

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2019

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the parks and
2 recreation department ~~and for providing~~; to provide a 2013-15 appropriation; to provide a grant
3 to the International Peace Garden; to provide funding for the Lewis and Clark interpretive
4 center; to provide an exemption; to amend and reenact section 43-30-05.2 of the North Dakota
5 Century Code, relating to the private investigative and security board and peace officers; to
6 provide an effective date; and to declare an emergency.

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

8 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
9 as may be necessary, are appropriated out of any moneys in the general fund in the state
10 treasury, not otherwise appropriated, and from special funds derived from federal funds and
11 other income, to the parks and recreation department for the purpose of defraying the expenses
12 of the parks and recreation department, for providing funding to the Lewis and Clark interpretive
13 center, and for providing a grant to the International Peace Garden, for the biennium beginning
14 July 1, 2015, and ending June 30, 2017, as follows:

15 Subdivision 1.

16 PARKS AND RECREATION DEPARTMENT

	Base Level	Adjustments or Enhancements	Appropriation
17 Administration	\$2,573,593	\$644,805	\$3,218,398
18 Accrued leave payments	181,577	(181,577)	0
19 Park operations & maintenance	15,045,525	28,000,661	43,046,186
20 Recreation	5,585,875	2,021,544	7,607,419
21 Total all funds	\$23,386,570	\$30,485,433	\$53,872,003
22 Less estimated income	10,505,431	4,174,795	14,680,226

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1	Total general fund	\$12,881,139	\$26,310,638	\$39,191,777
2	Full-time equivalent positions	55.00	7.00	62.00
3	<u>Administration</u>	<u>\$2,573,593</u>	<u>\$623,129</u>	<u>\$3,196,722</u>
4	<u>Accrued leave payments</u>	<u>181,577</u>	<u>(181,577)</u>	<u>0</u>
5	<u>Park operations and maintenance</u>	<u>15,045,525</u>	<u>18,378,406</u>	<u>33,423,931</u>
6	<u>Recreation</u>	<u>5,585,875</u>	<u>2,021,544</u>	<u>7,607,419</u>
7	<u>Total all funds</u>	<u>\$23,386,570</u>	<u>\$20,841,502</u>	<u>\$44,228,072</u>
8	<u>Less estimated income</u>	<u>10,505,431</u>	<u>4,357,404</u>	<u>14,862,835</u>
9	<u>Total general fund</u>	<u>\$12,881,139</u>	<u>\$16,484,098</u>	<u>\$29,365,237</u>
10	<u>Full-time equivalent positions</u>	<u>55.00</u>	<u>11.00</u>	<u>66.00</u>

Subdivision 2.

INTERNATIONAL PEACE GARDEN

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
15	International Peace Garden	\$973,699	\$585,297	\$1,558,996
16	Total general fund	\$973,699	\$585,297	\$1,558,996
17	<u>International Peace Garden</u>	<u>\$973,699</u>	<u>\$535,297</u>	<u>\$1,508,996</u>
18	<u>Total general fund</u>	<u>\$973,699</u>	<u>\$535,297</u>	<u>\$1,508,996</u>

Subdivision 3.

LEWIS AND CLARK INTERPRETIVE CENTER

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
23	Lewis and Clark interpretive center	\$0	\$580,000	\$580,000
24	Total general fund	\$0	\$580,000	\$580,000
25	<u>Lewis and Clark interpretive center</u>	<u>\$0</u>	<u>\$1,005,279</u>	<u>\$1,005,279</u>
26	<u>Total general fund</u>	<u>\$0</u>	<u>\$1,005,279</u>	<u>\$1,005,279</u>

Subdivision 4.

BILL TOTAL

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
31	Grand total general fund	\$13,854,838	\$27,475,935	\$41,330,773

1	Grand total special funds	10,505,431	4,174,795	14,680,226
2	Grand total all funds	\$24,360,269	\$31,650,730	\$56,010,999
3	<u>Grand total general fund</u>	<u>\$13,854,838</u>	<u>\$18,024,674</u>	<u>\$31,879,512</u>
4	<u>Grand total special funds</u>	<u>10,505,431</u>	<u>4,357,404</u>	<u>14,862,835</u>
5	<u>Grand total all funds</u>	<u>\$24,360,269</u>	<u>\$22,382,078</u>	<u>\$46,742,347</u>

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

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

10	<u>One-Time Funding Description</u>	<u>2013-15</u>	<u>2015-17</u>
11	Parks capital projects	\$3,897,800	\$22,400,000
12	<u>Parks enhancements</u>	<u>\$3,897,800</u>	<u>\$13,000,000</u>
13	Parks equipment	350,000	600,000
14	Lewis and Clark interpretive center grant	1,350,000	0
15	Parks strategic plans	100,000	0
16	Community grant program	500,000	0
17	International Peace Garden capital projects	1,250,000	335,297
18	Trail lease renewals	0	200,000
19	Web application for snowmobile registration	0	310,299
20	Statewide comprehensive outdoor recreation plan	0	90,000
21	Repairs at Lewis and Clark interpretive center	0	75,000
22	50th anniversary	0	25,000
23	Retirement leave payouts	0	100,000
24	Lewis and Clark interpretive center expansion project	0	125,000
25	International Peace Garden demolition project	0	250,000
26	<u>State park study</u>	<u>0</u>	<u>25,000</u>
27	<u>International Peace Garden demolition project</u>	<u>0</u>	<u>200,000</u>
28	Community grant program	0	500,000
29	Total all funds	\$7,447,800	\$25,010,596
30	Less estimated income	1,270,300	345,000
31	Total general fund	\$6,177,500	\$24,665,596

