

SECOND ENGROSSMENT

Sixty-third
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1019

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 parks and
2 recreation department and for providing a grant to the International Peace Garden; to provide
3 for matching funds; ~~and~~ to provide an exemption; and to declare an emergency.

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, 2013, and ending June 30, 2015, as follows:

11 Subdivision 1.

12 **PARKS AND RECREATION DEPARTMENT**

	Base Level	Adjustments or Enhancements	Appropriation
15 Administration	\$2,484,885	\$167,115	\$2,652,000
16 Accrued leave payments	0	181,577	181,577
17 Natural resources	12,768,203	8,488,150	21,256,353
18 Recreation	7,489,091	(1,515,640)	5,973,451
19 Total all funds	\$22,742,179	\$7,321,202	\$30,063,381
20 Less estimated income	11,641,532	797,980	12,439,512
21 Total general fund	\$11,100,647	\$6,523,222	\$17,623,869
22 Full-time equivalent positions	54.00	1.00	55.00
23 <u>Administration</u>	<u>\$2,484,885</u>	<u>\$188,708</u>	<u>\$2,673,593</u>
24 <u>Accrued leave payments</u>	<u>0</u>	<u>181,577</u>	<u>181,577</u>

Sixty-third
Legislative Assembly

1	Natural resources	12,768,203	8,325,122	21,093,325
2	Recreation	7,489,091	(1,403,216)	6,085,875
3	Total all funds	\$22,742,179	\$7,292,191	\$30,034,370
4	Less estimated income	11,641,532	359,199	12,000,731
5	Total general fund	\$11,100,647	\$6,932,992	\$18,033,639
6	Full-time equivalent positions	54.00	1.00	55.00

7 Subdivision 2.

INTERNATIONAL PEACE GARDEN

9			Adjustments or	
10		Base Level	Enhancements	Appropriation
11	International Peace Garden	\$773,699	\$200,000	\$973,699
12	Total general fund	\$773,699	\$200,000	\$973,699
13	International Peace Garden	\$773,699	\$1,450,000	\$2,223,699
14	Total general fund	\$773,699	\$1,450,000	\$2,223,699

15 Subdivision 3.

BILL TOTAL

17			Adjustments or	
18		Base Level	Enhancements	Appropriation
19	Grand total general fund	\$11,874,346	\$6,723,222	\$18,597,568
20	Grand total special funds	11,641,532	797,980	12,439,512
21	Grand total all funds	\$23,515,878	\$7,521,202	\$31,037,080
22	Grand total general fund	\$11,874,346	\$8,382,992	\$20,257,338
23	Grand total special funds	11,641,532	359,199	12,000,731
24	Grand total all funds	\$23,515,878	\$8,742,191	\$32,258,069

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

26 SIXTY-FOURTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time
27 funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and
28 the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

29	One-Time Funding Description	2011-13	2013-15
30	Parks capital projects and deferred maintenance	\$5,269,210	\$6,362,800
31	Parks equipment	116,000	300,000

1	Little Missouri state park trail leases	85,000	0
2	Parks SCORP plan	40,000	0
3	Parks strategic plans	0	100,000
4	Community grant program	0	400,000
5	International Peace Garden capital projects	267,000	0
6	Total all funds	\$5,777,210	\$7,162,800
7	Less estimated income	1,028,000	1,937,800
8	Total general fund	\$4,749,210	\$5,225,000
9	<u>Parks capital projects and deferred maintenance</u>	<u>\$5,269,210</u>	<u>\$3,897,800</u>
10	<u>Parks equipment</u>	<u>116,000</u>	<u>350,000</u>
11	<u>Lewis and Clark interpretive center grant</u>	<u>0</u>	<u>1,350,000</u>
12	<u>Little Missouri state park trail leases</u>	<u>85,000</u>	<u>0</u>
13	<u>Parks SCORP plan</u>	<u>40,000</u>	<u>0</u>
14	<u>Parks strategic plans</u>	<u>0</u>	<u>100,000</u>
15	<u>Community grant program</u>	<u>0</u>	<u>500,000</u>
16	<u>International Peace Garden capital projects</u>	<u>267,000</u>	<u>1,250,000</u>
17	<u>Total all funds</u>	<u>\$5,777,210</u>	<u>\$7,447,800</u>
18	<u>Less estimated income</u>	<u>1,028,000</u>	<u>1,270,300</u>
19	<u>Total general fund</u>	<u>\$4,749,210</u>	<u>\$6,177,500</u>

20 The 2013-15 one-time funding amounts are not a part of the entity's base budget for the
 21 2015-17 biennium. The parks and recreation department shall report to the appropriations
 22 committees of the sixty-fourth legislative assembly on the use of this one-time funding for the
 23 biennium beginning July 1, 2013, and ending June 30, 2015.

