

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 amend and reenact section 10 of chapter 44
 3 of the 2019 Session Laws, relating to International Peace Garden capital projects; to repeal
 4 section 12 of chapter 44 of the 2019 Session Laws, relating to International Peace Garden
 5 capital projects; to provide for the conveyance of real property; to provide for a legislative
 6 management study; to provide for application; to provide for an exemption; to provide for a
 7 report; and to declare an emergency.

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

9 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
 10 as may be necessary, are appropriated out of any moneys in the general fund in the state
 11 treasury, not otherwise appropriated, and from special funds derived from federal funds and
 12 other income, to the parks and recreation department for the purpose of defraying the expenses
 13 of the parks and recreation department and the Lewis and Clark interpretive center and for
 14 providing a grant to the International Peace Garden, for the biennium beginning July 1, 2021,
 15 and ending June 30, 2023, as follows:

16 Subdivision 1.

PARKS AND RECREATION DEPARTMENT

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
17			
18			
19	Administration ————— \$2,604,999	408,440	\$3,013,439
20	Park operations and maintenance ————— 20,914,593	7,737,582	28,652,175
21	Recreation ————— 9,023,560	2,101,398	11,124,958
22	Total all funds ————— \$32,543,152	\$10,247,420	\$42,790,572
23	Less estimated income ————— 20,046,609	10,053,084	30,099,693

Sixty-seventh
Legislative Assembly

1	Total general fund	\$12,496,543	\$194,336	\$12,690,879
2	Full-time equivalent positions	61.50	0.00	61.50
3	Administration	\$2,604,999	\$410,071	\$3,015,070
4	Park operations and maintenance	20,914,593	7,740,930	28,655,523
5	Recreation	9,023,560	4,102,602	13,126,162
6	Total all funds	\$32,543,152	\$12,253,603	\$44,796,755
7	Less estimated income	20,046,609	12,052,984	32,099,593
8	Total general fund	\$12,496,543	\$200,619	\$12,697,162
9	Full-time equivalent positions	61.50	(3.75)	57.75

10 Subdivision 2.

INTERNATIONAL PEACE GARDEN

11			Adjustments or	
12		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13	International Peace Garden	\$876,329	\$3,000,000	\$3,876,329
14	Total all funds	\$876,329	\$3,000,000	\$3,876,329
15	Less estimated income	0	3,000,000	3,000,000
16	Total general fund	\$876,329	\$0	\$876,329

17 Subdivision 3.

LEWIS AND CLARK INTERPRETIVE CENTER

18			Adjustments or	
19		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
20	Lewis and Clark interpretive center	\$1,304,375	\$136,537	\$1,440,912
21	Total all funds	\$1,304,375	\$136,537	\$1,440,912
22	Less estimated income	334,118	253,881	587,999
23	Total general fund	\$970,257	(\$117,344)	\$852,913
24	Lewis and Clark interpretive center	\$1,304,375	(\$1,304,375)	\$0
25	Total all funds	\$1,304,375	(\$1,304,375)	\$0
26	Less estimated income	334,118	(334,118)	0
27	Total general fund	\$970,257	(\$970,257)	\$0

28 Subdivision 4.

TOTAL - SECTION 1

29			Adjustments or	
30		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>

1	Grand total general fund	\$14,343,129	\$76,992	\$14,420,121
2	Grand total special funds	20,380,727	13,306,965	33,687,692
3	Grand total all funds	\$34,723,856	\$13,383,957	\$48,107,813
4	<u>Grand total general fund</u>	<u>\$14,343,129</u>	<u>(\$769,638)</u>	<u>\$13,573,491</u>
5	<u>Grand total special funds</u>	<u>20,380,727</u>	<u>14,718,866</u>	<u>35,099,593</u>
6	<u>Grand total all funds</u>	<u>\$34,723,856</u>	<u>\$13,949,228</u>	<u>\$48,673,084</u>

7 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**
8 **SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
9 items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the
10 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