1	<u>Total all funds</u>	<u>\$7,447,800</u>	<u>\$15,460,596</u>
2	<u>Less estimated income</u>	<u>1,270,300</u>	<u>345,000</u>
3	<u>Total general fund</u>	<u>\$6,177,500</u>	<u>\$15,115,596</u>

4 The 2015-17 one-time funding amounts are not a part of the entity's base budget for the
5 2017-19 biennium. The parks and recreation department shall report to the appropriations
6 committees of the sixty-fifth legislative assembly on the use of this one-time funding for the
7 biennium beginning July 1, 2015, and ending June 30, 2017.

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

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

15 **SECTION 4. DEFERRED MAINTENANCE AND ONE-TIME EQUIPMENT.** The sum of
16 ~~\$585,297~~\$535,297 in subdivision 2 of section 1 of this Act is allocated for certain deferred
17 maintenance, one-time equipment purchases, and one-time costs for the peace tower
18 demolition project for the International Peace Garden. The parks and recreation department
19 shall assist with specification review for the deferred maintenance projects, the one-time
20 equipment purchases, and the one-time costs of the peace tower demolition project before
21 releasing the funds to the International Peace Garden.

22 **SECTION 5. LEWIS AND CLARK INTERPRETIVE CENTER.** The sum of
23 ~~\$580,000~~\$455,000 from subdivision 3 of section 1 of this Act must be allocated for use at the
24 Lewis and Clark interpretive center. Of this amount \$380,000 may be used only for building and
25 maintenance costs, ~~\$125,000 for one-time costs relating to the Lewis and Clark interpretive-~~
26 ~~center expansion project~~, and \$75,000 for one-time exterior building painting and staining costs.
27 The total funds in this section must remain with the parks and recreation department and be
28 released, on a reimbursement basis, based upon expenses agreed to between the ~~Fort Mandan~~
29 ~~foundation~~Lewis and Clark interpretive center and the parks and recreation department.

30 **SECTION 6. 2013-15 BIENNIUM APPROPRIATION - LEWIS AND CLARK**
31 **INTERPRETIVE CENTER OPERATING COSTS.** There is appropriated out of any moneys in

1 the general fund in the state treasury, not otherwise appropriated, the sum of \$125,000, or so
2 much of the sum as may be necessary, to the parks and recreation department for the purpose
3 of defraying operating costs of the Lewis and Clark interpretive center, for the period beginning
4 with the effective date of this Act, and ending June 30, 2015.

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

14 **SECTION 8. DAKOTA INSTITUTE OF THE LEWIS AND CLARK FORT MANDAN**
15 **FOUNDATION - DISSOLUTION AND DISTRIBUTION OF INVENTORY.** Upon acquisition of the
16 Dakota institute of the Lewis and Clark Fort Mandan foundation by the state of North Dakota,
17 the state shall dissolve the entity. All rights, title, interests, copyrights, and remaining inventory
18 of any Dakota institute publication, book, and other document or production, regardless of
19 format excluding video, after transfer of the institute must be granted to the author or producer
20 of the document or production.

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

26 **SECTION 10. EXEMPTION.** The sum of \$1,250,000 appropriated in the international peace
27 garden line for repair of the peace tower at the International Peace Garden, in subdivision 2 of
28 section 30 of chapter 15 of the 2013 Session Laws is not subject to section 54-44.1-11 and any
29 unexpended funds are available for completing the project during the biennium beginning
30 July 1, 2015, and ending June 30, 2017. Funding available for use by the International Peace
31 Garden in this section will be subject to the International Peace Garden raising dollar for

1 matching funds from nonstate of North Dakota sources consistent with the 2013 North Dakota
2 legislative language. The parks and recreation department shall review and accept engineering
3 proposals and specifications before committing additional funds to the project and shall assist
4 with bidding and construction of any work associated with this section.

5 **SECTION 11. EXEMPTION.** Up to \$200,000 of Pembina gorge area project funding from
6 the general fund included in the natural resources line item contained in section 30 of chapter
7 15 of the 2013 Session Laws is not subject to the provisions of section 54-44.1-11. Any
8 unexpended funds from this appropriation may be expended during the biennium beginning
9 July 1, 2015, and ending June 30, 2017, for renting property in the Pembina gorge area for the
10 purpose of providing office space for employees or individuals responsible for monitoring or
11 patrolling the trail systems in the area, developing a plan for continued monitoring and patrolling
12 of the trail systems, and to determine the feasibility of establishing an interpretive center.

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

15 **43-30-05.2. Peace officers.**

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

20 **SECTION 13. EMERGENCY.** Funding of ~~\$22,400,000~~\$13,000,000 from the general fund in
21 the park operations and maintenance line item in subdivision 1 of section 1 of this Act, relating
22 to the enhancements at the state parks, and section 6 of this Act is~~are~~ declared to be an
23 emergency measure.