# FIRST ENGROSSMENT

Sixty-sixth Legislative Assembly of North Dakota

#### **ENGROSSED SENATE BILL NO. 2019**

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 section 55-08-07.1 of the North Dakota Century

3 Code, relating to the state parks and recreation concession revolving fund; to provide for a

4 report to the legislative assembly; to provide for a transfer; and to provide for an exemption.

## 5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

6 SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds 7 as may be necessary, are appropriated out of any moneys in the general fund in the state 8 treasury, not otherwise appropriated, and from special funds derived from federal funds and 9 other income, to the parks and recreation department for the purpose of defraying the expenses 10 of the parks and recreation department, for providing funding to the Lewis and Clark interpretive 11 center, and for providing a grant to the International Peace Garden, for the biennium beginning 12 July 1, 2019, and ending June 30, 2021, as follows:

13 Subdivision 1.

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PARKS AND RECREATION DEPARTMENT

15		Adjustments or		
16		Base Level	Enhancements	Appropriation
17	Administration	\$2,668,728	(\$65,123)	\$2,603,605
18	Park operations and maintenance	20,570,558	3,340,362	23,910,920
19	Recreation	<u>7,039,554</u>	<u>2,284,745</u>	<u>9,324,299</u>
20	Total all funds	\$30,278,840	\$5,559,984	\$35,838,824
21	Less estimated income	<u>17,389,561</u>	<u>5,968,333</u>	23 <u>,357,894</u>
22	Total general fund	\$12,889,279	(\$408,349)	\$12,480,930
23	Full-time equivalent positions	62.50	(1.00)	61.50
24	Subdivision 2.			

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1	INTERNATIONAL PEACE GARDEN				
2		Adjustments or			
3		Base Level	Enhancements	Appropriation	
4	International Peace Garden	<u>\$876,329</u>	<u>\$2,000,000</u>	<u>\$2,876,329</u>	
5	Total all funds	\$876,329	\$2,000,000	\$2,876,329	
6	Less estimated income	<u>0</u>	2,000,000	<u>2,000,000</u>	
7	Total general fund	\$876,329	\$0	\$876,329	
8	Subdivision 3.				
9	LEWIS AND CLARK INTERPRETIVE CENTER				
10			Adjustments or		
11		Base Level	Enhancements	Appropriation	
12	Lewis and Clark interpretive center	\$1,250,687	\$51,017	\$1,301,704	
13	Total all funds	\$1,250,687	\$51,017	\$1,301,704	
14	Less estimated income	<u>362,019</u>	<u>(28,505)</u>	<u>333,514</u>	
15	Total general fund	\$888,668	\$79,522	\$968,190	
16	Subdivision 4.				
17	BILL TOTAL				
18			Adjustments or		
19		Base Level	Enhancements	Appropriation	
20	Grand total general fund	\$14,654,276	(\$328,827)	\$14,325,449	
21	Grand total special funds	<u>17,751,580</u>	<u>7,939,828</u>	<u>25,691,408</u>	
22	Grand total all funds	\$32,405,856	\$7,611,001	\$40,016,857	
23	SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO				
24	SIXTY-SEVENTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time				
25	funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the				
26	2019-21 biennium one-time funding items included in the appropriations in section 1 of this Act:				
27	One-Time Funding Description		<u>2017-19</u>	<u>2019-21</u>	
28	Double ditch historic site repairs grant		\$500,000	\$0	
29	Recreational opportunities on sovereign lands grant		500,000	0	
30	Pipeline protest law enforcement support		200,000	0	
31	Electronic payment processing system	loan proceeds	88,000	0	

1	Extraordinary repairs	0	634,126
2	Capital projects	0	1,755,000
3	International Peace Garden capital projects	0	2,000,000
4	Additional equipment	0	622,000
5	State park survey	0	150,000
6	Recreation mapping	0	75,000
7	Traffic counters	<u>0</u>	<u>75,000</u>
8	Total all funds	\$1,288,000	\$5,311,126
9	Less estimated income	<u>1,288,000</u>	<u>5,311,126</u>
10	Total general fund	\$0	\$0

The 2019-21 biennium one-time funding amounts are not part of the entity's base budget for the 2021-23 biennium. The parks and recreation department 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.

