

HOUSE BILL NO. 1019

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the parks and
 2 recreation department; to amend and reenact sections 55-08-06 and 55-08-07.1 of the North
 3 Dakota Century Code, relating to permits for motor vehicles and parks and the recreation
 4 concession revolving fund; to provide a grant to the international peace garden; ~~and~~ to authorize
 5 the transfer of Dakota institute inventory; to provide exemptions; and to declare an emergency.

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

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
 8 as may be necessary, are appropriated out of any moneys in the general fund in the state
 9 treasury, not otherwise appropriated, and from special funds derived from federal funds and
 10 other income, to the parks and recreation department for the purpose of defraying the expenses
 11 of the parks and recreation department, for providing funding to the Lewis and Clark interpretive
 12 center, and for providing a grant to the International Peace Garden, for the biennium beginning
 13 July 1, 2017, and ending June 30, 2019, as follows:

14 Subdivision 1.

15 PARKS AND RECREATION DEPARTMENT

	Base Level	Adjustments or Enhancements	Appropriation
18 Administration	\$3,043,722	\$0	\$3,043,722
19 Park operations and maintenance	19,877,931	0	19,877,931
20 Recreation	6,407,120	0	6,407,120
21 Total all funds	\$29,328,773	\$0	\$29,328,773
22 Less estimated income	14,517,835	0	14,517,835
23 Total general fund	\$14,810,938	\$0	\$14,810,938
24 Full-time equivalent positions	66.00	0.00	66.00

Sixty-fifth
Legislative Assembly

1	Administration	\$3,043,722	\$625,761	\$3,669,483
2	Park operations and maintenance	19,877,931	698,124	20,576,055
3	Recreation	6,407,120	632,865	7,039,985
4	Total all funds	\$29,328,773	\$1,956,750	\$31,285,523
5	Less estimated income	14,517,835	3,871,808	18,389,643
6	Total general fund	\$14,810,938	(\$1,915,058)	\$12,895,880
7	Full-time equivalent positions	66.00	(3.50)	62.50

8 Subdivision 2.

9 INTERNATIONAL PEACE GARDEN

10			Adjustments or	
11		Base Level	Enhancements	Appropriation
12	International Peace Garden	\$973,699	\$0	\$973,699
13	Total general fund	\$973,699	\$0	\$973,699
14	International peace garden	\$973,699	(\$97,370)	\$876,329
15	Total general fund	\$973,699	(\$97,370)	\$876,329

16 Subdivision 3.

17 LEWIS AND CLARK INTERPRETIVE CENTER

18			Adjustments or	
19		Base Level	Enhancements	Appropriation
20	Lewis and Clark interpretive center	\$918,279	\$0	\$918,279
21	Total all funds	\$918,279	\$0	\$918,279
22	Less estimated income	0	0	0
23	Total general fund	\$918,279	\$0	\$918,279
24	Lewis and Clark interpretive center	\$918,279	\$332,839	\$1,251,118
25	Total all funds	\$918,279	\$332,839	\$1,251,118
26	Less estimated income	0	362,450	362,450
27	Total general fund	\$918,279	(\$29,611)	\$888,668

28 Subdivision 4.

29 BILL TOTAL

30			Adjustments or	
31		Base Level	Enhancements	Appropriation

Sixty-fifth
Legislative Assembly

1	Grand total general fund	\$16,702,916	\$0	\$16,702,916
2	Grand total special funds	14,517,835	0	14,517,835
3	Grand total all funds	\$31,220,751	\$0	\$31,220,751
4	<u>Grand total general fund</u>	<u>\$16,702,916</u>	<u>(\$2,042,039)</u>	<u>\$14,660,877</u>
5	<u>Grand total special funds</u>	<u>14,517,835</u>	<u>4,234,258</u>	<u>18,752,093</u>
6	<u>Grand total all funds</u>	<u>\$31,220,751</u>	<u>\$2,192,219</u>	<u>\$33,412,970</u>

Funding is adjusted for operating expenses, including inflationary increases at state parks for water, garbage, fuel, electricity, propane, insurance, and for operating costs related to adding new buildings and campground loops at various state parks. In addition, funding of \$100,000 from other funds from the department of transportation is added for expenses at the Lewis and Clark interpretive center.

