

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1019**

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 an 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

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
17				
18				
19	Administration	\$2,604,999	\$410,071	\$3,015,070
20	Park operations and maintenance	20,914,593	7,740,930	28,655,523
21	Recreation	<u>9,023,560</u>	<u>4,102,602</u>	<u>13,126,162</u>
22	Total all funds	\$32,543,152	\$12,253,603	\$44,796,755
23	Less estimated income	<u>20,046,609</u>	<u>12,052,984</u>	<u>32,099,593</u>

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1	Total general fund	\$12,496,543	\$200,619	\$12,697,162
2	Full-time equivalent positions	61.50	(3.75)	57.75
3	Subdivision 2.			

INTERNATIONAL PEACE GARDEN

4			Adjustments or	
5		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
6	International Peace Garden	\$876,329	\$3,000,000	\$3,876,329
7	Total all funds	\$876,329	\$3,000,000	\$3,876,329
8	Less estimated income	0	3,000,000	3,000,000
9	Total general fund	\$876,329	\$0	\$876,329

10 Subdivision 3.

LEWIS AND CLARK INTERPRETIVE CENTER

11			Adjustments or	
12		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13	Lewis and Clark interpretive center	\$1,304,375	(\$1,304,375)	\$0
14	Total all funds	\$1,304,375	(\$1,304,375)	\$0
15	Less estimated income	334,118	(334,118)	0
16	Total general fund	\$970,257	(\$970,257)	\$0

17 Subdivision 4.

TOTAL - SECTION 1

18			Adjustments or	
19		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
20	Grand total general fund	\$14,343,129	(\$769,638)	\$13,573,491
21	Grand total special funds	20,380,727	14,718,866	35,099,593
22	Grand total all funds	\$34,723,856	\$13,949,228	\$48,673,084

23 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**
 24 **SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
 25 items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the
 26 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

27	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
28	Extraordinary repairs	\$634,126	\$7,500,000
29	Capital projects	1,755,000	0
30	International Peace Garden capital projects	5,000,000	3,000,000

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1	Parks matching grant program		2,000,000
2	Additional equipment	622,000	0
3	State park survey	150,000	0
4	Recreation mapping	75,000	0
5	Traffic counters	75,000	0
6	Trail lease renewals	0	200,000
7	Fort Abraham Lincoln viewshed lease	<u>0</u>	<u>50,000</u>
8	Total all funds	\$8,311,126	\$12,750,000
9	Less estimated income	<u>8,311,126</u>	<u>12,500,000</u>
10	Total general fund	\$0	\$250,000

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

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

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

28 **SECTION 5. CONVEYANCE OF LAND AND BUILDINGS - LEWIS AND CLARK**
29 **INTERPRETIVE CENTER - APPLICATION.** The State of North Dakota, by and through the
30 parks and recreation department, shall convey ownership of the Lewis and Clark interpretive

1 center and surrounding real property to the state historical society. Sections 54-01-05.2 and
2 54-01-05.5 do not apply to this conveyance.

3 **SECTION 6. DEFERRED MAINTENANCE - STRATEGIC INVESTMENT AND**

4 **IMPROVEMENTS FUND.** The park operations and maintenance line item in subdivision 1 of
5 section 1 of this Act includes \$7,500,000 from the strategic investment and improvements fund
6 for deferred maintenance for the biennium beginning July 1, 2021, and ending June 30, 2023.

7 **SECTION 7. PARKS MATCHING GRANT PROGRAM - STRATEGIC INVESTMENT AND**

8 **IMPROVEMENTS FUND.** The recreation line item in subdivision 1 of section 1 of this Act
9 includes \$1,000,000 from the strategic investment and improvements fund for a matching grant
10 program for the biennium beginning July 1, 2021, and ending June 30, 2023. The parks and
11 recreation department may spend these funds for capital project improvements at state parks,
12 subject to the department obtaining matching funds from nonstate sources for each project on a
13 dollar-for-dollar basis.

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

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

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

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

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

28 Expenditure of ~~thesethe~~ funds appropriated for this purpose is subject to ~~one-to-one~~
29 matching funds being raised from nonstate sources the province of Manitoba providing
30 funding equal to fifty percent of the total cost of any project paid with funding
31 referenced in this section. The parks and recreation department shall review and

1 accept engineering proposals and specifications before committing funds to projects
2 and shall assist with bidding and construction of any work associated with this section.
3 The International Peace Garden shall report quarterly to the parks and recreation
4 department regarding the expenditure of these funds along with the the source of the
5 matching funds. The funds appropriated in this section are not subject to section
6 54-44.1-11, and may be continued into the biennium beginning July 1, 2021, and
7 ending June 30, 2023, for capital projects.

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

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

10 Any funds remaining in the International Peace Garden line item for repair of the peace tower in
11 section 30 of chapter 15 of the 2013 Session Laws are not subject to section 54-44.1-11, and
12 any unexpended funds are available for capital projects during the biennium beginning July 1,
13 2021, and ending June 30, 2023. Funding available for use by the International Peace Garden
14 in this section is subject to the International Peace Garden raising one-to-one matching funds
15 from nonstate sources of North Dakota sources consistent with the 2013 North Dakota
16 legislative language. The parks and recreation department shall review and accept engineering
17 proposals and specifications before committing additional funds to the project and shall assist
18 with bidding and construction of any work associated with this section.

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

23 **SECTION 13. EXEMPTION - EXTRAORDINARY REPAIRS.** Of the funds appropriated in
24 the parks operation and maintenance line item for extraordinary repairs, \$675,000 in
25 subdivision 1 of section 1 of chapter 18 of the 2017 Sessions Laws is not subject to section
26 54-44.111, and any unexpended funds are available for extraordinary repairs during the
27 biennium beginning July 1, 2021, and ending June 30, 2023.

28 **SECTION 14. LEGISLATIVE MANAGEMENT STUDY - PARKS MATCHING GRANT**
29 **PROGRAM.** During the 2021-22 interim, the legislative management shall consider studying the
30 effectiveness of the parks matching grant program created in section 7 of this Act and the
31 feasibility and desirability of creating a parks and recreation foundation. The legislative

1 management shall report its findings and recommendations, together with any legislation
2 required to implement the recommendations, to the sixty-eighth legislative assembly.

3 **SECTION 15. EMERGENCY.** The \$3,000,000 from the strategic investment and
4 improvements fund appropriated for the International Peace Garden in subdivision 2 of
5 section 1 of this Act and sections 8, 9, and 10 of this Act are declared to be an emergency
6 measure.