966,000	14,853	405,000	(27,100,000)	1,386,000
General fund	(\$74,272)	(\$6,966,000)	\$91,240	\$0	\$0	(\$1,386,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Total House Changes
Highway Patrol	(\$26,681,221)
Total all funds	(\$26,681,221)
Less estimated income	(18,346,189)
General fund	(\$8,335,032)
FTE	0.00

<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022. The Senate provided salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300, and 2 percent on July 1, 2022.

<sup>2</sup> Federal coronavirus relief funding of \$8.1 million is appropriated for law enforcement officer salaries for the period beginning July 1, 2021, and ending December 31, 2021. Funding for salaries is reduced from the general fund (\$6,966,000) and highway tax distribution fund (\$1,134,000). Funding of \$8.1 million from the federal Coronavirus Relief Fund is also appropriated in Section 3 of the bill for law enforcement officer salaries for the period beginning January 1, 2021, and ending June 30, 2021, resulting in additional general fund unspent appropriations (turnback) of \$6,966,000 and highway tax distribution fund unspent appropriations of \$1,134,000.

<sup>3</sup> Salary equity funding is adjusted to provide total funding of \$872,093. The Senate provided equity funding of \$766,000. A section is also added to provide the equity funding, along with any agency budget savings, may be used to provide total equity adjustments for the biennium of \$1,125,000, to provide on-call pay, and to provide location incentive pay.

<sup>4</sup> Ongoing funding from federal funds (\$110,500) and the motor carrier electronic permit transaction fund (\$19,500) is added for costs to participate in the Commercial Vehicle Information Exchange Window motor carrier system. One-time funding of \$275,000 of federal funding is also added to implement the program.

<sup>5</sup> One-time funding from the strategic investment and improvements fund added by the Senate for the Law Enforcement Training Academy project is removed.

<sup>6</sup> Funding for hard body armor and body and in-car cameras is adjusted as follows:

	Senate			House
	General Fund	Highway Tax Distribution Fund	Total	Motor Carrier Electronic Permit Fund
Hard body armor	\$228,000	\$37,000	\$265,000	\$265,000
Cameras	1,158,000		1,158,000	1,158,000
<b>Total</b>	<b>\$1,386,000</b>	<b>\$37,000</b>	<b>\$1,423,000</b>	<b>\$1,423,000</b>

This amendment also:

- Adjusts sections identifying the amount of funding appropriated from the highway tax distribution fund and motor carrier electronic permit transaction fund.
- Removes a section identifying funding to be used from the strategic investment and improvements fund for the Law Enforcement Training Academy project.
- Adds a section to authorize the carryover of \$50,530 of unused 2019-21 biennium appropriations into the 2021-23 biennium. This will reduce Highway Patrol turnback by an estimated \$50,530.
- Adds a section of legislative intent that federal funding available from the American Rescue Plan Act be used to purchase Highway Patrol radios during the 2023-25 biennium.

