

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1020**

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the extension
2 service, northern crops institute, upper great plains transportation institute, main research
3 center, branch research centers, and agronomy seed farm; to amend and reenact section
4 4-14.2-02 of the North Dakota Century Code, relating to the northern crops council; to provide
5 for transfers; to provide an exemption; and to declare an emergency.

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

7 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
8 as may be necessary, are appropriated out of any moneys in the general fund in the state
9 treasury, not otherwise appropriated, and from special funds derived from federal funds and
10 other income, to the North Dakota state university extension service, the northern crops
11 institute, the upper great plains transportation institute, the main research center, branch
12 research centers, and agronomy seed farm for the purpose of defraying the expenses of the
13 North Dakota state university extension service, the northern crops institute, the upper great
14 plains transportation institute, the main research center, branch research centers, and
15 agronomy seed farm, for the biennium beginning July 1, 2011, and ending June 30, 2013, as
16 follows:

17 Subdivision 1.

18 NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE

| | | Adjustments or | |
|--------------------------------|-------------------|---------------------|----------------------|
| | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 20 Extension service | \$47,091,489 | (\$64,835) | \$47,026,654 |
| 21 Soil conservation committee | <u>837,800</u> | <u>150,000</u> | <u>987,800</u> |
| 22 Total all funds | \$47,929,289 | \$85,165 | \$48,014,454 |
| 23 Less estimated income | <u>25,928,877</u> | <u>(2,800,067)</u> | <u>23,128,810</u> |

Sixty-second
Legislative Assembly

| | | | | |
|---|--------------------------------|--------------|-------------|--------------|
| 1 | Total general fund | \$22,000,412 | \$2,885,232 | \$24,885,644 |
| 2 | Full-time equivalent positions | 255.75 | 1.00 | 256.75 |
| 3 | Subdivision 2. | | | |

NORTHERN CROPS INSTITUTE

| | | | | |
|----|--------------------------------|-------------------|---------------------|----------------------|
| 5 | | | Adjustments or | |
| 6 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 7 | Total all funds | \$3,037,486 | \$309,821 | \$3,347,307 |
| 8 | Less estimated income | <u>1,598,265</u> | <u>56,460</u> | <u>1,654,725</u> |
| 9 | Total general fund | \$1,439,221 | \$253,361 | \$1,692,582 |
| 10 | Full-time equivalent positions | 11.00 | 0.00 | 11.00 |
| 11 | Subdivision 3. | | | |

UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

| | | | | |
|----|--------------------------------|-------------------|---------------------|----------------------|
| 13 | | | Adjustments or | |
| 14 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 15 | Total all funds | \$23,326,992 | \$742,969 | \$24,069,961 |
| 16 | Less estimated income | <u>21,737,199</u> | <u>413,134</u> | <u>22,150,333</u> |
| 17 | Total general fund | \$1,589,793 | \$329,835 | \$1,919,628 |
| 18 | Full-time equivalent positions | 52.30 | 0.00 | 52.30 |
| 19 | Subdivision 4. | | | |

MAIN RESEARCH CENTER

| | | | | |
|----|----------------------------------|-------------------|---------------------|----------------------|
| 21 | | | Adjustments or | |
| 22 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 23 | Main research center | \$87,530,418 | \$11,177,153 | \$98,707,571 |
| 24 | Deferred maintenance | 0 | 0 | 0 |
| 25 | Grape and wine program committee | 0 | 0 | 0 |
| 26 | Federal fiscal stimulus 2009 | <u>0</u> | <u>0</u> | <u>0</u> |
| 27 | Total all funds | \$87,530,418 | \$11,177,153 | \$98,707,571 |
| 28 | Less estimated income | <u>45,013,267</u> | <u>(879,692)</u> | <u>44,133,575</u> |
| 29 | Total general fund | \$42,517,151 | \$12,056,845 | \$54,573,996 |
| 30 | Full-time equivalent positions | 329.26 | 4.00 | 333.26 |
| 31 | Subdivision 5. | | | |

