

FIRST ENGROSSMENT

Sixty-eighth
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 provide for a transfer; to provide for a report to the legislative
 3 assembly; and to provide for an exemption.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
 6 as may be necessary, are appropriated out of any moneys in the general fund in the state
 7 treasury, not otherwise appropriated, and from special funds derived from federal funds and
 8 other income, to the parks and recreation department for the purpose of defraying the expenses
 9 of the parks and recreation department and for providing a grant to the International Peace
 10 Garden, for the biennium beginning July 1, 2023, and ending June 30, 2025, as follows:

11 Subdivision 1.

12 **PARKS AND RECREATION DEPARTMENT**

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
15 Administration	\$2,765,070	\$240,756	\$3,005,826
16 Park operations and maintenance	21,155,523	15,305,776	36,461,299
17 Recreation	11,126,162	4,338,887	15,465,049
18 Total all funds	\$35,046,755	\$19,885,419	\$54,932,174
19 Less estimated income	22,599,593	18,818,687	41,418,280
20 Total general fund	\$12,447,162	\$1,066,732	\$13,513,894
21 <u>Administration</u>	<u>\$2,765,070</u>	<u>\$189,761</u>	<u>\$2,954,831</u>
22 <u>Park operations and maintenance</u>	<u>21,155,523</u>	<u>91,860,669</u>	<u>113,016,192</u>
23 <u>Recreation</u>	<u>11,126,162</u>	<u>16,308,081</u>	<u>27,434,243</u>
24 <u>Total all funds</u>	<u>\$35,046,755</u>	<u>\$108,358,511</u>	<u>\$143,405,266</u>

1	<u>Less estimated income</u>	22,599,593	90,667,122	113,266,715
2	<u>Total general fund</u>	\$12,447,162	\$17,691,389	\$30,138,551
3	Full-time equivalent positions	57.75	7.25	65.00
4	Subdivision 2.			
5	INTERNATIONAL PEACE GARDEN			
6			Adjustments or	
7		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
8	International Peace Garden	\$876,329	\$250,000	\$1,126,329
9	Total general fund	\$876,329	\$250,000	\$1,126,329
10	<u>International Peace Garden</u>	\$876,329	\$1,050,000	\$1,926,329
11	<u>Total all funds</u>	\$876,329	\$1,050,000	\$1,926,329
12	<u>Less estimated income</u>	0	800,000	800,000
13	<u>Total general fund</u>	\$876,329	\$250,000	\$1,126,329

14 Subdivision 3.

15	SECTION 1 TOTAL			
16			Adjustments or	
17		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
18	Grand total general fund	\$13,323,491	\$1,316,732	\$14,640,223
19	Grand total special funds	22,599,593	18,818,687	41,418,280
20	Grand total all funds	\$35,923,084	\$20,135,419	\$56,058,503
21	<u>Grand total general fund</u>	\$13,323,491	\$17,941,389	\$31,264,880
22	<u>Grand total special funds</u>	22,599,593	91,467,122	114,066,715
23	<u>Grand total all funds</u>	\$35,923,084	\$109,408,511	\$145,331,595

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

25 **SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
 26 items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the
 27 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act:

28	<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
29	Extraordinary repairs and capital projects	\$7,900,000	\$0
30	Local park district grants	5,000,000	0
31	International Peace Garden capital projects	3,000,000	0

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1	Trail lease renewals	200,000	0
2	Fort Abraham Lincoln viewshed lease	50,000	0
3	Parks matching grant program	1,632,800	3,000,000
4	Deferred maintenance and capital projects	10,000,000	10,000,000
5	Cabin construction	0	2,400,000
6	Lake Metigoshe reimagined project	0	250,000
7	City, county, and tribal park system grants	0	750,000
8	Total all funds	\$27,782,800	\$16,400,000
9	Total other funds	27,532,800	16,400,000
10	Total general fund	\$250,000	\$0
11	City, county, and tribal park system grants	0	750,000
12	Local park district grants	0	10,000,000
13	Pembina Gorge campground construction	0	7,000,000
14	Riverfront revitalization grants	0	2,000,000
15	International Peace Garden pavilion construction	0	800,000
16	Theodore Roosevelt presidential library project	0	70,000,000
17	Total all funds	\$27,782,800	\$106,200,000
18	Total other funds	27,532,800	89,200,000
19	Total general fund	\$250,000	\$17,000,000

20 The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget
 21 for the 2025-27 biennium. The parks and recreation department shall report to the
 22 appropriations committees of the sixty-ninth legislative assembly on the use of this one-time
 23 funding for the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 3. LINE OF CREDIT - THEODORE ROOSEVELT PRESIDENTIAL LIBRARY PROJECT.

1. The Bank of North Dakota shall extend a line of credit not to exceed \$70,000,000 to the parks and recreation department. The interest rate on the line of credit may not exceed the prevailing interest rate charged to North Dakota governmental entities.
2. The parks and recreation department may use the funds borrowed through the line of credit to support activities related to the Theodore Roosevelt presidential library

- 1 project. The parks and recreation department shall require any entity receiving funds
2 under this section to repay the funds to the department, including accrued interest.
- 3 3. The parks and recreation department may accept funds from participating entities and
4 shall use the funds to repay the line of credit. If the amounts available are not
5 anticipated to be sufficient to repay the line of credit by June 30, 2027, the department
6 shall request a deficiency appropriation from the legislative assembly to repay the line
7 of credit.
- 8 4. The department shall develop guidelines and rules for the use and repayment of this
9 funding.