**Highway Patrol - Budget No. 504  
Senate Bill No. 2011  
Base Level Funding Changes**

	Senate Version				House Version				House Changes to Senate Version Increase (Decrease) - Senate Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
<b>2021-23 Biennium Base Level</b>	197.00	\$44,213,575	\$15,373,370	\$59,586,945	197.00	\$44,213,575	\$15,373,370	\$59,586,945	0.00	\$0	\$0	\$0
<b>2021-23 Ongoing Funding Changes</b>												
Base payroll changes		\$278,259	\$45,298	\$323,557		\$278,259	\$45,298	\$323,557				\$0
Salary increase		792,963	248,930	1,041,893		718,691	230,888	949,579		(\$74,272)	(\$18,042)	(92,314)
Health insurance increase		6,895	2,213	9,108		6,895	2,213	9,108				0
Retirement contribution increase				0				0				0
Salary equity funding		658,760	107,240	766,000		750,000	122,093	872,093		91,240	14,853	106,093
CRF Reallocation				0		(6,966,000)	6,966,000	0		(6,966,000)	6,966,000	0
Operating and FTE position reductions	(2.00)	(2,047,239)	746,180	(1,301,059)	(2.00)	(2,047,239)	746,180	(1,301,059)				0
Peace Officer Standards and Training Board training funds		47,000	8,000	55,000		47,000	8,000	55,000				0
Transfer two FTE positions for IT unification	(2.00)	9,402	1,531	10,933	(2.00)	9,402	1,531	10,933				0
Reallocate funding and positions from motor carrier electronic permit fund			175,709	175,709			175,709	175,709				0
Computer aided dispatch fee		51,000	8,000	59,000		51,000	8,000	59,000				0
Agency Capitol complex rent proposal				0				0				0
Microsoft Office 365 license expenses		16,179	5,963	22,142		16,179	5,963	22,142				0
CVIEW system				0			130,000	130,000			130,000	130,000
<b>Total ongoing funding changes</b>	<b>(4.00)</b>	<b>(\$186,781)</b>	<b>\$1,349,064</b>	<b>\$1,162,283</b>	<b>(4.00)</b>	<b>(\$7,135,813)</b>	<b>\$8,441,875</b>	<b>\$1,306,062</b>	<b>0.00</b>	<b>(\$6,949,032)</b>	<b>\$7,092,811</b>	<b>\$143,779</b>
<b>One-time funding items</b>												
Hard body armor		\$228,000	\$37,000	\$265,000		\$0	\$265,000	\$265,000		(\$228,000)	\$228,000	\$0
Body and in-car cameras		1,158,000		1,158,000		0	1,158,000	1,158,000		(1,158,000)	1,158,000	0
Law Enforcement Training Academy (Strategic investment and improvements fund)			27,100,000	27,100,000			0	0			(27,100,000)	(27,100,000)
CVIEW one-time costs				0			275,000	275,000			275,000	275,000
<b>Total one-time funding changes</b>	<b>0.00</b>	<b>\$1,386,000</b>	<b>\$27,137,000</b>	<b>\$28,523,000</b>	<b>0.00</b>	<b>\$0</b>	<b>\$1,698,000</b>	<b>\$1,698,000</b>	<b>0.00</b>	<b>(\$1,386,000)</b>	<b>(\$25,439,000)</b>	<b>(\$26,825,000)</b>
<b>Total Changes to Base Level Funding</b>	<b>(4.00)</b>	<b>\$1,199,219</b>	<b>\$28,486,064</b>	<b>\$29,685,283</b>	<b>(4.00)</b>	<b>(\$7,135,813)</b>	<b>\$10,139,875</b>	<b>\$3,004,062</b>	<b>0.00</b>	<b>(\$8,335,032)</b>	<b>(\$18,346,189)</b>	<b>(\$26,681,221)</b>
<b>2021-23 Total Funding</b>	<b>193.00</b>	<b>\$45,412,794</b>	<b>\$43,859,434</b>	<b>\$89,272,228</b>	<b>193.00</b>	<b>\$37,077,762</b>	<b>\$25,513,245</b>	<b>\$62,591,007</b>	<b>0.00</b>	<b>(\$8,335,032)</b>	<b>(\$18,346,189)</b>	<b>(\$26,681,221)</b>
<i>Total ongoing changes as a percentage of base level</i>	<i>(2.0%)</i>	<i>(0.4%)</i>	<i>8.8%</i>	<i>2.0%</i>	<i>(2.0%)</i>	<i>(16.1%)</i>	<i>54.9%</i>	<i>2.2%</i>				
<i>Total changes as a percentage of base level</i>	<i>(2.0%)</i>	<i>2.7%</i>	<i>185.3%</i>	<i>49.8%</i>	<i>(2.0%)</i>	<i>(16.1%)</i>	<i>66.0%</i>	<i>5.0%</i>				