| | | | | |
|----|---|--------------------|---------------------|----------------------|
| 1 | | RESEARCH CENTERS | | |
| 2 | | | Adjustments or | |
| 3 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 4 | Dickinson research center | \$5,012,580 | \$1,375,982 | \$6,388,562 |
| 5 | Central grasslands research center | 2,560,602 | 305,245 | 2,865,847 |
| 6 | Hettinger research center | 2,995,155 | 378,020 | 3,373,175 |
| 7 | Langdon research center | 2,091,572 | 287,235 | 2,378,807 |
| 8 | North central research center | 3,973,952 | 425,869 | 4,399,821 |
| 9 | Williston research center | 2,922,183 | 277,906 | 3,200,089 |
| 10 | Carrington research center | <u>6,727,962</u> | <u>398,526</u> | <u>7,126,488</u> |
| 11 | Total all funds | \$26,284,006 | \$3,448,783 | \$29,732,789 |
| 12 | Less estimated income | <u>13,916,816</u> | <u>1,880,765</u> | <u>15,797,581</u> |
| 13 | Total general fund | \$12,367,190 | \$1,568,018 | \$13,935,208 |
| 14 | Full-time equivalent positions | 95.49 | 1.00 | 96.49 |
| 15 | Subdivision 6. | | | |
| 16 | | AGRONOMY SEED FARM | | |
| 17 | | | Adjustments or | |
| 18 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 19 | Agronomy seed farm | <u>\$1,275,238</u> | <u>\$159,930</u> | <u>\$1,435,168</u> |
| 20 | Total special funds | \$1,275,238 | \$159,930 | \$1,435,168 |
| 21 | Full-time equivalent positions | 3.00 | 0.00 | 3.00 |
| 22 | Subdivision 7. | | | |
| 23 | | BILL TOTAL | | |
| 24 | | | Adjustments or | |
| 25 | | <u>Base Level</u> | <u>Enhancements</u> | <u>Appropriation</u> |
| 26 | Grand total general fund | \$79,913,767 | \$17,093,291 | \$97,007,058 |
| 27 | Grand total special funds | <u>109,469,662</u> | <u>(1,169,470)</u> | <u>108,300,192</u> |
| 28 | Grand total all funds | \$189,383,429 | \$15,923,821 | \$205,307,250 |
| 29 | SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO | | | |
| 30 | SIXTY-THIRD LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding | | | |

Sixty-second
Legislative Assembly

1 items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13
2 one-time funding items included in the appropriation in section 1 of this Act:

| 3 | <u>One-Time Funding Description</u> | <u>2009-11</u> | <u>2011-13</u> |
|----|--|------------------|------------------|
| 4 | Main research center greenhouse project | \$11,450,400 | \$9,494,581 |
| 5 | Deferred maintenance pool | 450,000 | 0 |
| 6 | Operating pool | 925,000 | 0 |
| 7 | Dickinson parking lot and landscaping capital project | 350,000 | 0 |
| 8 | Upper great plains transportation institute center for | 3,000,000 | 0 |
| 9 | transportation study capital project | | |
| 10 | Beef research facility | 2,612,400 | 0 |
| 11 | Grape and wine program committee | 250,000 | 200,000 |
| 12 | Federal fiscal stimulus 2009 | 700,000 | 0 |
| 13 | North central, Williston, Langdon, and Dickinson | <u>2,937,200</u> | <u>0</u> |
| 14 | renovations/additions | | |
| 15 | Total all funds | \$22,675,000 | \$9,694,581 |
| 16 | Total other funds | <u>4,975,000</u> | <u>2,502,931</u> |
| 17 | Total general fund | \$17,700,000 | \$7,191,650 |

18 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the
19 2013-15 biennium. The main research center shall report to the appropriations committees of
20 the sixty-third legislative assembly on the use of this one-time funding for the biennium
21 beginning July 1, 2011, and ending June 30, 2013.

22 **SECTION 3. ADDITIONAL INCOME - APPROPRIATION.** In addition to the amount
23 included in the grand total special funds appropriation line item in section 1 of this Act, any other
24 income, including funds from federal acts, private grants, gifts, and donations, or from other
25 sources received by the North Dakota state university extension service, the northern crops
26 institute, the upper great plains transportation institute, the main research center, branch
27 research centers, and agronomy seed farm, except as otherwise provided by law, is
28 appropriated for the purpose designated in the act, grant, gift, or donation, for the biennium
29 beginning July 1, 2011, and ending June 30, 2013.

30 **SECTION 4. TRANSFER AUTHORITY.** Upon approval of the state board of agricultural
31 research and education and appropriate branch research center directors, the director of the

1 main research center may transfer appropriation authority within subdivisions 1, 2, 4, and 5 of
2 section 1 of this Act. Any amounts transferred must be reported to the director of the office of
3 management and budget.

