

**FIRST ENGROSSMENT  
with Conference Committee Amendments  
ENGROSSED HOUSE BILL NO. 1019**

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 amend and reenact section 10 of chapter 44  
3 of the 2019 Session Laws, relating to International Peace Garden capital projects; to repeal  
4 section 12 of chapter 44 of the 2019 Session Laws, relating to International Peace Garden  
5 capital projects; to provide for the conveyance of real property; to provide for a legislative  
6 management study; to provide for application; to provide for an exemption; to provide for a  
7 report; and to declare an emergency.

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

9 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
10 as may be necessary, are appropriated out of any moneys in the general fund in the state  
11 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
12 other income, to the parks and recreation department for the purpose of defraying the expenses  
13 of the parks and recreation department and the Lewis and Clark interpretive center and for  
14 providing a grant to the International Peace Garden, for the biennium beginning July 1, 2021,  
15 and ending June 30, 2023, as follows:

16 Subdivision 1.

## PARKS AND RECREATION DEPARTMENT

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
17				
18				
19	Administration	\$2,604,999	\$410,071	\$3,015,070
20	Park operations and maintenance	20,914,593	8,140,930	29,055,523
21	Recreation	<u>9,023,560</u>	<u>3,735,402</u>	<u>12,758,962</u>
22	Total all funds	\$32,543,152	\$12,286,403	\$44,829,555
23	Less estimated income	<u>20,046,609</u>	<u>12,085,784</u>	<u>32,132,393</u>

Sixty-seventh  
Legislative Assembly

1	Total general fund	\$12,496,543	200,619	\$12,697,162
2	Full-time equivalent positions	61.50	(3.75)	57.75

3 Subdivision 2.

INTERNATIONAL PEACE GARDEN

4			Adjustments or	
5		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
6	International Peace Garden	\$876,329	\$3,000,000	\$3,876,329
7	Total all funds	\$876,329	\$3,000,000	\$3,876,329
8	Less estimated income	0	3,000,000	3,000,000
9	Total general fund	\$876,329	\$0	\$876,329

10 Subdivision 3.

LEWIS AND CLARK INTERPRETIVE CENTER

11			Adjustments or	
12		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13	Lewis and Clark interpretive center	\$1,304,375	(\$1,304,375)	\$0
14	Total all funds	\$1,304,375	(\$1,304,375)	\$0
15	Less estimated income	334,118	(334,118)	0
16	Total general fund	\$970,257	(\$970,257)	\$0

17 Subdivision 4.

TOTAL - SECTION 1

18			Adjustments or	
19		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
20	Grand total general fund	\$14,343,129	(\$769,638)	\$13,573,491
21	Grand total special funds	20,380,727	14,751,666	35,132,393
22	Grand total all funds	\$34,723,856	\$13,982,028	\$48,705,884

23 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**  
 24 **SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding  
 25 items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the  
 26 2021-23 one-time funding items included in the appropriation in section 1 of this Act:

27	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
28	Extraordinary repairs and capital projects	\$634,126	\$7,900,000
29	Capital projects	1,755,000	0
30	International Peace Garden capital projects	5,000,000	3,000,000

Sixty-seventh  
Legislative Assembly

1	Parks matching grant program	0	1,632,800
2	Additional equipment	622,000	0
3	State park survey	150,000	0
4	Recreation mapping	75,000	0
5	Traffic counters	75,000	0
6	Trail lease renewals	0	200,000
7	Fort Abraham Lincoln viewshed lease	<u>0</u>	<u>50,000</u>
8	Total all funds	\$8,311,126	\$12,782,800
9	Less estimated income	<u>8,311,126</u>	<u>12,532,800</u>
10	Total general fund	\$0	\$250,000

11 The 2021-23 biennium one-time funding amounts are not a part of the entity's base budget  
12 for the 2023-25 biennium. The parks and recreation department shall report to the  
13 appropriations committees of the sixty-eighth legislative assembly on the use of this one-time  
14 funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

15 **SECTION 3. ADDITIONAL INCOME - APPROPRIATION - REPORTING.** In addition to the  
16 amounts appropriated in section 1 of this Act, any additional income from federal or other funds  
17 that become available are appropriated to the parks and recreation department for the biennium  
18 beginning July 1, 2021, and ending June 30, 2023. The department shall report any additional  
19 income under this section to the office of management and budget and the legislative council.