**Other Sections in Highway Patrol - Budget No. 504**

	<u>Senate Version</u>	<u>House Version</u>
Federal coronavirus relief fund	Not included.	Section 3 appropriates \$8.1 million of federal coronavirus relief funds for law enforcement officer salaries for the period beginning January 1, 2021, and ending June 30, 2021. Section 4 identifies \$8.1 million of federal coronavirus relief funds for law enforcement officer salaries for the period beginning July 1, 2021, and ending December 31, 2021. Section 11 declares Section 3 to be an emergency measure.
Highway tax distribution fund	Section 3 provides for \$8,538,213 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.	Section 5 provides for \$7,376,374 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.
Motor carrier electronic permit fund	Section 4 provides for \$1,706,450 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.	Section 6 provides for \$3,147,244 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.
Strategic investment and improvements fund	Section 5 provides for \$27.1 million of special funds from the strategic investment and improvements funds to be used for the Law Enforcement Training Academy project.	Not included.
Salary equity funding	Not included.	Section 7 identifies funding that may be used for salary equity funding, on-call pay, and location incentive pay.
Carryover authority	Not included.	Section 8 authorizes the Highway Patrol to continue up to \$50,530 from the 2019-21 biennium for an ammunition purchase.
Highway Patrol officer per diem	Section 6 provides for Highway Patrol officer per diem of \$200 per month during the 2021-23 biennium, the same as provided during the 2019-21 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status in the state.	Section 9 provides for Highway Patrol officer per diem of \$200 per month during the 2021-23 biennium, the same as provided during the 2019-21 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status in the state.
Radio purchase	Not included.	Section 10 provides legislative intent that federal fund from the American Rescue Plan Act be used to purchase radios for the Highway Patrol during the 2023-25 biennium.

**2021 CONFERENCE COMMITTEE**

**SB 2011**

# 2021 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2011  
4/20/2021  
Senate Conference Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol; to provide a report; to provide for a transfer; to provide an exemption; and to declare an emergency.

**Senator Krebsbach** opened the hearing at 9:31 a.m.

Senators present: Krebsbach, Davison, Heckaman  
Representatives present: Howe, Meier, Mock

**Discussion Topics:**

- Equity
- Carryover

**Representative Mock** explained House changes.

**Senator Krebsbach** closed the hearing at 9:58 a.m.

*Rose Laning, Committee Clerk*

# 2021 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2011  
4/22/2021  
Senate Conference Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.
-------------------------------------------------------------------------------------------------

**Senator Krebsbach** opened the hearing at 11:36 AM.

Senators present: **Krebsbach, Davison, Heckaman**  
Representatives present: **Howe, Meier, Mock**

**Discussion Topics:**

- Carryover funds
- Location and Incentive Pay
- Training Academy

**Representative Mock** went through the House changes item by item.

**Senator Krebsbach** closed the hearing at 11:58 AM.

*Rose Laning, Committee Clerk*

# 2021 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2011  
4/23/2021  
Senate Conference Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.
-------------------------------------------------------------------------------------------------

**Senator Krebsbach** opened the hearing at 9:34 AM.

Senators present: **Krebsbach, Davison, Heckaman**  
Representatives present: **Howe, Meier, Mock**

**Discussion Topics:**

- PERS funding
- Location and Incentive Pay

**Committee** discussion continued.

**Senator Krebsbach** closed the hearing at 9:42 AM.

*Rose Laning, Committee Clerk*



# 2021 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2011  
4/26/2021  
Senate Conference Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.
-------------------------------------------------------------------------------------------------

**Senator Krebsbach** opened the hearing at 10:05 AM

Senators present: **Krebsbach, Davison, Heckaman**  
Representatives present: **Howe, Meier, Mock**

**Discussion Topics:**

- Highway Tax Distribution money

**Representative Mock** presents a proposal on the negotiations; no written testimony.

**Senator Krebsbach** closed the hearing at 10:12 AM.

*Rose Laning, Committee Clerk*

# 2021 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2011  
4/27/2021  
9:00 AM  
Senate Conference Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.
-------------------------------------------------------------------------------------------------

**Senator Krebsbach** opened the hearing at 9:02 a.m.

Senators present: **Krebsbach, Davison, Heckaman**  
Representatives present: **Howe, Meier, Mock**