SECTION 2. HEALTH INSURANCE INCREASE. The appropriation in section 1 of this Act includes the sum of \$188,889, of which \$7,085 is from the general fund, for increases in employee health insurance premiums from \$1,130 to \$1,249 per month.

SECTION 3. ONE-TIME FUNDING. The following amounts reflect the one-time funding items approved by the sixty-fourth legislative assembly as adjusted for the 2015-17 biennium.

	<u>One-Time Funding Description</u>	<u>2015-17</u>	<u>2017-19</u>
18	Parks enhancements	\$12,751,611	\$0
19	Parks equipment	550,000	0
20	Community grant program	500,000	0
21	International Peace Garden capital project	321,915	0
22	Trail lease renewals	200,000	0
23	Statewide comprehensive outdoor recreation plan	90,000	0
24	Repairs and Lewis and Clark interpretive center	75,000	0
25	50 th anniversary	9,000	0
26	Retirement leave payouts	58,000	0
27	International Peace Garden demolition project	<u>200,000</u>	<u>0</u>
28	Total all funds	\$14,755,526	\$0
29	Less estimated income	<u>345,000</u>	<u>0</u>
30	Total general fund	\$14,410,526	\$0

1 **SECTION 4. GAME AND FISH OPERATING FUND - TRANSFER - BOAT RAMP**

2 **OPERATION AND MAINTENANCE.** The sum of \$122,000, or so much of the sum as may be
3 necessary, included in the park operations and maintenance line item in subdivision 1 of
4 section 1 of this Act, is from the game and fish operating fund, or federal or other funds
5 available to the game and fish department, and must be transferred to the parks and recreation
6 department for maintenance, operating, and extraordinary repairs expenses relating to boat
7 ramps at state parks for the biennium beginning July 1, 2017, and ending June 30, 2019.

8 **SECTION 5. ESTIMATED INCOME - WATER COMMISSION GRANT.** The estimated
9 income line item in section 1 of this Act includes \$1,000,000 of grant funding from the state
10 water commission authorized by the sixty-fourth legislative assembly for the purpose of
11 developing recreation opportunities on sovereign lands in the state.

12 **SECTION 6. ESTIMATED INCOME - DEPARTMENT OF TRANSPORTATION GRANT.**

13 The estimated income line item includes \$100,000 of grant funding from the department of
14 transportation for the purpose of defraying expenses for the Lewis and Clark interpretive center.

15 **SECTION 7. EXEMPTION.** Up to \$500,000 of community grants funding from the general
16 fund included in the recreation line item contained in section 34 of chapter 49 of the 2015
17 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended funds from
18 this appropriation may be expended during the biennium beginning July 1, 2017, and ending
19 June 30, 2019, for the purposes provided in section 55-08-14.1.

20 **SECTION 8. EXEMPTION.** Any funds remaining in the international peace garden line item
21 for repair of the peace tower at the International Peace Garden, in subdivision 2 of section 30 of
22 chapter 15 of the 2013 Session Laws is not subject to section 54-44.1-11 and any unexpended
23 funds are available for completing the project during the biennium beginning July 1, 2017, and
24 ending June 30, 2019. Funding available for use by the International Peace Garden in this
25 section will be subject to the International Peace Garden raising dollar for matching funds from
26 nonstate of North Dakota sources consistent with the 2013 North Dakota legislative language.
27 The parks and recreation department shall review and accept engineering proposals and
28 specifications before committing additional funds to the project and shall assist with bidding and
29 construction of any work associated with this section.

30 **SECTION 9. EXEMPTION.** Any unexpended funds in the Lewis and Clark interpretive
31 center line item in section 34 of chapter 49 of the 2015 Session Laws is not subject to the

1 provisions of section 54-44.1-11. Any unexpended funds from this appropriation may be
2 expended during the biennium beginning July 1, 2017, and ending June 30, 2019.

3 **SECTION 10. EXEMPTION.** Any unexpended funds from the outdoor heritage grant are not
4 subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation
5 may be expended during the biennium beginning July 1, 2017, and ending June 30, 2019.

