

Sixtieth
Legislative Assembly
of North Dakota

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 24-02-03.3 of the North Dakota Century Code, relating to the central motor pool; to provide for
5 transfer of funds; to provide for a study; to authorize hemp seed procurement; to provide an
6 exemption; and to declare an emergency.

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

8 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this
9 section represent the base level funding component appropriated to the North Dakota state
10 university extension service, the northern crops institute, the upper great plains transportation
11 institute, the main research center, branch research centers, and agronomy seed farm in
12 section 3 of this Act as follows:

13 Subdivision 1.

14 NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE

15 Extension service	\$37,542,499
16 Soil conservation committee	<u>837,238</u>
17 Total all funds - Base level	\$38,379,737
18 Less estimated income - Base level	<u>23,021,591</u>
19 Total general fund - Base level	\$15,358,146

20 Subdivision 2.

21 NORTHERN CROPS INSTITUTE

22 Total all funds - Base level	\$1,902,683
23 Less estimated income - Base level	<u>991,922</u>
24 Total general fund - Base level	\$910,761

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1	Subdivision 3.	
2	UPPER GREAT PLAINS TRANSPORTATION INSTITUTE	
3	Total all funds - Base level	\$16,452,937
4	Less estimated income - Base level	<u>15,290,033</u>
5	Total general fund - Base level	\$1,162,904

6 Subdivision 4.

7	MAIN RESEARCH CENTER	
8	Total all funds - Base level	\$75,456,713
9	Less estimated income - Base level	<u>44,662,646</u>
10	Total general fund - Base level	\$30,794,067

11 Subdivision 5.

12	RESEARCH CENTERS	
13	Dickinson research center	\$5,563,870
14	Central grasslands research center	2,335,297
15	Hettinger research center	1,809,657
16	Langdon research center	1,336,094
17	North central research center	3,930,540
18	Williston research center	2,271,878
19	Carrington research center	<u>4,258,340</u>
20	Total all funds - Base level	\$21,505,676
21	Less estimated income - Base level	<u>13,119,367</u>
22	Total general fund - Base level	\$8,386,309

23 Subdivision 6.

24	AGRONOMY SEED FARM	
25	Agronomy seed farm	<u>\$1,201,008</u>
26	Total special funds - Base level	\$1,201,008
27	Total general fund - Section 1	\$56,612,187
28	Total special funds - Section 1	\$98,286,567
29	Total all funds - Section 1	\$154,898,754

30 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The
31 amounts identified in this section represent the funding adjustments or enhancements to the

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1 base funding level for the North Dakota state university extension service, the northern crops
2 institute, the upper great plains transportation institute, the main research center, branch
3 research centers, and agronomy seed farm which are included in the appropriation in section 3
4 of this Act as follows:

5 Subdivision 1.

6 NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE

7 Extension service	\$4,214,956
8 Soil conservation committee	<u>(207,238)</u>
9 Total all funds - Adjustments/enhancements	\$4,007,718
10 Less estimated income - Adjustments/enhancements	<u>844,033</u>
11 Total general fund - Adjustments/enhancements	\$3,163,685

12 Subdivision 2.

13 NORTHERN CROPS INSTITUTE

14 Total all funds - Adjustments/enhancements	\$770,428
15 Less estimated income - Adjustments/enhancements	<u>487,797</u>
16 Total general fund - Adjustments/enhancements	\$282,631

17 Subdivision 3.

18 UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

19 Total all funds - Adjustments/enhancements	\$11,002,726
20 Less estimated income - Adjustments/enhancements	<u>10,965,630</u>
21 Total general fund - Adjustments/enhancements	\$37,096

22 Subdivision 4.

23 MAIN RESEARCH CENTER

24 Total all funds - Adjustments/enhancements	\$10,276,066
25 Less estimated income - Adjustments/enhancements	<u>(2,951,489)</u>
26 Total general fund - Adjustments/enhancements	\$13,227,555

27 Subdivision 5.

28 RESEARCH CENTERS

29 Dickinson research center	\$513,359
30 Central grasslands research center	(67,791)
31 Hettinger research center	631,555

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1	Langdon research center	361,199
2	North central research center	(155,724)
3	Williston research center	762,491
4	Carrington research center	<u>1,319,750</u>
5	Total all funds - Adjustments/enhancements	\$3,364,839
6	Less estimated income - Adjustments/enhancements	<u>597,064</u>
7	Total general fund - Adjustments/enhancements	\$2,767,775