**Discussion Topics:**

- Monetary Negotiations

**Representative Mock** suggested the Senate reconsider the House original offer

**Senator Krebsbach** proposed amendment LC 21.0293.02007; testimony #11655

**Senator Krebsbach** closed the meeting at 9:17 a.m.

*Skyler Strand, Committee Clerk*

**PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2011**

That the House recede from its amendments as printed on pages 1425-1428 of the Senate Journal and pages 1619-1621 of the House Journal and that Engrossed Senate Bill No. 2011 be amended as follows:

Page 1, line 2, remove "and"

Page 1, line 2, after "transfer" insert "; to provide an exemption; and to declare an emergency"

Page 1, replace lines 11 through 15 with:

"Highway patrol	<u>\$59,586,945</u>	<u>\$4,700,504</u>	<u>\$64,287,449</u>
Total all funds	\$59,586,945	\$4,700,504	\$64,287,449
Less estimated income	<u>15,373,370</u>	<u>12,586,317</u>	<u>27,959,687</u>
Total general fund	\$44,213,575	(\$7,885,813)	\$36,327,762
Full-time equivalent positions	197.00	(4.00)	193.00"

Page 2, replace lines 2 through 5 with:

"Commercial motor carrier system	<u>0</u>	<u>275,000</u>
Total all funds	\$1,907,158	\$1,698,000
Less estimated income	<u>1,825,328</u>	<u>1,698,000</u>
Total general fund	\$81,830	\$0"

Page 2, after line 9, insert:

**"SECTION 3. APPROPRIATION - 2019-21 BIENNIUM - FEDERAL CORONAVIRUS RELIEF FUND - SPENDING RESTRICTION.** There is appropriated from federal funds derived from the federal coronavirus relief fund, not otherwise appropriated, the sum of \$8,100,000, or so much of the sum as may be necessary, to the highway patrol for law enforcement officer payroll costs for the period beginning January 1, 2021, and ending June 30, 2021. The funding appropriated in this section replaces existing legislative appropriations. The highway patrol may not spend the funding appropriated from the general fund and highway tax distribution fund for law enforcement payroll costs during the period identified.

**SECTION 4. ESTIMATED INCOME - FEDERAL CORONAVIRUS RELIEF FUND.** The estimated income line item in section 1 of this Act includes the sum of \$8,100,000, or so much of the sum as may be necessary, from the federal coronavirus relief fund for law enforcement officer payroll costs for the period beginning July 1, 2021, and ending December 31, 2021."

Page 2, line 11, replace "\$8,538,213" with "\$9,698,281"

Page 2, after line 15, insert:

**"SECTION 6. SALARY EQUITY - ON-CALL - LOCATION INCENTIVE PAY - HIGHWAY TAX DISTRIBUTION FUND.** Of the funding from the highway tax distribution fund identified in section 5 of this Act, \$2,444,000 in total is for salary equity funding, on-call pay, and location incentive pay. The highway patrol may not spend more than \$1,532,000 for salary equity, \$912,000 for on-call pay, and \$172,800 for

location incentive pay for the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 2, line 18, replace "\$1,706,450" with "\$3,147,244"

Page 2, replace lines 21 through 24 with:

**"SECTION 8. EXEMPTION.** The sum of \$50,530 from the general fund appropriated in section 1 of chapter 11 of the 2019 Session Laws is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 3, after line 2, insert:

**"SECTION 9. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure."

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2011 - Highway Patrol - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Highway Patrol	\$59,586,945	\$89,272,228	(\$24,984,779)	\$64,287,449	\$62,591,007	\$1,696,442
Total all funds	\$59,586,945	\$89,272,228	(\$24,984,779)	\$64,287,449	\$62,591,007	\$1,696,442
Less estimated income	15,373,370	43,859,434	(15,899,747)	27,959,687	25,513,245	2,446,442
General fund	\$44,213,575	\$45,412,794	(\$9,085,032)	\$36,327,762	\$37,077,762	(\$750,000)
FTE	197.00	193.00	0.00	193.00	193.00	0.00