20 **SECTION 4. GAME AND FISH OPERATING FUND - TRANSFER - BOAT RAMP**  
21 **OPERATION AND MAINTENANCE.** The sum of \$122,000, or so much of the sum as may be  
22 necessary, included in the park operations and maintenance line item in subdivision 1 of  
23 section 1 of this Act, is from the game and fish operating fund, or federal or other funds  
24 available to the game and fish department, and must be transferred to the parks and recreation  
25 department as requested by the director of the parks and recreation department for  
26 maintenance, operating, and extraordinary repairs expenses relating to boat ramps at state  
27 parks for the biennium beginning July 1, 2021, and ending June 30, 2023.

28 **SECTION 5. CONVEYANCE OF LAND AND BUILDINGS - LEWIS AND CLARK**  
29 **INTERPRETIVE CENTER - APPLICATION.** The state of North Dakota, by and through the  
30 parks and recreation department, shall convey ownership of the Lewis and Clark interpretive

1 center and surrounding real property to the state historical society. Sections 54-01-05.2 and  
2 54-01-05.5 do not apply to this conveyance.

3 **SECTION 6. DEFERRED MAINTENANCE AND CAPITAL PROJECTS - FEDERAL**

4 **CORONAVIRUS CAPITAL PROJECTS FUND.** The park operations and maintenance line item  
5 in subdivision 1 of section 1 of this Act includes \$7,900,000 from federal funds derived from the  
6 federal coronavirus capital projects fund for deferred maintenance and capital projects for the  
7 biennium beginning July 1, 2021, and ending June 30, 2023. The funding provided under this  
8 section may be spent only to the extent the director of the office of management and budget, in  
9 consultation with the budget section, determines the use of the funding complies with federal  
10 guidance for the federal coronavirus capital projects fund. The funding provided under this  
11 section is considered a one-time funding item.

12 **SECTION 7. PARKS MATCHING GRANT PROGRAM - FEDERAL CORONAVIRUS**

13 **CAPITAL PROJECTS FUND.** The recreation line item in subdivision 1 of section 1 of this Act  
14 includes \$1,632,800, of which \$816,400 is from federal funds derived from the federal  
15 coronavirus capital projects fund and \$816,400 is matching funds from nonstate sources for a  
16 matching grant program for the biennium beginning July 1, 2021, and ending June 30, 2023.  
17 The parks and recreation department may spend these funds for capital project improvements  
18 at state parks, subject to the department obtaining matching funds from nonstate sources for  
19 each project on a dollar-for-dollar basis. The federal funding provided under this section may be  
20 spent only to the extent the director of the office of management and budget, in consultation  
21 with the budget section, determines the use of the funding complies with federal guidance for  
22 the federal coronavirus capital projects fund. The funding provided under this section is  
23 considered a one-time funding item.

24 **SECTION 8. INTERNATIONAL PEACE GARDEN - FEDERAL CORONAVIRUS CAPITAL**

25 **PROJECTS FUND.** The International Peace Garden line item in subdivision 2 of section 1 of  
26 this Act includes the sum of \$3,000,000, from federal funds derived from the federal coronavirus  
27 capital projects fund for International Peace Garden capital projects or the repayment of any  
28 outstanding loan from the Bank of North Dakota authorized in section 12 of chapter 44 of the  
29 2019 Session Laws, for the period beginning with the effective date of this Act, and ending  
30 June 30, 2023. Expenditure of the funds appropriated for this purpose is subject to the province  
31 of Manitoba providing funding equal to fifty percent of the total cost of any project paid with the

1 funding referenced in this section. The funding provided under this section may be spent only to  
2 the extent the director of the office of management and budget, in consultation with the budget  
3 section, determines the use of the funding complies with federal guidance for the federal  
4 coronavirus capital projects fund. The funding provided under this section is considered a one-  
5 time funding item.

