

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; and to provide for an exemption.

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

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

10 Subdivision 1.

11 **PARKS AND RECREATION DEPARTMENT**

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
14 Administration	\$2,765,070	\$240,756	\$3,005,826
15 Park operations and maintenance	21,155,523	15,305,776	36,461,299
16 Recreation	11,126,162	4,338,887	15,465,049
17 Total all funds	\$35,046,755	\$19,885,419	\$54,932,174
18 Less estimated income	22,599,593	18,818,687	41,418,280
19 Total general fund	\$12,447,162	\$1,066,732	\$13,513,894
20 Administration	\$2,765,070	\$189,761	\$2,954,831
21 Park operations and maintenance	21,155,523	90,860,669	112,016,192
22 Recreation	11,126,162	9,558,081	20,684,243
23 Total all funds	\$35,046,755	\$100,608,511	\$135,655,266
24 Less estimated income	22,599,593	99,917,122	122,516,715

1	<u>Total general fund</u>	<u>\$12,447,162</u>	<u>\$691,389</u>	<u>\$13,138,551</u>
2	Full-time equivalent positions	57.75	7.25	65.00

3 Subdivision 2.

4 INTERNATIONAL PEACE GARDEN

5		Adjustments or		
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	International Peace Garden	\$876,329	\$250,000	\$1,126,329
8	Total general fund	\$876,329	\$250,000	\$1,126,329
9	<u>International Peace Garden</u>	<u>\$876,329</u>	<u>\$1,050,000</u>	<u>\$1,926,329</u>
10	<u>Total all funds</u>	<u>\$876,329</u>	<u>\$1,050,000</u>	<u>\$1,926,329</u>
11	<u>Less estimated income</u>	<u>0</u>	<u>800,000</u>	<u>800,000</u>
12	<u>Total general fund</u>	<u>\$876,329</u>	<u>\$250,000</u>	<u>\$1,126,329</u>

13 Subdivision 3.

14 SECTION 1 TOTAL

15		Adjustments or		
16		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
17	Grand total general fund	\$13,323,491	\$1,316,732	\$14,640,223
18	Grand total special funds	22,599,593	18,818,687	41,418,280
19	Grand total all funds	\$35,923,084	\$20,135,419	\$56,058,503
20	<u>Grand total general fund</u>	<u>\$13,323,491</u>	<u>\$941,389</u>	<u>\$14,264,880</u>
21	<u>Grand total special funds</u>	<u>22,599,593</u>	<u>100,717,122</u>	<u>123,316,715</u>
22	<u>Grand total all funds</u>	<u>\$35,923,084</u>	<u>\$101,658,511</u>	<u>\$137,581,595</u>

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

24 **SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding

25 items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the

26 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act:

27	<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
28	Extraordinary repairs and capital projects	\$7,900,000	\$0
29	Local park district grants	5,000,000	0
30	International Peace Garden capital projects	3,000,000	0
31	Trail lease renewals	200,000	0

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1	Fort Abraham Lincoln viewshed lease	50,000	0
2	Parks matching grant program	1,632,800	3,000,000
3	Deferred maintenance and capital projects	10,000,000	10,000,000
4	Cabin construction	0	2,400,000
5	Lake Metigoshe reimagined project	0	250,000
6	City, county, and tribal park system grants	0	750,000
7	Total all funds	\$27,782,800	\$16,400,000
8	Total other funds	27,532,800	16,400,000
9	Total general fund	\$250,000	\$0
10	City, county, and tribal park system grants	0	6,000,000
11	Pembina Gorge campground construction	0	6,000,000
12	International Peace Garden pavilion construction	0	800,000
13	Theodore Roosevelt presidential library project	0	70,000,000
14	Total all funds	\$27,782,800	\$98,450,000
15	Total other funds	27,532,800	98,450,000
16	Total general fund	\$250,000	\$0

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

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

- 23 1. The Bank of North Dakota shall extend a line of credit not to exceed \$70,000,000 to
 24 the parks and recreation department. The interest rate on the line of credit may not
 25 exceed the prevailing interest rate charged to North Dakota governmental entities.
- 26 2. The parks and recreation department may use the funds borrowed through the line of
 27 credit to support activities related to the Theodore Roosevelt presidential library
 28 project. The parks and recreation department shall require any entity receiving funds
 29 under this section to repay the funds to the department, including accrued interest.
- 30 3. The parks and recreation department may accept funds from participating entities and
 31 shall use the funds to repay the line of credit. If the amounts available are not

1 anticipated to be sufficient to repay the line of credit by June 30, 2027, the department
2 shall request a deficiency appropriation from the legislative assembly to repay the line
3 of credit.

4 4. The department shall develop guidelines and rules for the use and repayment of this
5 funding.