24 **SECTION 3. GAME AND FISH OPERATING FUND - TRANSFER - BOAT RAMP**
 25 **OPERATION AND MAINTENANCE.** The sum of \$122,000, or so much of the sum as may be
 26 necessary, included in the natural resources line item in subdivision 1 of section 1 of this Act, is
 27 from the game and fish operating fund, or federal or other funds available to the game and fish
 28 department, and must be transferred to the parks and recreation department for maintenance,
 29 operating, and extraordinary repairs expenses relating to boat ramps at state parks for the
 30 biennium beginning July 1, 2013, and ending June 30, 2015.

1 **SECTION 4. MATCHING REQUIREMENT - INTERPRETIVE EXHIBITS.** The natural
2 resources line item in subdivision 1 of section 1 of this Act includes the sum of \$200,000 for
3 completion of interpretive exhibits at the Icelandic state park visitor center. This amount consists
4 of \$150,000 from the parks and recreation fund, derived from park fees and other income, and
5 \$50,000 from the state parks gift fund. The \$50,000 appropriated from the state parks gift fund
6 must be provided to the department as matching funds from nonstate sources for the
7 completion of the interpretive exhibits.

8 **SECTION 5. EXEMPTION.** Up to ~~\$400,000~~\$500,000 of community grants funding from the
9 general fund included in the recreation line item contained in subdivision 1 of section 1 of this
10 Act is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this
11 appropriation may be expended during the biennium beginning July 1, 2015, and ending
12 June 30, 2017, for the purposes provided in section 55-08-14.1.

13 **SECTION 6. OIL-RELATED REVENUE - NEW WELLS.** Fifteen percent of any revenue
14 received by the department from oil wells completed after July 1, 2013, must be used for the
15 community grants program for the biennium beginning July 1, 2013, and ending June 30, 2015.
16 Any remaining revenue received from these oil wells may only be used for one-time funding
17 items.

18 ~~**SECTION 7. PROPERTY PURCHASE IN WALHALLA GORGE AND FROST FIRE AREA.**~~
19 ~~The natural resources line item in subdivision 1 of section 1 of this Act includes \$2,800,000 for~~
20 ~~the purchase of property in the Walhalla gorge and frost fire area. Of this amount, up to~~
21 ~~\$1,670,000 from the general fund and \$830,000 of other funds from local matching funds may~~
22 ~~be used for the purchase of land and buildings. For each \$2 of funding from the general fund~~
23 ~~used for the purchase, \$1 of other funds from local matching funds must be received in cash by~~
24 ~~the department before the purchase is made. The land and buildings may not be purchased for~~
25 ~~more than the appraised value. The remaining amount of \$300,000 from the general fund may~~
26 ~~be used for operations, a business plan, and other related expenses.~~

27 **SECTION 7. MARINA PURCHASE - APPRAISAL - EMERGENCY COMMISSION**
28 **APPROVAL.** The natural resources line item in subdivision 1 of section 1 of this Act includes
29 \$387,500 from the general fund and \$387,500 from other funds for the purchase of a marina.
30 The parks and recreation department must obtain an appraisal from a certified appraiser prior to
31 the purchase of the marina. If the appraisal value exceeds \$775,000, the department may

1 request emergency commission approval to spend an additional \$25,000 of other funds for the
2 marina.

3 **SECTION 8. PEMBINA GORGE AREA PROJECT.** The natural resources line item in
4 subdivision 1 of section 1 of this Act includes \$300,000 from the general fund which the parks
5 and recreation department may use to rent property in the Pembina gorge area for the purpose
6 of providing office space for employees or individuals responsible for monitoring or patrolling the
7 trail systems in the area, developing a plan for continued monitoring and patrolling of the trail
8 systems, and to determine the feasibility of establishing an interpretive center.

9 **SECTION 9. CONTINGENT FUNDING - INTERNATIONAL PEACE GARDEN CAPITAL**
10 **PROJECTS.** The sum of \$1,250,000 from the general fund included in subdivision 2 of
11 section 1 of this Act is for an engineering study and repair of the peace tower at the
12 International Peace Garden and to the extent funds remain, other infrastructure improvements.
13 The funding is contingent upon the International Peace Garden raising matching funds on a
14 dollar-for-dollar basis from nonstate sources. Up to ten percent of the funds provided from the
15 general fund are for the engineering study and emergency repairs and are not subject to the
16 match requirement. The parks and recreation department shall accept and review engineering
17 proposals and recommendations of the study before committing additional funds to the project
18 and shall assist with bidding and construction oversight of any repair work.

19 **SECTION 10. EMERGENCY.** The natural resources line item in subdivision 1 of section 1 of
20 this Act includes \$3,730,000, of which \$2,930,000 is from the general fund and \$800,000 is from
21 special funds derived from federal funds and other income for various capital projects, and
22 subdivision 2 of section 1 of this Act includes \$125,000 from the general fund for an engineering
23 study of the peace tower and emergency repairs at the International Peace Garden, which are
24 declared to be an emergency measure.