6 **SECTION 9. AMENDMENT.** Section 10 of chapter 44 of the 2019 Session Laws is  
7 amended and reenacted as follows:

8 **SECTION 10. REQUIREMENTS - MATCHING FUNDS - INTERNATIONAL**

9 **PEACE GARDEN CAPITAL PROJECTS.** The International Peace Garden line item in  
10 subdivision 2 of section 1 of this Act includes \$2,000,000 for capital projects.

11 Expenditure of these funds appropriated for this purpose is subject to one-to-one-  
12 matching funds being raised from nonstate sources the province of Manitoba providing  
13 funding equal to fifty percent of the total cost of any project paid with funding  
14 referenced in this section. The parks and recreation department shall review and  
15 accept engineering proposals and specifications before committing funds to projects  
16 and shall assist with bidding and construction of any work associated with this section.  
17 The International Peace Garden shall report quarterly to the parks and recreation  
18 department regarding the expenditure of these funds along with the the source of the  
19 matching funds. The funds appropriated in this section are not subject to section  
20 54-44.1-11, and may be continued into the biennium beginning July 1, 2021, and  
21 ending June 30, 2023, for capital projects.

22 **SECTION 10. REPEAL.** Section 12 of chapter 44 of the 2019 Session Laws is repealed.

23 **SECTION 11. EXEMPTION - INTERNATIONAL PEACE GARDEN - REQUIREMENTS.**

24 Any funds remaining in the International Peace Garden line item for repair of the peace tower in  
25 section 30 of chapter 15 of the 2013 Session Laws are not subject to section 54-44.1-11, and  
26 any unexpended funds are available for capital projects during the biennium beginning July 1,  
27 2021, and ending June 30, 2023. Funding available for use by the International Peace Garden  
28 in this section is subject to the International Peace Garden raising one-to-one matching funds  
29 from nonstate sources of North Dakota sources consistent with the 2013 North Dakota  
30 legislative language. The parks and recreation department shall review and accept engineering

1 proposals and specifications before committing additional funds to the project and shall assist  
2 with bidding and construction of any work associated with this section.

3 **SECTION 12. EXEMPTION - PARK ENHANCEMENTS.** Any funds remaining for park  
4 enhancements in subdivision 1 of section 1 of chapter 53 of the 2015 Session Laws are not  
5 subject to section 54-44.1-11, and any unexpended funds are available for park enhancement  
6 projects during the biennium beginning July 1, 2021, and ending June 30, 2023.

7 **SECTION 13. EXEMPTION - EXTRAORDINARY REPAIRS.** Of the funds appropriated in  
8 the parks operation and maintenance line item for extraordinary repairs, \$675,000 in  
9 subdivision 1 of section 1 of chapter 18 of the 2017 Sessions Laws is not subject to section  
10 54-44.111, and any unexpended funds are available for extraordinary repairs during the  
11 biennium beginning July 1, 2021, and ending June 30, 2023.

12 **SECTION 14. LEGISLATIVE MANAGEMENT STUDY - PARKS MATCHING GRANT**  
13 **PROGRAM.** During the 2021-22 interim, the legislative management shall consider studying the  
14 effectiveness of the parks matching grant program created in section 7 of this Act and the  
15 feasibility and desirability of creating a parks and recreation foundation. The legislative  
16 management shall report its findings and recommendations, together with any legislation  
17 required to implement the recommendations, to the sixty-eighth legislative assembly.

18 **SECTION 15. EMERGENCY.** The \$3,000,000 from federal funds derived from the federal  
19 coronavirus capital projects fund appropriated for the International Peace Garden in  
20 subdivision 2 of section 1 of this Act and sections 8, 9, and 10 of this Act are declared to be an  
21 emergency measure.