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

11 **OPERATION AND MAINTENANCE.** The sum of \$122,000, or so much of the sum as may be
12 necessary, included in the park operations and maintenance line item in subdivision 1 of
13 section 1 of this Act, is from the game and fish operating fund, or federal or other funds
14 available to the game and fish department, which must be transferred to the parks and
15 recreation department for maintenance, operating, and extraordinary repairs expenses relating
16 to boat ramps at state parks for the biennium beginning July 1, 2023, and ending June 30,
17 2025.

18 **SECTION 5. ADDITIONAL INCOME - APPROPRIATION - REPORTING.** In addition to the
19 amounts appropriated in section 1 of this Act, any additional federal or other funds that become
20 available are appropriated to the parks and recreation department for the biennium beginning
21 July 1, 2023, and ending June 30, 2025. The department shall report any additional income
22 under this section to the office of management and budget and the legislative council.

23 **SECTION 6. ESTIMATED INCOME - LEGACY EARNINGS FUND - PARK CABIN**

24 **CONSTRUCTION.** The estimated income line item in section 1 of this Act includes \$2,400,000
25 from the legacy earnings fund for cabin construction at a state park selected by the director of
26 the parks and recreation department.

27 **SECTION 7. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**
28 **FUND - PARKS AND RECREATION.** The estimated income line item in section 1 of this Act
29 includes ~~\$12,500,000~~\$15,300,000 from the strategic investment and improvements fund, of
30 which \$10,000,000 is for deferred maintenance and capital projects, \$250,000 is for the Lake
31 Metigoshe reimagined project, \$1,500,000 is for state park matching grants, \$2,000,000 is for

1 riverfront revitalization grants, \$800,000 is for the construction of a pavilion at the International
2 Peace Garden, and \$750,000 is for city, county, and tribal park system grants.

3 **SECTION 8. CITY, COUNTY, AND TRIBAL GRANT PROGRAM - GRANT LIMITATION.**

4 With the funding provided for the city, county, and tribal grant program, the parks and recreation
5 department may not award more than \$100,000 to an entity.

6 **SECTION 9. LOCAL PARK DISTRICT GRANT - MATCHING REQUIREMENTS.** Prior to
7 the parks and recreation department awarding a local park district grant as appropriated in
8 section 1 of this Act, the grant recipient must certify to the department that it has at least:

- 9 1. One dollar of matching funds from the local park district for each one dollar to be
10 received from the department; and
- 11 2. Fifty cents of matching funds from private sources for each one dollar to be received
12 from the department.

13 The parks and recreation department may not award more than \$3,000,000 to one park
14 district.

15 **SECTION 10. RIVERFRONT REVITALIZATION GRANT - MATCHING REQUIREMENTS.**

16 Prior to the parks and recreation department awarding a riverfront revitalization grant as
17 appropriated in section 1 of this Act, the grant recipient must certify to the department that it has
18 at least \$2,000,000 of matching funds from nonstate sources for the riverfront revitalization
19 project.

20 **SECTION 11. INTERNATIONAL PEACE GARDEN PAVILION CONSTRUCTION GRANT -**
21 **MATCHING REQUIREMENTS.** The International Peace Garden line item in subdivision 2 of
22 section 1 of this Act includes \$800,000 for construction of a pavilion at the International Peace
23 Garden. Expenditure of these funds is subject to one-to-one matching funds being raised from
24 nonstate sources.

25 **SECTION 12. EXEMPTION - UNEXPENDED APPROPRIATIONS.** The following
26 appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into
27 the biennium beginning July 1, 2023, and ending June 30, 2025:

- 28 1. Any funds remaining in the International Peace Garden line item for repair of the
29 peace tower at the International Peace Garden in subdivision 2 of section 30 of
30 chapter 15 of the 2013 Session Laws are available for capital projects and
31 extraordinary repairs and equipment. Funding available for use by the International

- 1 Peace Garden in this section is subject to the International Peace Garden raising
2 dollar-for-dollar matching funds from nonstate sources;
- 3 2. Any funds remaining for trail lease renewals and construction or purchasing trail
4 easements in subdivision 1 of section 1 of chapter 19 of the 2021 Session Laws are
5 available for trail lease renewals and construction and repairs and purchasing trail
6 easements;
- 7 3. Any funds remaining for extraordinary repairs in subdivision 1 of section 1 of
8 chapter 44 of the 2019 Session Laws;
- 9 4. Any funds remaining for parks capital projects and International Peace Garden capital
10 projects in subdivision 1 of section 1 of chapter 44 of the 2019 Session Laws are
11 available for any capital projects and equipment;
- 12 5. Any funds remaining for the Fort Abraham Lincoln viewshed lease in subdivision 1 of
13 section 1 of chapter 19 of the 2021 Session Laws are available for plantings to
14 improve the viewshed;
- 15 6. Any funds remaining for extraordinary repairs and capital projects in subdivision 1 of
16 section 1 of chapter 19 of the 2021 Session Laws;
- 17 7. Any funds remaining for deferred maintenance and capital projects from the federal
18 state fiscal recovery fund in subsection 9 of section 1 of chapter 550 of the 2021
19 Special Session Session Laws;
- 20 8. Any funds remaining for grants to local park districts to renovate and upgrade existing
21 facilities from the federal state fiscal recovery fund in subsection 5 of section 1 of
22 chapter 550 of the 2021 Special Session Session Laws; and
- 23 9. Any funds remaining from the federal state fiscal recovery fund in section 7 of
24 chapter 19 of the 2021 Session Laws as amended by section 4 of chapter 548 of the
25 2021 Special Session Session Laws for capital projects improvements at state parks,
26 subject to the department obtaining matching funds from nonstate sources for each
27 project on a dollar-for-dollar basis.
- 28 10. Any funds remaining from the federal state fiscal recovery fund in section 6 of
29 chapter 19 of the 2021 Session Laws as amended by section 3 of chapter 548 of the
30 2021 Special Session Session Laws for deferred maintenance and capital projects.