**Department 504 - Highway Patrol - Detail of Conference Committee Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Adjusts Salaries Funding Source <sup>2</sup>	Adds Funding for Retirement Contribution Increase <sup>3</sup>	Adjusts Salary Equity and Other Funding <sup>4</sup>	Adds Funding for CVIEW System <sup>5</sup>	Removes Funding for Training Academy <sup>6</sup>
Highway Patrol	(\$92,314)		\$124,535	\$1,678,000	\$405,000	(\$27,100,000)
Total all funds	(\$92,314)	\$0	\$124,535	\$1,678,000	\$405,000	(\$27,100,000)
Less estimated income	(18,042)	6,966,000	124,535	2,336,760	405,000	(27,100,000)
General fund	(\$74,272)	(\$6,966,000)	\$0	(\$658,760)	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Adjusts Funding Sources of One-Time Funding <sup>7</sup>	Total Conference Committee Changes
Highway Patrol		(\$24,984,779)
Total all funds	\$0	(\$24,984,779)
Less estimated income	1,386,000	(15,899,747)
General fund	(\$1,386,000)	(\$9,085,032)
FTE	0.00	0.00

<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022, the same as the House. The Senate provided salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300, and 2 percent on July 1, 2022.

<sup>2</sup> Federal coronavirus relief funding of \$8,100,000 is appropriated for law enforcement officer salaries for the period beginning July 1, 2021, and ending December 31, 2021. Funding for salaries is reduced from the general fund (\$6,966,000) and highway tax distribution fund (\$1,134,000). Funding of \$8,100,000 from the federal Coronavirus Relief Fund is also appropriated in Section 3 of the bill for law enforcement officer salaries for the period beginning January 1, 2021, and ending June 30, 2021, resulting in additional general fund unspent appropriations (turnback) of \$6,966,000 and highway tax distribution fund unspent appropriations of \$1,134,000. The House also made these funding adjustments.

<sup>3</sup> Funding from other funds to be identified by the Highway Patrol is added for retirement contribution increases of \$124,535. Neither the Senate nor the House included this funding.

<sup>4</sup> Funding from the highway tax distribution fund is added and general fund support is removed to provide \$2,444,000, for salary equity funding, on-call pay, and location incentive pay. A section is added to preclude the Highway Patrol from expending more than \$1,532,000 for salary equity, \$912,000 for on-call pay, and \$172,800 for location incentive pay.

The Senate provided total equity funding of \$766,000 and the House provided total equity funding of \$872,093. The House also added a section to provide the equity funding, along with any agency budget savings, may be used to provide total equity adjustments for the biennium of \$1,125,000, to provide on-call pay, and to provide location incentive pay.

<sup>5</sup> Ongoing funding from federal funds (\$110,500) and the motor carrier electronic permit transaction fund (\$19,500) is added for costs to participate in the Commercial Vehicle Information Exchange Window motor carrier system. One-time funding of \$275,000 of federal funding is also added to implement the program. The House also added this funding.

<sup>6</sup> One-time funding from the strategic investment and improvements fund added by the Senate for the Law Enforcement Training Academy project is removed. The House also removed this funding.

<sup>7</sup> Funding for hard body armor and body and in-car cameras is adjusted as follows:

	Senate			Conference Committee
	General Fund	Highway Tax Distribution Fund	Total	Motor Carrier Electronic Permit Fund
Hard body armor	\$228,000	\$37,000	\$265,000	\$265,000
Cameras	1,158,000		1,158,000	1,158,000
Total	\$1,386,000	\$37,000	\$1,423,000	\$1,423,000

The House made the same adjustments as the Conference Committee.

This amendment also:

- Adjusts sections identifying the amount of funding appropriated from the highway tax distribution fund and motor carrier electronic permit transaction fund.
- Removes a section identifying funding to be used from the strategic investment and improvements fund for the Law Enforcement Training Academy project. The House also removed this section.
- Adds a section to authorize the carryover of \$50,530 of unused 2019-21 biennium appropriations into the 2021 23 biennium. This will reduce Highway Patrol turnback by an estimated \$50,530. The House also added this section.