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, which must be transferred to the parks and
11 recreation department for maintenance, operating, and extraordinary repairs expenses relating
12 to boat ramps at state parks for the biennium beginning July 1, 2023, and ending June 30,
13 2025.

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

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

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

23 **SECTION 6. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**
24 **FUND - PARKS AND RECREATION.** The estimated income line item in section 1 of this Act

25 includes ~~\$12,500,000~~\$26,950,000 from the strategic investment and improvements fund, of
26 which \$10,000,000 is for deferred maintenance and capital projects, \$6,000,000 is for a
27 Pembina Gorge campground construction project, \$2,400,000 is for cabin construction at a park
28 selected by the director of the parks and recreation department, \$250,000 is for the Lake
29 Metigoshe reimagined project, \$1,500,000 is for state park matching grants, \$800,000 is for the
30 construction of a pavilion at the International Peace Garden, and ~~\$750,000~~\$6,000,000 is for city,
31 county, and tribal park system grants.

1 **SECTION 7. CITY, COUNTY, AND TRIBAL GRANT PROGRAM - MATCHING**

2 **REQUIREMENTS - GRANT LIMITATION.** With the funding provided for the city, county, and
3 tribal grant program, the parks and recreation department shall make available \$1,000,000 for
4 grant awards to communities with a population of fifteen thousand or less and may not award
5 more than ~~\$100,000~~\$150,000 to an entity and \$5,000,000 for grant awards to communities with
6 a population of more than fifteen thousand and may not award more than \$1,000,000 to an
7 entity. Expenditure of these funds is subject to one-to-one matching funds from nonstate
8 sources.

9 **SECTION 8. INTERNATIONAL PEACE GARDEN PAVILION CONSTRUCTION GRANT -**

10 **MATCHING REQUIREMENTS.** The International Peace Garden line item in subdivision 2 of
11 section 1 of this Act includes \$800,000 for construction of a pavilion at the International Peace
12 Garden. Expenditure of these funds is subject to one-to-one matching funds from the province
13 of Manitoba or other nonstate sources.

14 **SECTION 9. EXEMPTION - UNEXPENDED APPROPRIATIONS.** The following
15 appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into
16 the biennium beginning July 1, 2023, and ending June 30, 2025:

- 17 1. Any funds remaining in the International Peace Garden line item for repair of the
18 peace tower at the International Peace Garden in subdivision 2 of section 30 of
19 chapter 15 of the 2013 Session Laws are available for capital projects and
20 extraordinary repairs and equipment. Funding available for use by the International
21 Peace Garden in this section is subject to the International Peace Garden raising
22 dollar-for-dollar matching funds from nonstate sources;
- 23 2. Any funds remaining for trail lease renewals and construction or purchasing trail
24 easements in subdivision 1 of section 1 of chapter 19 of the 2021 Session Laws are
25 available for trail lease renewals and construction and repairs and purchasing trail
26 easements;
- 27 3. Any funds remaining for extraordinary repairs in subdivision 1 of section 1 of
28 chapter 44 of the 2019 Session Laws;
- 29 4. Any funds remaining for parks capital projects and International Peace Garden capital
30 projects in subdivision 1 of section 1 of chapter 44 of the 2019 Session Laws are
31 available for any capital projects and equipment;

- 1 5. Any funds remaining for the Fort Abraham Lincoln viewshed lease in subdivision 1 of
- 2 section 1 of chapter 19 of the 2021 Session Laws are available for plantings to
- 3 improve the viewshed;
- 4 6. Any funds remaining for extraordinary repairs and capital projects in subdivision 1 of
- 5 section 1 of chapter 19 of the 2021 Session Laws;
- 6 7. Any funds remaining for deferred maintenance and capital projects from the federal
- 7 state fiscal recovery fund in subsection 9 of section 1 of chapter 550 of the 2021
- 8 Special Session Session Laws;
- 9 8. Any funds remaining for grants to local park districts to renovate and upgrade existing
- 10 facilities from the federal state fiscal recovery fund in subsection 5 of section 1 of
- 11 chapter 550 of the 2021 Special Session Session Laws; and
- 12 9. Any funds remaining from the federal state fiscal recovery fund in section 7 of
- 13 chapter 19 of the 2021 Session Laws as amended by section 4 of chapter 548 of the
- 14 2021 Special Session Session Laws for capital projects improvements at state parks,
- 15 subject to the department obtaining matching funds from nonstate sources for each
- 16 project on a dollar-for-dollar basis.
- 17 10. Any funds remaining from the federal state fiscal recovery fund in section 6 of
- 18 chapter 19 of the 2021 Session Laws as amended by section 3 of chapter 548 of the
- 19 2021 Special Session Session Laws for deferred maintenance and capital projects.