

PROPOSED AMENDMENTS TO SENATE BILL NO. 2064

Page 1, line 1, after the second "the" insert "office of management and budget,"

Page 1, line 3, after the second semicolon insert "to create and enact a new subsection to section 54-44-04 of the North Dakota Century Code, relating to the duties of the director of the office of management and budget; to amend and reenact sections 4-22-04, 4-22-06, and 4-22-22 of the North Dakota Century Code, relating to the state soil conservation committee; to repeal section 4-22-05 of the North Dakota Century Code, relating to employees of the state soil conservation committee;"

Page 1, line 14, replace "20,663,094" with "20,665,371"

Page 1, line 15, replace "3,537,040" with "3,547,204"

Page 1, line 16, replace "425,000" with "450,000"

Page 1, remove line 17

Page 1, line 18, replace "25,125,134" with "24,662,575"

Page 1, line 20, replace "12,107,136" with "11,644,577"

Page 2, after line 13, insert:

"Subdivision 4.		
AGRICULTURAL EXPERIMENT STATION		
Salaries and wages		<u>\$40,678,794</u>
Total all funds		\$40,678,794
Estimated income:		
Main research station	\$10,082,075	
North central research center	45,787	
Carrington research center	<u>151,483</u>	
Less total estimated income		<u>10,279,345</u>
Total general fund appropriation		\$30,399,449"

Page 2, line 14, replace "4" with "5"

Page 2, remove line 16

Page 2, line 17, replace "4,590,117" with "4,727,617"

Page 2, line 18, replace "1,357,746" with "1,367,746"

Page 2, line 21, replace "all funds" with "special funds appropriation" and replace "42,262,689" with "7,554,163"

Page 2, remove lines 22 and 23

Page 2, line 24, replace "5" with "6"

Page 2, remove line 26

Page 2, line 27, replace "447,618" with "467,618"

Page 2, line 28, replace "39,076" with "54,076"

Page 2, line 30, replace "1,668,257" with "621,694"

Page 3, line 2, replace "1,136,581" with "90,018"

Page 3, line 3, replace "6" with "7"

Page 3, remove line 5

Page 3, line 6, replace "380,156" with "390,156"

Page 3, line 7, replace "75,193" with "85,193"

Page 3, line 9, replace "1,038,797" with "575,349"

Page 3, line 11, replace "587,397" with "121,949"

Page 3, line 12, replace "7" with "8"

Page 3, remove line 14

Page 3, line 15, replace "200,608" with "230,608"

Page 3, line 18, replace "983,568" with "443,208"

Page 3, line 19, replace "287,805" with "301,068"

Page 3, line 20, replace "695,763" with "142,140"

Page 3, line 21, replace "8" with "9"

Page 3, remove line 23

Page 3, line 26, replace "820,907" with "217,981"

Page 3, line 28, replace "642,557" with "39,631"

Page 3, line 29, replace "9" with "10"

Page 4, remove line 1

Page 4, line 2, replace "305,439" with "325,439"

Page 4, line 3, replace "101,200" with "106,200"

Page 4, after line 3, insert:

"Capital improvements 200,000"

Page 4, line 4, replace "all funds" with "special funds appropriation" and replace "922,025" with "631,639"

Page 4, remove lines 5 and 6

Page 4, line 7, replace "10" with "11"

Page 4, remove line 9

Page 4, line 10, replace "293,213" with "303,213"

Page 4, line 11, replace "128,900" with "159,900"

Page 4, line 12, replace "1,023,768" with "463,113"

Page 4, line 14, replace "790,645" with "229,990"

Page 4, line 15, replace "11" with "12"

Page 4, remove line 17

Page 4, line 18, replace "590,390" with "652,890"

Page 4, line 19, replace "151,250" with "182,500"

Page 4, line 21, replace "2,157,057" with "935,390"

Page 4, remove lines 22 and 23

Page 4, line 24, replace "12" with "13"

Page 4, line 27, replace "597,500" with "598,468"

Page 4, replace line 30 with:

"Capital improvements - farm shop 100,000"

Page 4, line 31, replace "1,153,699" with "1,253,699"

Page 5, line 1, replace "43,194,071" with "44,422,512"

Page 5, line 2, replace "39,793,982" with "40,107,245"

Page 5, line 3, replace "82,988,053" with "84,529,757"

Page 5, replace lines 4 through 20 with:

**SECTION 2. APPROPRIATION.** There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$660,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing soil conservation technician grants to soil conservation districts of up to \$650,000 and for paying committee member per diem and expenses of up to \$10,000 for the biennium beginning July 1, 1997, and ending June 30, 1999. The office of management and budget shall disburse these funds as directed by the soil conservation committee.

