

Department 504 - Highway Patrol
House Bill No. 1011

Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2023-25 Executive Budget	\$54,191,734	\$22,708,733	\$76,900,467
2023-25 Base Level	36,327,762	25,785,652	62,113,414
Increase (Decrease)	\$17,863,972	(\$3,076,919)	\$14,787,053

Selected Budget Changes Recommended in the Executive Budget

	General Fund	Other Funds	Total
1. Adds funding for state employee salary and benefit increases, of which \$3,309,103 is for salary increases and \$975,524 is for health insurance increases	\$3,167,582	\$1,117,045	\$4,284,627
2. Adds funding for increased employer contributions to the Highway Patrolmen's retirement fund approved by the Legislative Assembly in 2021	\$335,523	\$54,620	\$390,143
3. Restores general fund and special fund salaries paid from federal COVID-19 relief funds during the 2021-23 biennium	\$6,966,000	(\$6,966,000)	\$0
4. Adds 5 FTE trooper positions to backfill positions previously used for criminal interdiction purposes	\$1,449,557	\$235,859	\$1,685,416
5. Adds 5 additional FTE trooper positions for criminal interdiction	\$1,221,560	\$198,860	\$1,420,420
6. Adds 2 FTE Capitol Security trooper positions	\$489,066	\$79,104	\$568,170
7. Adds 1 FTE trooper position to coordinate drug recognition and field sobriety efforts		\$242,082	\$242,082
8. Adds 2 FTE motor carrier safety assistance program troopers	\$33,708	\$640,650	\$674,358
9. Adds funding for increased lease rates and to lease additional warehouse space	\$212,000	\$34,000	\$246,000
10. Adds funding for a new Capitol space rent model	\$74,274	\$0	\$74,274
11. Adds ongoing (\$262,000) and one-time funding (\$283,200) for technology enhancement projects	\$470,200	\$75,000	\$545,200
12. Adds ongoing (\$1,000) and one-time funding (\$104,000) for enhancements related to unmanned aerial system duties	\$90,000	\$15,000	\$105,000
13. Adds one-time funding for State Fleet mileage rate increases	\$1,706,000	\$336,000	\$2,042,000
14. Adds one-time funding for inflationary increases	\$448,000	\$72,000	\$520,000
15. Adds one-time funding for motor carrier safety program enhancements	\$23,000	\$404,000	\$427,000
16. Adds one-time funding for a garage expansion project at the Fargo location	\$622,000	\$100,000	\$722,000

A summary of the executive budget changes to the agency's base level appropriations is attached as an appendix.

A copy of the draft appropriations bill containing the executive budget recommendations is attached as an appendix.

Selected Bill Sections Recommended in the Executive Budget

Highway tax distribution fund - Section 3 would provide for \$11,989,604 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.

Motor carrier electronic permit fund - Section 4 would provide for \$1,448,955 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.

Highway Patrol officer per diem - Section 5 would provide for Highway Patrol officer per diem of \$200 per month during the 2023-25 biennium, the same as provided during the 2021-23 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status within the state.

Continuing Appropriations

Highway Patrol assets forfeiture fund - North Dakota Century Code Section 39-03-18 - Consists of funds obtained from seized assets that may be used for paying expenses associated with the inventory and selling of seized assets, to pay for overtime relating to certain investigations, for purchasing equipment related to criminal interdiction, or to be used to match federal funding for certain programs.

Motor carrier electronic permit transaction fund - Section 39-12-02 - An additional fee of up to \$15 is charged for issuing an oversize or overweight vehicle permit electronically. The additional fee is deposited in the motor carrier electronic permit fund and deposits in the fund are appropriated on a continuing basis to the Highway Patrol for the maintenance of the online electronic permitting system.

Deficiency Appropriations

No deficiency appropriations are being requested for the Highway Patrol.

Significant Audit Findings

There are no significant audit findings for the Highway Patrol.