# 2021 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2011  
4/28/2021  
Senate Conference Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.
-------------------------------------------------------------------------------------------------

**Senator Krebsbach** opened the hearing at 9:31 AM.

Senators present: **Krebsbach, Davison, Heckaman**  
Representatives present: **Howe, Meier, Mock**

**Discussion Topics:**

- Monetary Negotiations

**Representative Mock** suggested a compromise - \$2M.

**Senator Krebsbach** closed the meeting at 9:34 AM.

*Rose Laning, Committee Clerk*

# 2021 SENATE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Roughrider Room, State Capitol

SB 2011  
4/28/2021  
Senate Conference Committee

A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol.
-------------------------------------------------------------------------------------------------

**Senator Krebsbach** opened the hearing at 1:29 PM.

Senators present: **Krebsbach, Davison, Heckaman**  
Representatives present: **Howe, Meier, Mock**

**Discussion Topics:**

- Monetary Negotiations
- Inconsistent penalties with a technical correction

**Representative Mock** moved the House recede from House amendments and amend with LC 21.0293.02009.

**Representative Howe** second.

**Senator Krebsbach – Y**  
**Senator Davison – Y**  
**Senator Heckaman – Y**

**Representative Howe – Y**  
**Representative Meier – Y**  
**Representative Mock – Y**

Roll Call vote 6-0-0. Motion passed.

**Senator Krebsbach** closed the meeting at 1:41 PM.

*Rose Laning, Committee Clerk*

SK  
1003  
4/29

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2011

That the House recede from its amendments as printed on pages 1425-1428 of the Senate Journal and pages 1619-1621 of the House Journal and that Engrossed Senate Bill No. 2011 be amended as follows:

Page 1, line 2, replace "and" with "to repeal subdivision b of subsection 5 of section 39-08-13 of the North Dakota Century Code, relating to accident report forms;"

Page 1, line 2, after "transfer" insert "; to provide an exemption; and to declare an emergency"

Page 1, replace lines 11 through 15 with:

"Highway patrol	<u>\$59,586,945</u>	<u>\$4,224,469</u>	<u>\$63,811,414</u>
Total all funds	\$59,586,945	\$4,224,469	\$63,811,414
Less estimated income	<u>15,373,370</u>	<u>12,110,282</u>	<u>27,483,652</u>
Total general fund	\$44,213,575	(\$7,885,813)	\$36,327,762
Full-time equivalent positions	197.00	(4.00)	193.00"

Page 2, replace lines 2 through 5 with:

"Commercial motor carrier system		<u>0</u>	<u>275,000</u>
Total all funds		\$1,907,158	\$1,698,000
Less estimated income		<u>1,825,328</u>	<u>1,698,000</u>
Total general fund		\$81,830	\$0"

Page 2, after line 9, insert:

**"SECTION 3. APPROPRIATION - 2019-21 BIENNIUM - FEDERAL CORONAVIRUS RELIEF FUND - SPENDING RESTRICTION.** There is appropriated from federal funds derived from the federal coronavirus relief fund, not otherwise appropriated, the sum of \$8,100,000, or so much of the sum as may be necessary, to the highway patrol for law enforcement officer payroll costs for the period beginning January 1, 2021, and ending June 30, 2021. The funding appropriated in this section replaces existing legislative appropriations. The highway patrol may not spend the funding appropriated from the general fund and highway tax distribution fund for law enforcement payroll costs during the period identified.

**SECTION 4. ESTIMATED INCOME - FEDERAL CORONAVIRUS RELIEF FUND.** The estimated income line item in section 1 of this Act includes the sum of \$8,100,000, or so much of the sum as may be necessary, from the federal coronavirus relief fund for law enforcement officer payroll costs for the period beginning July 1, 2021, and ending December 31, 2021."