8 Subdivision 6.

9 AGRONOMY SEED FARM

10	Agronomy seed farm - Adjustments/enhancements	<u>\$29,338</u>
11	Total special funds - Adjustments/enhancements	\$29,338
12	Total general fund - Section 2	\$19,478,742
13	Total special funds - Section 2	\$9,972,373
14	Total all funds - Section 2	\$29,451,115

15 **SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the
16 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
17 treasury, not otherwise appropriated, and from special funds derived from federal funds and
18 other income, to the North Dakota state university extension service, the northern crops
19 institute, the upper great plains transportation institute, the main research center, branch
20 research centers, and agronomy seed farm for the purpose of defraying the expenses of those
21 agencies, for the biennium beginning July 1, 2007, and ending June 30, 2009, as follows:

22 Subdivision 1.

23 NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE

24	Extension service	\$41,757,455
25	Soil conservation committee	<u>630,000</u>
26	Total all funds	\$42,387,455
27	Less estimated income	<u>23,865,624</u>
28	Total general fund appropriation	\$18,521,831

29 Subdivision 2.

30 NORTHERN CROPS INSTITUTE

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1	Total all funds	\$2,673,111
2	Less estimated income	<u>1,479,719</u>
3	Total general fund appropriation	\$1,193,392
4	Subdivision 3.	
5	UPPER GREAT PLAINS TRANSPORTATION INSTITUTE	
6	Total all funds	\$27,455,663
7	Less estimated income	<u>26,255,663</u>
8	Total general fund appropriation	\$1,200,000
9	Subdivision 4.	
10	MAIN RESEARCH CENTER	
11	Total all funds	\$85,732,779
12	Less estimated income	<u>41,711,157</u>
13	Total general fund appropriation	\$44,021,622
14	Subdivision 5.	
15	RESEARCH CENTERS	
16	Dickinson research center	\$6,077,229
17	Central grasslands research center	2,267,506
18	Hettinger research center	2,441,212
19	Langdon research center	1,697,293
20	North central research center	3,774,816
21	Williston research center	3,034,369
22	Carrington research center	<u>5,578,090</u>
23	Total all funds	\$24,870,515
24	Less estimated income	<u>13,716,431</u>
25	Total general fund appropriation	\$11,154,084
26	Subdivision 6.	
27	AGRONOMY SEED FARM	
28	Agronomy seed farm	<u>\$1,230,346</u>
29	Total special funds appropriation	\$1,230,346
30	Grand total general fund appropriation - H.B. 1020	\$76,090,929

1 Grand total special funds appropriation - H.B. 1020 \$108,258,940
2 Grand total all funds appropriation - H.B. 1020 \$184,349,869

3 **SECTION 4. ADDITIONAL INCOME - APPROPRIATION.** In addition to the amount
4 included in the grand total special funds appropriation line item in section 3 of this Act, any
5 other income, including funds from federal acts, private grants, gifts, and donations, or from
6 other sources received by the North Dakota state university extension service, the northern
7 crops institute, the upper great plains transportation institute, the main research center, branch
8 research centers, and agronomy seed farm, except as otherwise provided by law, is
9 appropriated for the purpose designated in the act, grant, gift, or donation, for the biennium
10 beginning July 1, 2007, and ending June 30, 2009.

11 **SECTION 5. TRANSFER AUTHORITY.** Upon approval of the state board of
12 agricultural research and education and appropriate branch research center directors, the
13 director of the main research center may transfer appropriation authority within subdivisions 1,
14 2, 4, and 5 of section 3 of this Act and shall notify the office of management and budget within
15 ten days following the transfer.

16 **SECTION 6. FULL-TIME EQUIVALENT POSITION ADJUSTMENTS.** The board of
17 higher education is authorized to adjust or increase full-time equivalent positions as needed for
18 the entities in section 3 of this Act, subject to availability of funds. The board shall report any
19 adjustments to the office of management and budget prior to the submission of the 2009-11
20 budget request.