Major Related Legislation

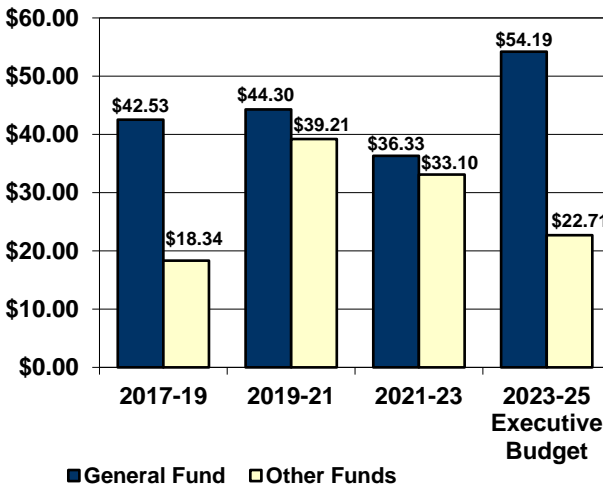
Senate Bill No. 2053 - Adjusts terminology in statute relating to Highway Patrol troopers and motor vehicle crashes.

Senate Bill No. 2054 - Clarifies the powers and duties of Highway Patrol troopers and adjusts language relating to Capitol grounds and Capitol Security.

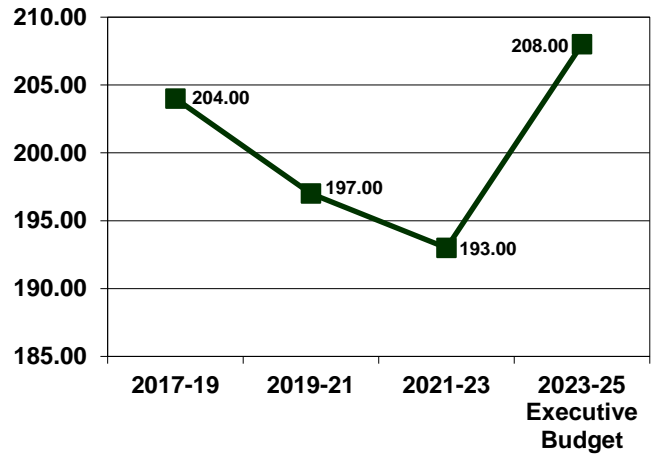
Historical Appropriations Information

Agency Appropriations and FTE Positions

Agency Funding (Millions)



FTE Positions



Ongoing General Fund Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
Ongoing general fund appropriations	\$42,943,745	\$42,527,428	\$44,213,575	\$36,327,762	\$50,779,534
Increase (decrease) from previous biennium	N/A	(\$416,317)	\$1,686,147	(\$7,885,813)	\$14,451,772
Percentage increase (decrease) from previous biennium	N/A	(1.0%)	4.0%	(17.8%)	39.8%
Cumulative percentage increase (decrease) from 2015-17 biennium	N/A	(1.0%)	3.0%	(15.4%)	18.2%

Major Increases (Decreases) in Ongoing General Fund Appropriations

2017-19 Biennium

- Adjusted the funding source for permit section staff salaries and wages and related expenses from the general fund to the motor carrier electronic permit transaction fund (\$1,269,165)
- Added funding for trooper on-call pay \$323,750
- Removed 11 FTE positions and related funding (\$2,299,602)

2019-21 Biennium

- Increased funding for operating expenses \$522,835
- Removed 7 FTE positions (\$573,376)

2021-23 Biennium

- Adjusted funding for law enforcement salaries to be paid from federal coronavirus relief funds rather than the general fund (\$6,996,000)
- Adjusted operating expenses and removed 2 FTE Capitol Security positions (\$2,047,239)

2023-25 Biennium (Executive Budget Recommendation)

