

Sixty-seventh  
Legislative Assembly  
of North Dakota

ENGROSSED SENATE BILL NO. 2011

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the highway patrol;  
2 to provide a report; ~~and to repeal subdivision b of subsection 5 of section 39-08-13 of the North~~  
3 ~~Dakota Century Code, relating to accident report forms;~~ to provide for a transfer; ~~to provide an~~  
4 ~~exemption; and to declare an emergency.~~

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 highway patrol for the purpose of defraying the expenses of the highway  
10 patrol, for the biennium beginning July 1, 2021, and ending June 30, 2023, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
13 <del>Highway patrol</del>	<del>\$59,586,945</del>	<del>\$29,685,283</del>	<del>\$89,272,228</del>
14 <del>Total all funds</del>	<del>\$59,586,945</del>	<del>\$29,685,283</del>	<del>\$89,272,228</del>
15 <del>Less estimated income</del>	<del>15,373,370</del>	<del>28,486,064</del>	<del>43,859,434</del>
16 <del>Total general fund</del>	<del>\$44,213,575</del>	<del>\$1,199,219</del>	<del>\$45,412,794</del>
17 <del>Full-time equivalent positions</del>	<del>197.00</del>	<del>(4.00)</del>	<del>193.00</del>
18 <u>Highway patrol</u>	<u>\$59,586,945</u>	<u>\$4,224,469</u>	<u>\$63,811,414</u>
19 <u>Total all funds</u>	<u>\$59,586,945</u>	<u>\$4,224,469</u>	<u>\$63,811,414</u>
20 <u>Less estimated income</u>	<u>15,373,370</u>	<u>12,110,282</u>	<u>27,483,652</u>
21 <u>Total general fund</u>	<u>\$44,213,575</u>	<u>(\$7,885,813)</u>	<u>\$36,327,762</u>
22 <u>Full-time equivalent positions</u>	<u>197.00</u>	<u>(4.00)</u>	<u>193.00</u>

23 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**  
24 **SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding

1 items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the  
2 one-time funding items included in the appropriation in section 1 of this Act:

3	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
4	Aircraft engine overhaul	\$81,830	\$0
5	Drone purchase	96,228	0
6	Shooting range addition	1,729,100	0
7	Hard body armor	0	265,000
8	Body and in-car cameras	0	1,158,000
9	<del>Law enforcement training academy building project</del>	<del>0</del>	<del>27,100,000</del>
10	<del>Total all funds</del>	<del>\$1,907,158</del>	<del>\$28,523,000</del>
11	<del>Less estimated income</del>	<del>1,825,328</del>	<del>27,137,000</del>
12	<del>Total general fund</del>	<del>\$81,830</del>	<del>\$1,386,000</del>
13	<u>Commercial motor carrier system</u>	<u>0</u>	<u>275,000</u>
14	<u>Total all funds</u>	<u>\$1,907,158</u>	<u>\$1,698,000</u>
15	<u>Less estimated income</u>	<u>1,825,328</u>	<u>1,698,000</u>
16	<u>Total general fund</u>	<u>\$81,830</u>	<u>\$0</u>

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

21 **SECTION 3. APPROPRIATION - 2019-21 BIENNIUM - FEDERAL CORONAVIRUS**  
22 **RELIEF FUND - SPENDING RESTRICTION.** There is appropriated from federal funds derived  
23 from the federal coronavirus relief fund, not otherwise appropriated, the sum of \$8,100,000, or  
24 so much of the sum as may be necessary, to the highway patrol for law enforcement officer  
25 payroll costs for the period beginning January 1, 2021, and ending June 30, 2021. The funding  
26 appropriated in this section replaces existing legislative appropriations. The highway patrol may  
27 not spend the funding appropriated from the general fund and highway tax distribution fund for  
28 law enforcement payroll costs during the period identified.

29 **SECTION 4. ESTIMATED INCOME - FEDERAL CORONAVIRUS RELIEF FUND.** The  
30 estimated income line item in section 1 of this Act includes the sum of \$8,100,000, or so much

1 of the sum as may be necessary, from the federal coronavirus relief fund for law enforcement  
2 officer payroll costs for the period beginning July 1, 2021, and ending December 31, 2021.

3 **SECTION 5. ESTIMATED INCOME - TRANSFER - HIGHWAY TAX DISTRIBUTION FUND.**

4 The estimated income line item in section 1 of this Act includes the sum of

5 ~~\$8,538,213~~ \$9,346,781, or so much of the sum as may be necessary, from the state highway tax  
6 distribution fund which may be transferred at the direction of the superintendent of the highway  
7 patrol for defraying the expenses of the highway patrol during the biennium beginning July 1,  
8 2021, and ending June 30, 2023.

9 **SECTION 6. SALARY EQUITY.** Section 1 of this Act includes the sum of \$2,092,500 for  
10 salary equity funding, on-call pay, and location incentive pay. This amount, along with any  
11 funding available from agency operational savings that may be reallocated, may be used for:

- 12 1. Salary equity adjustments that may not exceed \$1,532,000 in total for the biennium;
- 13 2. Law enforcement officer on-call pay that may not exceed 25 percent of the officer's  
14 hourly salary for regular on-call duties and may not exceed 50 percent of the officer's  
15 hourly salary for emergency on-call duties; and
- 16 3. Location incentive pay based on existing agency policies.

17 **SECTION 7. ESTIMATED INCOME - MOTOR CARRIER ELECTRONIC PERMIT**

18 **TRANSACTION FUND.** The estimated income line item in section 1 of this Act includes

19 ~~\$1,706,450~~ \$3,147,244 from the motor carrier electronic permit transaction fund for defraying  
20 various expenses associated with the issuance of permits and other nonenforcement motor  
21 carrier and administrative activities.

22 ~~— SECTION 7. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS~~  
23 ~~FUND. The estimated income line item in section 1 of this Act includes the sum of \$27,100,000,~~  
24 ~~or so much of the sum as may be necessary, from the strategic investment and improvements~~  
25 ~~fund for the law enforcement training academy building project.~~

26 **SECTION 8. EXEMPTION.** The sum of \$50,530 from the general fund appropriated in  
27 section 1 of chapter 11 of the 2019 Session Laws is not subject to section 54-44.1-11 and may  
28 be continued into the biennium beginning July 1, 2021, and ending June 30, 2023.

29 **SECTION 9. PAYMENTS TO HIGHWAY PATROL OFFICERS.** Each patrol officer of the  
30 state highway patrol is entitled to receive from funds appropriated in section 1 of this Act an  
31 amount not to exceed \$200 per month for the biennium beginning July 1, 2021, and ending

1 June 30, 2023. The payments are in lieu of reimbursement for meals and other expenses,  
2 except lodging, while in travel status within the state of North Dakota or while at the patrol  
3 officers' respective home stations. The amounts must be paid at the time and in the same  
4 manner as salaries are paid to members of the highway patrol and may be paid without the  
5 presentation of receipts or other memorandums.

6 **SECTION 10. REPEAL.** Subdivision b of subsection 5 of section 39-08-13 of the North  
7 Dakota Century Code is repealed.

8 **SECTION 11. EMERGENCY.** Sections 3 and 10 of this Act are declared to be an  
9 emergency measure.