**SECTION 3. ADDITIONAL INCOME - APPROPRIATION.** Any additional income including funds from the federal government and gifts and donations from private sources received by the North Dakota agricultural experiment station, northern crops institute, upper great plains transportation institute, and the North Dakota state university extension service, except as otherwise provided by law, is hereby appropriated for the purpose designated in the gift, grant, or donation. All of the moneys in the operating fund must remain in the fund until expended pursuant to any

specific legislative appropriation or an authorization from the emergency commission, and the balances of the moneys except those received from the federal government or as gifts from private sources, must be used to reduce the amount of moneys to be expended pursuant to the general fund appropriation only to the extent that the unencumbered balance in the operating fund on June 30, 1997, exceeds the estimated income for the biennium ending June 30, 1999.

**SECTION 4. FUNDING ALLOCATIONS - AUTHORITY.** The amounts in subdivision 4 of section 1 must be used for the benefit of the entities of the agricultural experiment station as determined by the vice president for agriculture at North Dakota state university in accordance with the guidelines established in section 5 of this Act.

**SECTION 5. ALLOCATIONS - SALARIES AND WAGES - LEGISLATIVE INTENT - DECLARATION OF PURPOSE - GUIDELINES.**

1. It is the intent of the legislative assembly that the vice president for agriculture at North Dakota state university consider the following items in making annual budget allocations for salaries and wages from the appropriations contained in subdivision 4 of section 1 of this Act:
  - a. Base salary allocations are to be made for operations based on mission, historical funding, research programs, and services of each entity.
  - b. Salary increase allocations are to be made based on general salary increases, one-time increases, performance-based increases, market increases, and other increases, including workload changes, new responsibilities, and promotions.
  - c. Targeted initiative allocations are to be made as approved by the legislative assembly.
2. It is the intent of the legislative assembly that allocations are not to be used to close any entity of the agricultural experiment station nor may the work of any entity be substantially reorganized except as authorized by the legislative assembly.
3. It is the intent of the legislative assembly that each entity of the agricultural experiment station receive salaries and wages funding for the 1997-99 biennium that are at least ninety-five percent of the salaries and wages funding for the 1995-97 biennium.
4. The vice president for agriculture at North Dakota state university shall periodically report to the budget section of the legislative council on the allocations made pursuant to this section and shall make recommendations regarding the allocation process for the 1999-2001 biennium."

Page 5, line 27, after "in" insert "subdivision 2 and in"

Page 5, line 28, replace "2" with "4" and replace "12" with "13"

Page 5, line 31, replace "4" with "5" and replace "12" with "13"

Page 6, line 8, remove "branch"

Page 6, after line 24, insert:

"**SECTION 13. AMENDMENT.** Section 4-22-04 of the North Dakota Century Code is amended and reenacted as follows:

**4-22-04. Committee - Chairman - Quorum - Compensation - Provision for surety bonds and annual audit.** The committee shall meet annually and select its chairman, who shall serve for one year from the date of his selection and who is not eligible for a second term as chairman. Additional meetings may be held by the committee as considered necessary by the chairman, at a time and place to be fixed by the chairman. Special meetings must be called by the chairman upon written request of any four members. A majority of the committee constitutes a quorum, and the concurrence of a majority in any matter within its duties is required for its determination. The members of the committee shall receive forty-five dollars per day as compensation for their services on the committee, and are entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties on the committee, in the same manner and at the same rate as prescribed by law for state employees and officials. ~~The committee shall provide for the execution of surety bonds, which may be issued by the state bonding fund, for all employees who are entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, rules, and orders issued or adopted; and shall provide for an annual audit of the accounts of receipts and disbursements.~~

**SECTION 14. AMENDMENT.** Section 4-22-06 of the North Dakota Century Code is amended and reenacted as follows:

**4-22-06. Duties and powers generally.** In addition to the duties and powers hereinafter conferred upon the state soil conservation committee, it has the following duties and powers:

- ~~1.~~ ~~To offer such assistance as may be appropriate to the supervisors of soil conservation districts in the carrying out of any of their powers and programs.~~
- ~~2.~~ To keep the supervisors of each of the several districts informed of the activities and experience of all other districts, and to facilitate an interchange of advice and experience between ~~such~~ the districts and cooperation between them.
- ~~3.~~ 2. To coordinate the programs of the several conservation districts so far as this may be done by advice and consultation.
- ~~4.~~ ~~To secure the cooperation and assistance of state, federal, regional, interstate, and local, public, and private agencies with conservation districts; and to facilitate arrangements under which conservation districts may assist or serve county governing bodies and other agencies in the administration of any activity concerned with the conservation of natural resources.~~
- ~~5.~~ 3. To disseminate information throughout the state concerning the activities and programs of the soil conservation districts, and to encourage the formation of soil conservation districts in areas where their organization is desirable.
- ~~6.~~ ~~To review district programs, to coordinate the programs of the several districts, and to coordinate programs and activities as they relate to other special purpose districts.~~
- ~~7.~~ ~~To review agreements, or forms of agreements, proposed to be entered into by districts with other districts or with state, federal, interstate, or other public or private organizations, and advise the districts concerning such agreements or forms of agreement.~~

- ~~8. To recommend the inclusion in annual and longer term budgets of funds necessary from the legislative assembly to finance the activities of the committee and districts; and to distribute such moneys appropriated by the legislative assembly according to applicable state laws or regulations.~~
- ~~9. To compile information and make studies, summaries, and other analyses of district programs in relation to each other and to other resource conservation programs on a statewide basis.~~
- ~~10. To represent the state in matters affecting soil conservation.~~
- 44. 4. To require annual reports from conservation districts, the form and content of which must be developed by the committee on consultation with district supervisors.
- ~~12. To establish uniform accounting methods which must be used by soil conservation districts, and to establish a uniform auditing reporting system.~~
- ~~13. Pursuant to procedures developed mutually by the committee and other state and local agencies that are authorized to plan or administer activities significantly affecting the conservation of natural resources, to receive from such agencies for review and comment suitable descriptions of their plans, programs, and activities for purposes of coordination with district conservation programs; to arrange for and participate in conferences necessary to avoid conflict among such plans and programs; to call attention to omissions; and to avoid duplication of effort.~~
- ~~14. To develop and administer policy guidelines which the districts shall follow in the operation of district activities.~~
- 5. To distribute grants to soil conservation districts as authorized by the legislative assembly.

**SECTION 15. AMENDMENT.** Section 4-22-22 of the North Dakota Century Code is amended and reenacted as follows:

**4-22-22. Supervisors - Terms of office - Vacancies - Removal - Compensation - Expenses.** At the general election to be held in 1972, three district supervisors must be elected. The candidate receiving the largest number of votes is elected for a six-year term; the candidate receiving the second highest number of votes is elected for a four-year term; and the candidate receiving the third highest number of votes is elected for a two-year term. At each succeeding general election, one supervisor must be elected for a term of six years, or until the successor is duly elected and qualified, to each expiring or vacant term. In newly formed districts, three supervisors must be elected at the first general election following the district's organization. The candidate receiving the largest number of votes is elected for a six-year term; the candidate receiving the second highest number of votes is elected for a four-year term; and the candidate receiving the third highest number of votes is elected for a two-year term. At each succeeding general election, one supervisor must be elected for a term of six years, or until the successor is duly elected and qualified, to each expiring or vacant term. The county auditor of the county or counties in which the district lies shall return to the secretary of state within fifteen days following any general election a certified abstract of the votes cast in the county at such election for each candidate for district supervisor. At the time that the county auditor transmits the certified abstract of the votes cast for each candidate, the county auditor shall file with the secretary of state a certificate showing the name and address of each candidate.

In order to be eligible for election to the office of supervisor, candidates must be land occupiers and physically living in the district. Candidates must be elected on a nonpartisan ballot. In case the office of any supervisor, for any reason, becomes

vacant, the remaining members of the board of supervisors shall, with the advice and consent of the state committee, fill the vacancy by appointment. If vacancies occur in the office of two supervisors, the remaining supervisor and the state committee shall fill the vacancy; and in case the offices of all supervisors of a district become vacant, the state committee shall fill the vacancies by appointment. A supervisor appointed to fill a vacancy holds office until the next general election. A supervisor elected to fill a vacancy serves the balance of the unexpired term in which the vacancy occurred.