4 **SECTION 5. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** The board of higher
5 education may adjust or increase full-time equivalent positions as needed for the entities in
6 section 1 of this Act, subject to availability of funds. The board shall report any adjustments to
7 the office of management and budget prior to the submission of the 2013-15 budget request.

8 **SECTION 6. UNEXPENDED GENERAL FUND - EXCESS INCOME.** Any unexpended
9 general fund appropriation authority to and any excess income received by entities listed in
10 section 1 of this Act are not subject to the provisions of section 54-44.1-11, and any
11 unexpended funds from these appropriations or revenues are available and may be expended
12 by those entities, during the biennium beginning July 1, 2013, and ending June 30, 2015.

13 **SECTION 7. PERMANENT OIL TAX TRUST FUND - DICKINSON RESEARCH CENTER -**
14 **OPERATING POOL FUNDING.** The estimated income line item in subdivision 5 of section 1 of
15 this Act includes \$800,000 from the permanent oil tax trust fund. This funding is available only
16 for defraying the costs of operations of the Dickinson research center, for the biennium
17 beginning July 1, 2011, and ending June 30, 2013.

18 **SECTION 8. GRAPE GROWING RESEARCH GRANTS.** The main research center line
19 item in subdivision 4 of section 1 of this Act includes \$200,000 from the general fund for the
20 main research center to provide grants, in consultation with the grape growers association, to
21 in-state research organizations to conduct grape growing research in the state, for the biennium
22 beginning July 1, 2011, and ending June 30, 2013. The main research center shall require one
23 dollar of matching funds for each four dollars of state funds provided on any grant award.

24 **SECTION 9. AMENDMENT.** Section 4-14.2-02 of the North Dakota Century Code is
25 amended and reenacted as follows:

26 **4-14.2-02. Northern crops council - Establishment - Chairman - Meetings -**
27 **Compensation.**

- 28 1. The northern crops council is established. The council shall establish policies for the
29 operation of the northern crops institute. The council consists of:
- 30 a. The president of North Dakota state university of agriculture and applied science
31 or the president's designee.

- 1 b. A representative selected by the North Dakota wheat commission.
- 2 c. A representative selected by the North Dakota oilseed council.
- 3 d. A representative selected by the North Dakota barley council.
- 4 e. A representative selected by the North Dakota soybean council.
- 5 f. The agriculture commissioner or the commissioner's designee.
- 6 g. Five to seven producers of northern crops selected by the members designated
- 7 in subdivisions a through f.
- 8 h. Up to four representatives of industries that process northern crops selected by
- 9 the members designated in subdivisions a through f.
- 10 2. a. The term of office for each member of the council, except the president of North
- 11 Dakota state university of agriculture and applied science and the agriculture
- 12 commissioner, is three years, and those members are limited to two 3-year
- 13 terms. Each term of office begins with the first reorganizational meeting after the
- 14 date of appointment.
- 15 b. Notwithstanding subdivision a, during the 2011-13 biennium, the council shall:
- 16 (1) Stagger by lot the terms of the producers of northern crops so that no more
- 17 than one of the producers' terms expires in June 2013; and
- 18 (2) Stagger by lot the terms of the representatives of industries that process
- 19 northern crops so that no more than one of the representatives' terms
- 20 expires in June 2013.
- 21 3. The chairman of the council must be a member of the council elected annually by a
- 22 majority vote of the council. Provided, the members designated in subdivisions a and f
- 23 of subsection 1 are not eligible to serve as chairman.
- 24 4. The council shall meet at least three times annually at such times and places as must
- 25 be determined by the council and may meet in special meeting upon such call and
- 26 notice as may be prescribed by rules adopted by the council. A council member unable
- 27 to attend a meeting of the council may be represented by a person who has a written
- 28 proxy from the member.

29 **SECTION 10. EXEMPTION.** The amounts appropriated for the research greenhouse

30 complex project, as contained in subdivision 4, section 3, of chapter 48 of the 2005 Session

31 Laws, and the branch center renovations and research greenhouse complex projects, as

1 contained in subdivision 4, section 1, of chapter 48 of the 2009 Session Laws, are not subject to
2 the provisions of section 54-44.1-11, and any unexpended funds from these appropriations or
3 related revenues are available and may be expended during the biennium beginning July 1,
4 2011, and ending June 30, 2013.

5 **SECTION 11. EMERGENCY.** The appropriation for capital projects of \$6,991,650 from the
6 general fund and \$2,502,931 from special funds in subdivision 4 of section 1 of this Act is
7 declared to be an emergency measure.