11	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
12	Extraordinary repairs	\$634,126	\$7,500,000
13	Capital projects	1,755,000	0
14	International Peace Garden capital projects	5,000,000	3,000,000
15	<u>Parks matching grant program</u>		<u>2,000,000</u>
16	Additional equipment	622,000	0
17	State park survey	150,000	0
18	Recreation mapping	75,000	0
19	Traffic counters	75,000	0
20	Trail lease renewals	0	200,000
21	Fort Abraham Lincoln viewshed lease	<u>0</u>	<u>50,000</u>
22	Total all funds	\$8,311,126	\$10,750,000
23	Less estimated income	8,311,126	10,500,000
24	Total general fund	\$0	\$250,000
25	<u>Total all funds</u>	<u>\$8,311,126</u>	<u>\$12,750,000</u>
26	<u>Less estimated income</u>	<u>8,311,126</u>	<u>12,500,000</u>
27	<u>Total general fund</u>	<u>\$0</u>	<u>\$250,000</u>

28 The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget
29 for the 2023-25 biennium. The parks and recreation department shall report to the
30 appropriations committees of the sixty-eighth legislative assembly on the use of this one-time
31 funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

1 **SECTION 3. ADDITIONAL INCOME - APPROPRIATION - REPORTING.** In addition to the
2 amounts appropriated in section 1 of this Act, any additional income from federal or other funds
3 that become available are appropriated to the parks and recreation department for the biennium
4 beginning July 1, 2021, and ending June 30, 2023. The department shall report any additional
5 income under this section to the office of management and budget and the legislative council.

6 **SECTION 4. GAME AND FISH OPERATING FUND - TRANSFER - BOAT RAMP**
7 **OPERATION AND MAINTENANCE.** The sum of \$122,000, or so much of the sum as may be
8 necessary, included in the park operations and maintenance line item in subdivision 1 of
9 section 1 of this Act, is from the game and fish operating fund, or federal or other funds
10 available to the game and fish department, and must be transferred to the parks and recreation
11 department as requested by the director of the parks and recreation department for
12 maintenance, operating, and extraordinary repairs expenses relating to boat ramps at state
13 parks for the biennium beginning July 1, 2021, and ending June 30, 2023.

14 ~~—SECTION 6. ESTIMATED INCOME - DEPARTMENT OF TRANSPORTATION GRANT.~~
15 ~~The estimated income line item in subdivision 3 of section 1 of this Act, includes \$100,000 of~~
16 ~~grant funding from the department of transportation for the purpose of defraying expenses for~~
17 ~~the Lewis and Clark interpretive center.~~

18 **SECTION 5. CONVEYANCE OF LAND AND BUILDINGS - LEWIS AND CLARK**
19 **INTERPRETIVE CENTER - APPLICATION.** The State of North Dakota, by and through the
20 parks and recreation department, shall convey ownership of the Lewis and Clark interpretive
21 center and surrounding real property to the state historical society. Sections 54-01-05.2 and
22 54-01-05.5 do not apply to this conveyance.

23 **SECTION 6. DEFERRED MAINTENANCE - STRATEGIC INVESTMENT AND**
24 **IMPROVEMENTS FUND.** The park operations and maintenance line item in subdivision 1 of
25 section 1 of this Act includes \$7,500,000 from the strategic investment and improvements fund
26 for deferred maintenance for the biennium beginning July 1, 2021, and ending June 30, 2023.

27 **SECTION 7. PARKS MATCHING GRANT PROGRAM - STRATEGIC INVESTMENT AND**
28 **IMPROVEMENTS FUND.** The recreation line item in subdivision 1 of section 1 of this Act
29 includes \$1,000,000 from the strategic investment and improvements fund for a matching grant
30 program for the biennium beginning July 1, 2021, and ending June 30, 2023. The parks and
31 recreation department may spend these funds for capital project improvements at state parks,

1 subject to the department obtaining matching funds from nonstate sources for each project on a
2 dollar-for-dollar basis.