6 **SECTION 11. EXEMPTION.** Up to \$116,000 of Pembina gorge area funding from the
7 general fund included in the natural resources line item contained in section 1 of chapter 53 of
8 the 2015 Session Laws is not subject to the provisions of section 54-44.1-11. Any unexpended
9 funds from this appropriation may be expended during the biennium beginning July 1, 2017,
10 and ending June 30, 2019, for renting property in the Pembina gorge area for the purpose of
11 providing office space for employees or individuals responsible for monitoring or patrolling the
12 trail systems in the area, developing a plan for continued monitoring and patrolling of the trail
13 systems, and to determine the feasibility of establishing an interpretive center.

14 **SECTION 12. AMENDMENT.** Section 55-08-06 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **55-08-06. Permits for motor vehicles.**

17 Unless authorized by the director, a motor vehicle may not enter or be permitted to enter
18 any state park, state recreational area, or reserve unless the operator of the motor vehicle
19 displays upon request a permit issued as provided in this chapter. Permits must be of a size,
20 form, and character as the director prescribes, and the director shall procure permits for each
21 calendar year which by appropriate language must grant permission to use any state park, state
22 recreational area, or reserve. Permits for each calendar year must be provided and placed on
23 sale on or before November first next preceding and used on or at any time after that date until
24 May first of the year following the calendar year for which issued. Permits in each category must
25 be numbered consecutively for each year of issue. Except for senior citizen discounts, a fee of
26 ~~twenty-five~~thirty-five dollars must be charged for each permit issued, except that permits of
27 appropriate special design may be sold individually at a maximum of ~~five~~seven dollars per
28 permit covering the use of state parks, state recreational areas, or reserves under such
29 conditions as the director may prescribe for a designated period of not more than three days.
30 The director may authorize a discount on the sale of annual permits to any resident of North
31 Dakota who is sixty-five years of age or older and who applies for a discount. The fees collected

1 must be deposited in the state park operating fund in the state treasury, unless authorized by
2 the director as follows:

- 3 1. The director may allow other agencies or organizations that have leased state parks,
4 state recreational areas, reserves, or facilities to retain entrance and special permit
5 fees collected by the lessee.
- 6 2. The director may exempt all or any part of any state park, state recreational area, or
7 reserve from the requirement of the motor vehicle permit and fee, for any activity or
8 period, when in the director's judgment it is desirable to do so; provided, however, that
9 no further exceptions may be made after state park revenue bonds are issued and
10 while the bonds are outstanding.

11 **SECTION 13. AMENDMENT.** Section 55-08-07.1 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **55-08-07.1. State parks and recreation concession revolving fund.**

14 The director shall maintain a state parks and recreation concession revolving fund to be
15 used for the following:

- 16 1. Procurement and maintenance of an inventory of food, nonintoxicating beverages, and
17 other merchandise and supplies of a suitable nature for the operation of concession
18 stands, including payment of costs and travel expenses necessarily incurred to obtain
19 or sell such items.
- 20 2. Repair, replacement, construction, and maintenance of concession buildings, facilities,
21 and properties contained therein.

22 ~~The sum of fifty thousand dollars is hereby established in the state parks and recreation~~
23 ~~concession revolving fund for the purpose provided in this section as a limit on the fund balance~~
24 ~~after accrued liabilities on June thirtieth of each year. Any surplus in this fund in excess of fifty~~
25 ~~thousand dollars on June thirtieth of each year must be transferred to the state park operating~~
26 ~~fund.~~

27 **SECTION 14. NORTHERN PLAINS NATIONAL HERITAGE AREA GRANTS.** The parks
28 and recreation department may apply for northern plains heritage grants during the biennium
29 beginning July 1, 2017, and ending June 30, 2019.

30 **SECTION 15. TRANSFER OF DAKOTA INSTITUTE INVENTORY.** The parks and
31 recreation department shall transfer the name Dakota institute and all rights, title, interests, and

1 copyrights and up to eighty percent of any remaining inventory of any Dakota institute
2 publication, book, or other document or production, regardless of format to Bismarck state
3 college. Bismarck state college may transfer any rights, title, interests, copyrights, inventory of
4 any of the Dakota institute's publications, books, or other documents or productions, regardless
5 of format, to the author or producer of the document or production.

6 **SECTION 16. EMERGENCY.** The sum of \$1,000,000 for developing recreation
7 opportunities on sovereign lands in the state appropriated in the administration line item in
8 section 1 of this Act is declared to be an emergency measure.