

**FIRST ENGROSSMENT
with House Amendments
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

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
15 Administration	\$2,765,070	\$189,761	\$2,954,831	
16 Park operations and maintenance	21,155,523	91,860,669	113,016,192	
17 Recreation	<u>11,126,162</u>	<u>16,308,081</u>	<u>27,434,243</u>	
18 Total all funds	\$35,046,755	\$108,358,511	\$143,405,266	
19 Less estimated income	<u>22,599,593</u>	<u>90,667,122</u>	<u>113,266,715</u>	
20 Total general fund	\$12,447,162	\$17,691,389	\$30,138,551	
21 Full-time equivalent positions	57.75	7.25	65.00	

22 Subdivision 2.

23 INTERNATIONAL PEACE GARDEN

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
1			
2			
3	International Peace Garden	<u>\$1,050,000</u>	<u>\$1,926,329</u>
4	Total all funds	\$1,050,000	\$1,926,329
5	Less estimated income	<u>0</u>	<u>800,000</u>
6	Total general fund	\$876,329	\$1,126,329
7	Subdivision 3.		

SECTION 1 TOTAL

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
9			
10			
11	Grand total general fund	\$17,941,389	\$31,264,880
12	Grand total special funds	<u>91,467,122</u>	<u>114,066,715</u>
13	Grand total all funds	\$109,408,511	\$145,331,595

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

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

	<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
18			
19	Extraordinary repairs and capital projects	\$7,900,000	\$0
20	Local park district grants	5,000,000	0
21	International Peace Garden capital projects	3,000,000	0
22	Trail lease renewals	200,000	0
23	Fort Abraham Lincoln viewshed lease	50,000	0
24	Parks matching grant program	1,632,800	3,000,000
25	Deferred maintenance and capital projects	10,000,000	10,000,000
26	Cabin construction	0	2,400,000
27	Lake Metigoshe reimagined project	0	250,000
28	City, county, and tribal park system grants	0	750,000
29	Local park district grants	0	10,000,000
30	Pembina Gorge campground construction	0	7,000,000
31	Riverfront revitalization grants	0	2,000,000

1	International Peace Garden pavilion construction	0	800,000
2	Theodore Roosevelt presidential library project	<u>0</u>	<u>70,000,000</u>
3	Total all funds	\$27,782,800	\$106,200,000
4	Total other funds	<u>27,532,800</u>	<u>89,200,000</u>
5	Total general fund	\$250,000	\$17,000,000

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

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

- 12 1. The Bank of North Dakota shall extend a line of credit not to exceed \$70,000,000 to
13 the parks and recreation department. The interest rate on the line of credit may not
14 exceed the prevailing interest rate charged to North Dakota governmental entities.
- 15 2. The parks and recreation department may use the funds borrowed through the line of
16 credit to support activities related to the Theodore Roosevelt presidential library
17 project. The parks and recreation department shall require any entity receiving funds
18 under this section to repay the funds to the department, including accrued interest.
- 19 3. The parks and recreation department may accept funds from participating entities and
20 shall use the funds to repay the line of credit. If the amounts available are not
21 anticipated to be sufficient to repay the line of credit by June 30, 2027, the department
22 shall request a deficiency appropriation from the legislative assembly to repay the line
23 of credit.
- 24 4. The department shall develop guidelines and rules for the use and repayment of this
25 funding.

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

27 **OPERATION AND MAINTENANCE.** The sum of \$122,000, or so much of the sum as may be
28 necessary, included in the park operations and maintenance line item in subdivision 1 of
29 section 1 of this Act, is from the game and fish operating fund, or federal or other funds
30 available to the game and fish department, which must be transferred to the parks and
31 recreation department for maintenance, operating, and extraordinary repairs expenses relating

1 to boat ramps at state parks for the biennium beginning July 1, 2023, and ending June 30,
2 2025.

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

8 **SECTION 6. ESTIMATED INCOME - LEGACY EARNINGS FUND - PARK CABIN**
9 **CONSTRUCTION.** The estimated income line item in section 1 of this Act includes \$2,400,000
10 from the legacy earnings fund for cabin construction at a state park selected by the director of
11 the parks and recreation department.

12 **SECTION 7. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**
13 **FUND - PARKS AND RECREATION.** The estimated income line item in section 1 of this Act
14 includes \$15,300,000 from the strategic investment and improvements fund, of which
15 \$10,000,000 is for deferred maintenance and capital projects, \$250,000 is for the Lake
16 Metigoshe reimagined project, \$1,500,000 is for state park matching grants, \$2,000,000 is for
17 riverfront revitalization grants, \$800,000 is for the construction of a pavilion at the International
18 Peace Garden, and \$750,000 is for city, county, and tribal park system grants.

19 **SECTION 8. CITY, COUNTY, AND TRIBAL GRANT PROGRAM - GRANT LIMITATION.**
20 With the funding provided for the city, county, and tribal grant program, the parks and recreation
21 department may not award more than \$100,000 to an entity.

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

- 25 1. One dollar of matching funds from the local park district for each one dollar to be
26 received from the department; and
- 27 2. Fifty cents of matching funds from private sources for each one dollar to be received
28 from the department.

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

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

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

6 **SECTION 11. INTERNATIONAL PEACE GARDEN PAVILION CONSTRUCTION GRANT -**
7 **MATCHING REQUIREMENTS.** The International Peace Garden line item in subdivision 2 of

8 section 1 of this Act includes \$800,000 for construction of a pavilion at the International Peace
9 Garden. Expenditure of these funds is subject to one-to-one matching funds being raised from
10 nonstate sources.

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

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

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