3 **SECTION 8. INTERNATIONAL PEACE GARDEN - STRATEGIC INVESTMENT AND**

4 **IMPROVEMENTS FUND.** The International Peace Garden line item in subdivision 2 of section 1
5 of this Act includes the sum of \$3,000,000, from the strategic investment and improvements
6 fund for International Peace Garden capital projects or the repayment of any outstanding loan
7 from the Bank of North Dakota authorized in section 12 of chapter 44 of the 2019 Session
8 Laws, for the period beginning with the effective date of this Act, and ending June 30, 2023.
9 Expenditure of the funds appropriated for this purpose is subject to the province of Manitoba
10 providing funding equal to fifty percent of the total cost of any project paid with the funding
11 referenced in this section.

12 **SECTION 9. AMENDMENT.** Section 10 of chapter 44 of the 2019 Session Laws is
13 amended and reenacted as follows:

14 **SECTION 10. REQUIREMENTS - MATCHING FUNDS - INTERNATIONAL**

15 **PEACE GARDEN CAPITAL PROJECTS.** The International Peace Garden line item in
16 subdivision 2 of section 1 of this Act includes \$2,000,000 for capital projects.

17 Expenditure of ~~thesethe~~ funds ~~appropriated for this purpose~~ is subject to ~~one-to-one~~
18 ~~matching funds being raised from nonstate sources~~ the province of Manitoba providing
19 funding equal to fifty percent of the total cost of any project paid with funding
20 referenced in this section. The parks and recreation department shall review and
21 accept engineering proposals and specifications before committing funds to projects
22 and shall assist with bidding and construction of any work associated with this section.
23 The International Peace Garden shall report quarterly to the parks and recreation
24 department regarding the expenditure of these funds along with the the source of the
25 matching funds. The funds appropriated in this section are not subject to section
26 54-44.1-11, and may be continued into the biennium beginning July 1, 2021, and
27 ending June 30, 2023, for capital projects.

28 **SECTION 10. REPEAL.** Section 12 of chapter 44 of the 2019 Session Laws is repealed.

29 **SECTION 11. EXEMPTION - INTERNATIONAL PEACE GARDEN - REQUIREMENTS.**

30 Any funds remaining in the International Peace Garden line item for repair of the peace tower in
31 section 30 of chapter 15 of the 2013 Session Laws are not subject to section 54-44.1-11, and

1 any unexpended funds are available for capital projects during the biennium beginning July 1,
2 2021, and ending June 30, 2023. Funding available for use by the International Peace Garden
3 in this section is subject to the International Peace Garden raising one-to-one matching funds
4 from nonstate sources of North Dakota sources consistent with the 2013 North Dakota
5 legislative language. The parks and recreation department shall review and accept engineering
6 proposals and specifications before committing additional funds to the project and shall assist
7 with bidding and construction of any work associated with this section.

8 **SECTION 12. EXEMPTION - PARK ENHANCEMENTS.** Any funds remaining for park
9 enhancements in subdivision 1 of section 1 of chapter 53 of the 2015 Session Laws are not
10 subject to section 54-44.1-11, and any unexpended funds are available for park enhancement
11 projects during the biennium beginning July 1, 2021, and ending June 30, 2023.

12 **SECTION 13. EXEMPTION - EXTRAORDINARY REPAIRS.** Of the funds appropriated in
13 the parks operation and maintenance line item for extraordinary repairs, \$675,000 in
14 subdivision 1 of section 1 of chapter 18 of the 2017 Sessions Laws is not subject to section
15 54-44.111, and any unexpended funds are available for extraordinary repairs during the
16 biennium beginning July 1, 2021, and ending June 30, 2023.

17 **SECTION 14. LEGISLATIVE MANAGEMENT STUDY - PARKS MATCHING GRANT**
18 **PROGRAM.** During the 2021-22 interim, the legislative management shall consider studying the
19 effectiveness of the parks matching grant program created in section 7 of this Act and the
20 feasibility and desirability of creating a parks and recreation foundation. The legislative
21 management shall report its findings and recommendations, together with any legislation
22 required to implement the recommendations, to the sixty-eighth legislative assembly.

23 **SECTION 15. EMERGENCY.** The \$3,000,000 from the strategic investment and
24 improvements fund appropriated for the International Peace Garden in subdivision 2 of
25 section 1 of this Act and sections [78](#), [89](#), and [910](#) of this Act are declared to be an emergency
26 measure.