- Restores law enforcement salaries paid from federal coronavirus relief funds during the 2021-23 biennium \$6,996,000
- Adds 15 FTE trooper positions for various purposes \$2,965,891
- Adds funding for technology enhancements \$226,000

One-Time General Fund Appropriations

	2015-17	2017-19	2019-21	2021-23	2023-25 Executive Budget
One-time general fund appropriations	\$656,813	\$0	\$81,830	\$0	\$3,412,200

Major One-Time General Fund Appropriations

2017-19 Biennium

- 1. None

2019-21 Biennium

- 1. Added funding to overhaul the agency's aircraft engine \$81,830

2021-23 Biennium

- 1. None

2023-25 Biennium (Executive Budget Recommendation)

- 1. Adds funding for State Fleet mileage increases \$1,706,000
- 2. Adds funding for inflationary increases \$448,000
- 3. Adds funding for a garage addition at the Fargo location \$622,000
- 4. Adds funding for technology enhancements \$244,200

Highway Patrol - Budget No. 504
House Bill No. 1012
Base Level Funding Changes

Executive Budget Recommendation				
	FTE Positions	General Fund	Other Funds	Total
2023-25 Biennium Base Level	193.00	\$36,327,762	\$25,785,652	\$62,113,414
2023-25 Ongoing Funding Changes				
Base payroll and budget changes		\$460,502	\$227,861	\$688,363
Salary increase		2,453,942	855,161	3,309,103
Health insurance increase		713,640	261,884	975,524
Retirement increase - Highway Patrol retirement fund		335,523	54,620	390,143
Adjust COVID-19 salary funding		6,966,000	(6,966,000)	0
Backfill criminal interdiction troopers	5.00	1,221,557	198,859	1,420,416
Additional criminal interdiction troopers	5.00	1,221,560	198,860	1,420,420
Capitol Security troopers	2.00	489,066	79,104	568,170
Drug recognition trooper	1.00		284,082	284,082
Motor carrier troopers	2.00	33,708	640,650	674,358
Lease rate increase		106,000	17,000	123,000
Additional warehouse space		106,000	17,000	123,000
New Capitol space rent model		74,274		74,274
Unmanned aerial vehicle enhancements		1,000		1,000
Technology enhancements		226,000	36,000	262,000
Recruitment and advertising initiative		43,000	7,000	50,000
Total ongoing funding changes	15.00	\$14,451,772	(\$4,087,919)	\$10,363,853
One-time funding items				
New trooper one-time costs		\$228,000	\$37,000	\$265,000
State Fleet mileage increase		1,706,000	336,000	2,042,000
Inflationary increases		448,000	72,000	520,000
Narcotics tester		52,000	8,000	60,000
Unmanned aerial vehicle enhancements - One-time		89,000	15,000	104,000
Motor carrier program enhancements		23,000	404,000	427,000
Technology enhancements - One-time		244,200	39,000	283,200
Fargo garage addition		622,000	100,000	722,000
Total one-time funding changes	0.00	\$3,412,200	\$1,011,000	\$4,423,200
Total Changes to Base Level Funding	15.00	\$17,863,972	(\$3,076,919)	\$14,787,053
2023-25 Total Funding	208.00	\$54,191,734	\$22,708,733	\$76,900,467
<i>Federal funds included in other funds</i>			<i>\$9,270,174</i>	
<i>Total ongoing changes as a percentage of base level</i>	<i>7.8%</i>	<i>39.8%</i>	<i>(15.9%)</i>	<i>16.7%</i>
<i>Total changes as a percentage of base level</i>	<i>7.8%</i>	<i>49.2%</i>	<i>(11.9%)</i>	<i>23.8%</i>

Other Sections in Highway Patrol - Budget No. 504

Executive Budget Recommendation

Highway tax distribution fund

Section 3 would provide for \$11,989,604 of special funds from the highway tax distribution fund to be used for Highway Patrol operations.