15 SECTION 3. GAME AND FISH OPERATING FUND - TRANSFER - BOAT RAMP 16 **OPERATION AND MAINTENANCE.** The sum of \$122,000, or so much of the sum as may be 17 necessary, included in the park operations and maintenance line item in subdivision 1 of 18 section 1 of this Act, is from the game and fish operating fund, or federal or other funds 19 available to the game and fish department, and must be transferred to the parks and recreation 20 department for maintenance, operating, and extraordinary repairs expenses relating to boat 21 ramps at state parks for the biennium beginning July 1, 2019, and ending June 30, 2021. 22 SECTION 4. ESTIMATED INCOME - DEPARTMENT OF TRANSPORTATION GRANT.

The estimated income line item in subdivision 3 of section 1 of this Act, includes \$100,000 of
grant funding from the department of transportation for the purpose of defraying expenses for
the Lewis and Clark interpretive center.

SECTION 5. ADDITIONAL INCOME - APPROPRIATION. In addition to the amounts
 appropriated in section 1 of this Act, any additional federal funds or other funds that become
 available are appropriated to the parks and recreation department for the biennium beginning
 July 1, 2019, and ending June 30, 2021.

30 SECTION 6. EXEMPTION - INTERNATIONAL PEACE GARDEN - REQUIREMENTS. Any
 31 funds remaining in the International Peace Garden line item for repair of the peace tower at the

1 International Peace Garden, in subdivision 2 of section 30 of chapter 15 of the 2013 Session 2 Laws are not subject to section 54-44.1-11, and any unexpended funds are available for capital 3 projects during the biennium beginning July 1, 2019, and ending June 30, 2021. Funding 4 available for use by the International Peace Garden in this section is subject to the International 5 Peace Garden raising one-to-one matching funds from nonstate of North Dakota sources 6 consistent with the 2013 North Dakota legislative language. The parks and recreation 7 department shall review and accept engineering proposals and specifications before committing 8 additional funds to the project and shall assist with bidding and construction of any work 9 associated with this section.

SECTION 7. EXEMPTION - PARK ENHANCEMENTS. Any funds remaining for park
 enhancements in subdivision 1 of section 1 of chapter 53 of the 2015 Session Laws are not
 subject to section 54-44.1-11, and any unexpended funds are available for park enhancement
 projects during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 8. EXEMPTION - SOVEREIGN LANDS. Any funds remaining for recreation
 opportunities on sovereign lands in section 1 of chapter 18 of the 2017 Session Laws are not
 subject to section 54-44.1-11, and any unexpended funds are available for recreation
 opportunities on sovereign lands during the biennium beginning July 1, 2019, and ending
 June 30, 2021.

19 SECTION 9. REQUIREMENTS - MATCHING FUNDS - INTERNATIONAL PEACE

GARDEN CAPITAL PROJECTS. The International Peace Garden line item in subdivision 2 of
 section 1 of this Act includes \$2,000,000 for capital projects. Expenditure of these funds is
 subject to one-to-one matching funds being raised from nonstate sources. The parks and
 recreation department shall review and accept engineering proposals and specifications before
 committing funds to projects and shall assist with bidding and construction of any work
 associated with this section.

SECTION 10. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in subdivision 1 of section 1 of this Act includes the sum of \$1,755,000, from the strategic investment and improvements fund and the estimated income line item in subdivision 2 of section 1 of this Act includes \$2,000,000 from the strategic investment and improvements fund, for parks capital projects and International Peace Garden capital projects.

### 1 SECTION 11. AMENDMENT. Section 55-08-07.1 of the North Dakota Century Code is

2 amended and reenacted as follows:

### 3 **55-08-07.1. State parks and recreation concession revolving fund.**

- 4 <u>1.</u> The director shall maintain a state parks and recreation concession revolving fund to
  5 be used for the following:
- 6 1. a. Procurement and maintenance of an inventory of food, nonintoxicating
  7 beverages, and other merchandise and supplies of a suitable nature for the
  8 operation of concession stands, including payment of costs and travel expenses
  9 necessarily incurred to obtain or sell such items.
- 10 2. <u>b.</u> Repair, replacement, construction, and maintenance of concession buildings,
   11 facilities, and properties contained therein.
- 12 <u>2.</u> <u>The parks and recreation department may transfer any unobligated funds from the</u>
- 13 state parks and recreation concession revolving fund to the state parks operating fund.