Any soil conservation district, upon resolution of the three elected supervisors, may appoint two additional supervisors who shall serve for a term of one year from and after the date of their appointment. Such supervisors must be appointed by a majority of the three elected supervisors and have all the powers, voting privileges, duties, and responsibilities of elected supervisors, except that the expense allowances of the appointed supervisors must be paid by the local soil conservation district concerned. As far as possible, the appointed supervisors shall represent interests within the district which are not represented by the elected supervisors.

Any supervisor of a soil conservation district may, after notice given and hearing held in accordance with chapter 28-32, be removed from office by the state committee.

The supervisors of soil conservation districts are entitled to receive, upon a majority vote of the supervisors, twenty-five dollars for attending each regular or special meeting as compensation for their services. Supervisors of soil conservation districts are entitled to receive travel and subsistence expenses necessarily incurred in attending district, state, or other meetings approved by the state soil conservation committee, ~~which expenses must be paid from appropriations available to the state committee.~~ The compensation and all other expenses including travel incurred by district supervisors while transacting district business and not specifically authorized by the state soil conservation committee must be paid from district funds.

**SECTION 16.** A new subsection to section 54-44-04 of the North Dakota Century Code is created and enacted as follows:

Shall provide staff and other support services to the state soil conservation committee.

**SECTION 17. REPEAL.** Section 4-22-05 of the 1995 Supplement to the Dakota Century Code is repealed."

Page 6, line 25, replace "6" with "8"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

DEPARTMENT 110 - OFFICE OF MANAGEMENT AND BUDGET

SENATE - This amendment appropriates \$660,000 from the general fund to the Office of Management and Budget for distributing soil conservation technician grants of \$650,000 and for paying committee expenses of \$10,000 as directed by the committee during the 1997-99 biennium.

A section is added amending North Dakota Century Code Section 54-44-04 providing that the Office of Management and Budget provide staff and other support services for the Soil Conservation Committee.

DEPARTMENT 630 - NDSU EXTENSION SERVICE

SENATE - This amendment makes the following changes:

1997-99 EXECUTIVE RECOMMENDATION	VALUE-ADDED INITIATIVE	CROP PRODUCTION SYSTEMS INITIATIVE	RANGELAND MANAGEMENT INITIATIVE	REMOVES SOIL CONSERVATION COMMITTEE	TOTAL CHANGES	SENATE VERSION
Salaries and wages	\$20,663,094	\$210,000		\$(309,723)	\$ 2,277	\$20,665,371
Operating expenses	3,537,040	40,000	\$20,000	(65,836)	10,164	3,547,204
Equipment	425,000	20,000	5,000		25,000	450,000
Grants	<u>500,000</u>			<u>(500,000)</u>	<u>(500,000)</u>	
Total	\$25,125,134	\$270,000 <sup>2</sup>	\$25,000	\$(875,559) <sup>3</sup>	\$(462,559)	\$24,662,575
General fund	\$12,107,136	\$270,000	\$25,000	\$(875,559)	\$(462,559)	\$11,644,577
Special funds	<u>13,017,998</u>					<u>13,017,998</u>
Total	\$25,125,134	\$270,000	\$25,000	\$(875,559)	\$(462,559)	\$24,662,575
FTE	230.00	2.00	0.00	(4.00)	(1.00)	229.00

<sup>1</sup> Adds funding for the value-added agriculture initiative, which provides for a high-value crops specialist in western North Dakota.

<sup>2</sup> Adds funding for the crop production systems initiative, which provides for two extension crop specialists based at research extension centers.

<sup>3</sup> Removes funding for the Soil Conservation Committee which the executive budget included as a program of the extension service. Funding for the soil conservation technician grants program and expenses of the committee of \$660,000 from the general fund are appropriated in a separate section to the Office of Management and Budget.

Sections are added amending North Dakota Century Code Chapter 4-22 to remove the soil conservation committee staff and to remove a number of the committee's duties. A section is added providing that the Office of Management and Budget will provide staff services to the committee.



DEPARTMENT 640 - AGRICULTURAL EXPERIMENT STATION

SENATE - This amendment makes the following changes:

ALL FUNDS CHANGES

	1997-99 EXECUTIVE RECOMMENDATION	VALUE-ADDED INITIATIVE	CROP PRODUCTION SYSTEMS INITIATIVE	RANGELAND MANAGEMENT INITIATIVE	COMBINE SALARIES	OTHER CHANGES	TOTAL CHANGES	SENATE VERSION
Main Research Station	\$42,262,689		\$447,500		\$(35,156,026)		\$(34,708,526)	\$ 7,554,163
Dickinson Research Center	1,668,257			\$162,500	(1,209,063)		(1,046,563)	621,694
Central Grasslands Research Center	1,038,797			55,000	(518,448)		(463,448)	575,349
Hettinger Research Center	983,568			30,000	(583,623)	\$ 13,2635	(540,360)	443,208
Langdon Research Center	820,907				(602,926)		(602,926)	217,981
North Central Research Center	922,025		140,000		(630,386)	200,0006	(290,386)	631,639
Williston Research Center	1,023,768	\$ 71,000			(631,655)		(560,655)	463,113
Carrington Research Center	2,157,057	125,000			(1,346,667)		(1,221,667)	935,390
Agronomy Seed Farm	1,153,699					100,0007	100,000	1,253,699
Agricultural Experiment Station							40,678,794	40,678,794
Total all funds	\$52,030,767	\$196,000 <sup>1</sup>	\$587,500 <sup>2</sup>	\$247,500 <sup>3</sup>	\$ 04	\$313,263	\$ 1,344,263	\$ 53,375,030
FTE	0.00	0.50	4.00	2.00			6.50	6.50

GENERAL FUND CHANGES

	1997-99 EXECUTIVE RECOMMENDATION	VALUE-ADDED INITIATIVE	CROP PRODUCTION SYSTEMS INITIATIVE	RANGELAND MANAGEMENT INITIATIVE	COMBINE SALARIES	OTHER CHANGES	TOTAL CHANGES	SENATE VERSION
Main Research Station	\$24,626,451		\$447,500		\$(25,073,951)		\$(24,626,451)	
Dickinson Research Center	1,136,581			\$162,500	(1,209,063)		(1,046,563)	\$ 90,018
Central Grasslands Research Center	587,397			55,000	(518,448)		(463,448)	123,949
Hettinger Research Center	695,763			30,000	(583,623)		(553,623)	142,140
Langdon Research Center	642,557				(602,926)		(602,926)	39,631
North Central Research Center	444,599		140,000		(584,599)		(444,599)	
Williston Research Center	790,645	\$ 71,000			(631,655)		(560,655)	229,990
Carrington Research Center	1,070,184	125,000			(1,195,184)		(1,070,184)	
Agronomy Seed Farm								
Agricultural Experiment Station							30,399,449	30,399,449
Total general fund	\$29,994,177	\$196,000 <sup>1</sup>	\$587,500 <sup>2</sup>	\$247,500 <sup>3</sup>	\$ 04	\$ 0	\$ 1,031,000	\$31,025,177

<sup>1</sup> Adds funding for the value-added agriculture programs. The funding is provided for technical support, operating funds, and equipment at the Williston Research Center; and a technician (.5 FTE), operating funds, and equipment for a bison research program at the Carrington Research Center.

- 2 Adds funding for the crop production systems initiative, which provides for a wheat breeder (1 FTE), durum quality specialist (1 FTE), technical support (1 FTE), operating funds, and equipment at the Main Research Station; and a cereal crops researcher (1 FTE), operating funds, and equipment at the North Central Research Center.
- 3 Adds funding for the rangeland management initiative, which provides for technical support (1.5 FTE), operating funds, and equipment at the Dickinson Research Center; technical support (.5 FTE), operating funds, and equipment at the Central Grasslands Research Center; and operating funds for the Hettinger Research Center to conduct a cool grasslands research study.
- 4 Salaries are removed from the entities of the Agricultural Experiment Station, except for the Agronomy Seed Farm and combined into one appropriation to be distributed to the entities by the vice president for agriculture at North Dakota State University pursuant to guidelines added in a separate section.
- 5 Increases salaries and wages at the Hettinger Research Center by \$13,263 from special funds from livestock and grain sales to provide additional funding for temporary and overtime salaries.
- 6 Provides an additional \$200,000 of special funds that may become available for construction of a new headquarters building at the North Central Research Center. The 1995 Legislative Assembly appropriated \$300,000 from the general fund and \$300,000 from special funds for the project.
- 7 Adds a capital improvements farm shop line item of \$100,000 of Agronomy Seed Farm income for construction of a farm shop. The 1995 Legislative Assembly provided \$55,000 of Agronomy Seed Farm income for construction of a farm shop; however, because the Agronomy Seed Farm plans to expand the project, it is anticipated that the project will not begin during the 1995-97 biennium; therefore, the \$55,000 appropriated for the project during the 1995-97 biennium will not be spent.

The risk management premiums line item of \$968 is removed and the funding is included in the operating expenses line item.