Motor carrier electronic permit fund

Section 4 would provide for \$1,448,955 of special funds from the motor carrier electronic permit fund to be used for Highway Patrol operations.

Highway Patrol officer per diem

Section 5 would provide for Highway Patrol officer per diem of \$200 per month during the 2023-25 biennium, the same as provided during the 2021-23 biennium. The per diem payments are in lieu of reimbursement for meals and other expenses while in travel status within the state.

**HOUSE BILL NO. 1011
(Governor's Recommendation)**

Introduced by

Appropriations Committee

(At the request of the Governor)

A bill for an Act to provide an appropriation for defraying the expenses of the highway patrol; and to provide for a report to the legislative assembly.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the highway patrol for the purpose of defraying the expenses of the highway patrol, for the biennium beginning July 1, 2023 and ending June 30, 2025, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Field Operations	\$62,113,414	\$14,787,053	\$76,900,467
Total All Funds	\$62,113,414	\$14,787,053	\$76,900,467
Less Estimated Income	18,819,652	3,889,081	22,708,733
Total General Fund	\$43,293,762	\$ 10,897,972	\$54,191,734
Full-time Equivalent Positions	193.00	15.00	208.00

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-EIGHTH 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 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>
Hard Body Armor	\$ 265,000	\$ 0
Body and In-Car Cameras	1,158,000	0
Commercial Motor Carrier System	275,000	0
State Fleet Increase	0	2,042,000
Interdiction Unit Equipment	0	265,000
Learning Management Software	0	35,000
Electronic Storage Video/Photo	0	15,000
Interface to State Attorney Portal	0	50,000
UAV Program Enhancement	0	104,000
TruNarc Handheld Testers	0	60,000
ARIES Program Update	0	80,000
Dashboard Research and Analytics	0	15,000
Uniform Inflation Increase	0	58,000
Equipment Inflation Expense	0	370,000
Training Academy Software	0	72,000
Increased Travel for Inflation	0	46,000
Daily Activity Software	0	10,000
Field Training Management. Software	0	6,200
Fargo Garage Addition	0	722,000
Inflation Increase for Ammunition	0	46,000
CMV Crash Reconstruction Equipment	0	35,000

UAVs for CMV Inspection and Enforcement	0	100,000
UGPTI Crash Analysis Project	0	92,000
ARIES and ASPEN Bridge	0	50,000
Signage and Lighting Enhancement	<u>0</u>	<u>150,000</u>
Total All Funds	\$1,698,000	\$4,423,200
Total Special Fund	<u>1,698,000</u>	<u>1,011,000</u>
Total General Fund	\$ 0	\$3,412,200

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

SECTION 3. SPECIAL FUNDS TRANSFER – HIGHWAY TAX DISTRIBUTION FUND. The estimated income line item in section 1 of this Act includes the sum of \$11,989,604, or so much of the sum as may be necessary, from the state highway tax distribution fund which may be transferred at the direction of the superintendent of the highway patrol for the purpose of defraying the expenses of the highway patrol during the biennium beginning July 1, 2023 and ending June 30, 2025.

SECTION 4. MOTOR CARRIER ELECTRONIC PERMIT TRANSACTION FUND. The estimated income line item in section 1 of this Act includes \$1,448,955 from the motor carrier electronic permit transaction fund for the purpose of defraying various expenses associated with the issuance of permits and other nonenforcement motor carrier and administrative activities.

SECTION 5. PAYMENTS TO HIGHWAY PATROL OFFICERS. Each patrol officer of the state highway patrol is entitled to receive from funds appropriated in section 1 of this Act an amount not to exceed \$200 per month for the biennium beginning July 1, 2023 and ending June 30, 2025. The payments are in lieu of reimbursement for meals and other expenses, except lodging, while in travel status within the state of North Dakota or while at their respective home stations. The amounts must be paid at the time and in the same manner as salaries are paid to members of the highway patrol and may be paid without the presentation of receipts or other memorandums.