Page 2, line 11, replace "\$8,538,213" with "\$9,346,781"

Page 2, after line 15, insert:

**"SECTION 6. SALARY EQUITY FUNDING.** Section 1 of this Act includes the sum of \$2,092,500 for salary equity funding, on-call pay, and location incentive pay. This amount, along with any funding available from agency operational savings that may be reallocated, may be used for:



1. Salary equity adjustments that may not exceed \$1,532,000 in total for the biennium;
2. Law enforcement officer on-call pay that may not exceed 25 percent of the officer's hourly salary for regular on-call duties and may not exceed 50 percent of the officer's hourly salary for emergency on-call duties; and
3. Location incentive pay based on existing agency policies."

Page 2, line 18, replace "\$1,706,450" with "\$3,147,244"

Page 2, replace lines 21 through 24 with:

**"SECTION 8. EXEMPTION.** The sum of \$50,530 from the general fund appropriated in section 1 of chapter 11 of the 2019 Session Laws is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2021, and ending June 30, 2023."

Page 3, after line 2, insert:

**"SECTION 10. REPEAL.** Subdivision b of subsection 5 of section 39-08-13 of North Dakota Century Code is repealed.

**SECTION 11. EMERGENCY.** Sections 3 and 10 of this Act are declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2011 - Highway Patrol - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Highway Patrol	\$59,586,945	\$89,272,228	(\$25,460,814)	\$63,811,414	\$62,591,007	\$1,220,407
Total all funds	\$59,586,945	\$89,272,228	(\$25,460,814)	\$63,811,414	\$62,591,007	\$1,220,407
Less estimated income	15,373,370	43,859,434	(16,375,782)	27,483,652	25,513,245	1,970,407
General fund	\$44,213,575	\$45,412,794	(\$9,085,032)	\$36,327,762	\$37,077,762	(\$750,000)
FTE	197.00	193.00	0.00	193.00	193.00	0.00

**Department 504 - Highway Patrol - Detail of Conference Committee Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Adjusts Salaries Funding Source <sup>2</sup>	Adjusts Salary Equity and Other Funding <sup>3</sup>	Adds Funding for CVIEW System <sup>4</sup>	Removes Funding for Training Academy <sup>5</sup>	Adjusts Funding Sources of One-Time Funding <sup>6</sup>
Highway Patrol	(\$92,314)		\$1,326,500	\$405,000	(\$27,100,000)	
Total all funds	(\$92,314)	\$0	\$1,326,500	\$405,000	(\$27,100,000)	\$0
Less estimated income	(18,042)	6,966,000	1,985,260	405,000	(27,100,000)	1,386,000
General fund	(\$74,272)	(\$6,966,000)	(\$658,760)	\$0	\$0	(\$1,386,000)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	<b>Total Conference Committee Changes</b>
Highway Patrol	(\$25,460,814)
Total all funds	(\$25,460,814)
Less estimated income	(16,375,782)
General fund	(\$9,085,032)
FTE	0.00

<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022, the same as the House. The Senate provided salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300, and 2 percent on July 1, 2022.

<sup>2</sup> Federal coronavirus relief funding of \$8,100,000 is appropriated for law enforcement officer salaries for the period beginning July 1, 2021, and ending December 31, 2021. Funding for salaries is reduced from the general fund (\$6,966,000) and highway tax distribution fund (\$1,134,000). Funding of \$8,100,000 from the federal Coronavirus Relief Fund is also appropriated in Section 3 of the bill for law enforcement officer salaries for the period beginning January 1, 2021, and ending June 30, 2021, resulting in additional general fund unspent appropriations (turnback) of \$6,966,000 and highway tax distribution fund unspent appropriations of \$1,134,000. The House also made these funding adjustments.

<sup>3</sup> Funding from the highway tax distribution fund is added and general fund support is removed to provide \$2,092,500, for salary equity funding, on-call pay, and location incentive pay. A section is added to preclude the Highway Patrol from expending more than \$1,532,000 for salary equity adjustments and to allow the Highway Patrol to also use operational savings for these purposes.