21 **SECTION 7. AMENDMENT.** Section 24-02-03.3 of the North Dakota Century Code is
22 amended and reenacted as follows:

23 **24-02-03.3. Central management system for all state-owned licensed motor**
24 **vehicles.**

25 1. The director shall establish within the department a central vehicle management
26 system to regulate the operation, maintenance, and management of all motor
27 vehicles owned or leased by the state subject to registration under chapters 39-04
28 and 39-05. Upon the request of a state agency and an agreement between the
29 agency and director for the use of the motor vehicle-related equipment, the director
30 may purchase or lease motor vehicle-related equipment and include that
31 equipment within the system. The director shall provide a uniform method of

1 documenting the use and cost of operation of motor vehicles and motor
2 vehicle-related equipment in the system. The director shall advise the director of
3 the office of management and budget as to the need to acquire or dispose of
4 system motor vehicles. The specifications for highway patrol vehicles to be
5 acquired may be set by the highway patrol superintendent. Every state agency,
6 institution, department, board, bureau, and commission unless exempted by the
7 director must use the system. At the request of the director of the North Dakota
8 agricultural experiment station, certain vehicles used in farming operations at the
9 agronomy seed farm and branch research centers shall be exempt from the
10 requirements of this section. However, an agency, institution, department, board,
11 bureau, or commission may authorize the use of an employee's personal motor
12 vehicle pursuant to subsection 4 of section 54-06-09.

13 2. The director may enter into an agreement with a state employee who has a
14 disability requiring a specially-equipped vehicle to pay a mileage rate greater than
15 the rate established in section 54-06-09 for the employee's use of the employee's
16 specially-equipped motor vehicle while conducting state business. The rate must
17 be based on the rate provided in section 54-06-09, increased by the actual cost
18 per mile caused by the special equipment, and may not exceed the cost
19 associated with the special equipment expressed as the new value plus the
20 depreciated fair market value in eight years divided by two, divided by twenty
21 thousand miles.

22 3. Each entity required to use the system shall submit records of the operation of
23 each vehicle as directed by the director.

24 **SECTION 8. UNEXPENDED GENERAL FUND - EXCESS INCOME.** Any unexpended
25 general fund appropriation authority to and any excess income received by entities listed in
26 section 3 of this Act are not subject to the provisions of section 54-44.1-11, and any
27 unexpended funds from these appropriations or revenues are available and may be expended
28 by those entities, during the biennium beginning July 1, 2009, and ending June 30, 2011.

29 **SECTION 9. INDUSTRIAL HEMP PRODUCTION - STUDY.** The main research center
30 shall study industrial hemp production in North Dakota, including the latest available research
31 and data regarding soils and growing conditions, seed availability, harvest methods, market

1 economies, environmental benefit, law enforcement concerns, and issues of concern to
2 producers from other countries. The agricultural experiment station shall present a report to the
3 legislative council by August 1, 2008.

4 **SECTION 10. HEMP SEED - PROCUREMENT - AUTHORIZATION.** The main
5 research center may contract with other entities for the procurement of hemp seed and to
6 conduct industrial hemp research.

7 **SECTION 11. EXEMPTION.** The amounts appropriated for the research greenhouse
8 complex project, as contained in subdivision 4 of section 3 of chapter 48 of the 2005 Session
9 Laws and for the north central research center laboratory and greenhouse project, as contained
10 in subdivision 5 of section 3 of chapter 48 of the 2005 Session Laws are not subject to the
11 provisions of section 54-44.1-11, and any unexpended funds from these appropriations or
12 related revenues are available and may be expended during the biennium beginning July 1,
13 2007, and ending June 30, 2009. The main research center may use any funding available
14 within the total appropriation authority for the main research center greenhouse project to begin
15 construction of the greenhouses.

16 **SECTION 12. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
17 **SIXTY-FIRST LEGISLATIVE ASSEMBLY.** The total appropriation in section 3 of this Act
18 includes \$9,032,750 from the general fund and \$750,000 from the permanent oil tax trust fund
19 for the one-time funding items identified in this section. This amount is not a part of the
20 agency's base budget to be used in preparing the 2009-11 executive budget. The agricultural
21 experiment station shall report to the appropriations committees of the sixty-first legislative
22 assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and
23 ending June 30, 2009.

24 North central research center laboratory and	\$350,000
25 greenhouse project	
26 North central research center equipment storage facility	300,000
27 Main research center greenhouse project	7,000,000
28 Deferred maintenance pool	100,000
29 Carrington, Hettinger, and north central research centers	907,750
30 office addition projects	
31 Hemp research at the main research center	300,000

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1	Operating pool from permanent oil tax trust fund	750,000
2	Extraordinary repairs at northern crops institute	<u>75,000</u>
3	Total	\$9,782,750

4 **SECTION 13. EMERGENCY.** The appropriation for capital projects of \$5,500,000 in
5 subdivision 3 of section 3, \$10,107,750 in subdivision 4 of section 3, and \$1,101,000 in
6 subdivision 5 of section 3 of this Act is declared to be an emergency measure.