The Senate provided total equity funding of \$766,000 and the House provided total equity funding of \$872,093. The House also added a section to provide the equity funding, along with any agency budget savings, may be used to provide total equity adjustments for the biennium of \$1,125,000, to provide on-call pay, and to provide location incentive pay.

<sup>4</sup> Ongoing funding from federal funds (\$110,500) and the motor carrier electronic permit transaction fund (\$19,500) is added for costs to participate in the Commercial Vehicle Information Exchange Window motor carrier system. One-time funding of \$275,000 of federal funding is also added to implement the program. The House also added this funding.

<sup>5</sup> One-time funding from the strategic investment and improvements fund added by the Senate for the Law Enforcement Training Academy project is removed. The House also removed this funding.

<sup>6</sup> Funding for hard body armor and body and in-car cameras is adjusted as follows:

	<b>Senate</b>			<b>Conference Committee</b>
	<b>General Fund</b>	<b>Highway Tax Distribution Fund</b>	<b>Total</b>	<b>Motor Carrier Electronic Permit Fund</b>
Hard body armor	\$228,000	\$37,000	\$265,000	\$265,000
Cameras	1,158,000		1,158,000	1,158,000
Total	\$1,386,000	\$37,000	\$1,423,000	\$1,423,000

The House made the same adjustments as the Conference Committee.

This amendment also:

- Adjusts sections identifying the amount of funding appropriated from the highway tax distribution fund and motor carrier electronic permit transaction fund.
- Removes a section identifying funding to be used from the strategic investment and improvements fund for the Law Enforcement Training Academy project. The House also removed this section.
- Adds a section to authorize the carryover of \$50,530 of unused 2019-21 biennium appropriations into the 2021-23 biennium. This will reduce Highway Patrol turnback by an estimated \$50,530. The House also added this section.
- Repeals subdivision b of subsection 5 of North Dakota Century Code Section 39-08-13 relating to accident report forms, and declares an emergency. Neither the House nor the Senate included this repeal.

**2021 SENATE CONFERENCE COMMITTEE  
ROLL CALL VOTES**

BILL/RESOLUTION NO. **SB 2011** as (re) engrossed

**Senate Appropriations Committee**

- Action Taken**
- SENATE accede to House Amendments**
  - SENATE accede to House Amendments and further amend**
  - HOUSE recede from House amendments**
  - HOUSE recede from House amendments and amend as follows**
- Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Representative Mock      Seconded by: Representative Howe

Senators					Representatives				
			Yes	No				Yes	No
Krebsbach			Y		Howe			Y	
Davison			Y		Mock			Y	
Heckaman			Y		Meier			Y	
<b>Total Senate Vote</b>			3	0	<b>Total Rep. Vote</b>			3	0

Vote Count      Yes: 6      No: 0      Absent: 0

Senate Carrier Senator Krebsbach      House Carrier Representative Mock

LC Number 21.0293 . 02009 of amendment

LC Number 21.0293 . 05000 of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

**REPORT OF CONFERENCE COMMITTEE**

**SB 2011, as engrossed:** Your conference committee (Sens. Krebsbach, Davison, Heckaman and Reps. Howe, Meier, Mock) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1425-1428, adopt amendments as follows, and place SB 2011 on the Seventh order:

That the House recede from its amendments as printed on pages 1425-1428 of the Senate Journal and pages 1619-1621 of the House Journal and that Engrossed Senate Bill No. 2011 be amended as follows:

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Insert LC: 21.0293.02009  
 Senate Carrier: Krebsbach  
 House Carrier: Mock

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- Repeals subdivision b of subsection 5 of North Dakota Century Code Section 39-08-

**Insert LC: 21.0293.02009**  
**Senate Carrier: Krebsbach**  
**House Carrier: Mock**

13 relating to accident report forms, and declares an emergency. Neither the House nor the Senate included this repeal.  
Engrossed SB 2011 was placed on the Seventh order of business on the calendar.