# Sixty-sixth Legislative Assembly of North Dakota
# In Regular Session Commencing Thursday, January 3, 2019

HOUSE BILL NO. 1011
(Appropriations Committee)

AN ACT to provide an appropriation for defraying the expenses of the highway patrol; to create and enact section 39-03-09.1 of the North Dakota Century Code, relating to job shadowing with the highway patrol; to provide for a transfer; to provide an exemption; and to provide for a report.

**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, 2019, and ending June 30, 2021, as follows:

| | Base Level | Adjustments or Enhancements | Appropriation |
|---|---|---|---|
| Highway patrol | $57,230,706 | $4,263,397 | $61,494,103 |
| Total all funds | $57,230,706 | $4,263,397 | $61,494,103 |
| Less estimated income | 14,703,278 | 2,495,420 | 17,198,698 |
| Total general fund | $42,527,428 | $1,767,977 | $44,295,405 |
| Full-time equivalent positions | 204.00 | (7.00) | 197.00 |

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.** The following amounts reflect one-time funding items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the one-time funding items included in the appropriation in section 1 of this Act:

| One-Time Funding Description | 2017-19 | 2019-21 |
|---|---|---|
| Taser and AED equipment | $358,000 | $0 |
| Pipeline protest law enforcement support | 3,234,000 | 0 |
| Electronic payment processing system | 44,000 | 0 |
| Aircraft engine overhaul | 0 | 81,830 |
| Drone purchase | 0 | 96,228 |
| Shooting range addition | 0 | 1,729,100 |
| Total all funds | $3,636,000 | $1,907,158 |
| Total special funds | 3,636,000 | 1,825,328 |
| Total general fund | $0 | $81,830 |

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The highway patrol shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 3.** Section 39-03-09.1 of the North Dakota Century Code is created and enacted as follows:

**39-03-09.1. Job shadowing.**

For purposes of education and community outreach, and to promote public trust, the superintendent may permit a nonmember of the highway patrol to participate in job shadowing activities, including:

1. Participating in a ride-along program with a member of the highway patrol while on duty;

2. Operating a highway patrol motor vehicle on a closed course under the supervision of a member of the highway patrol; and

3. Discharging a firearm owned and used by the highway patrol while at a training facility and under the supervision of a member of the highway patrol.

**SECTION 4. SPECIAL FUNDS TRANSFER - HIGHWAY TAX DISTRIBUTION FUND.** The estimated income line item in section 1 of this Act includes the sum of $7,204,043, 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, 2019, and ending June 30, 2021.

**SECTION 5. MOTOR CARRIER ELECTRONIC PERMIT TRANSACTION FUND.** The estimated income line item in section 1 of this Act includes $3,356,069 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, including the purchase of equipment and the construction of an addition to the indoor shooting range, during the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. EXEMPTION.** The amount of $28,171 appropriated for an aircraft engine overhaul in the special funds line item in section 2 of chapter 23 of the 2017 Session Laws is not subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 7. 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, 2019, and ending June 30, 2021. 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 the patrol officers' 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.

**SECTION 8. RELOCATION OF LAW ENFORCEMENT TRAINING ACADEMY - REPORT TO SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.** During the 2019-20 interim, the highway patrol shall develop alternatives to relocate the housing and classroom portions of the law enforcement training academy. In developing the alternatives, the highway patrol shall review locations for a new facility, evaluate the proper capacity of the facility to serve future law enforcement training needs, and obtain estimated costs of each alternative. The highway patrol shall report to the appropriations committees of the sixty-seventh legislative assembly regarding the alternatives to relocate the training academy.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1011.

| | | | |
|---|---|---|---|
| House Vote: | Yeas 77 | Nays 14 | Absent 3 |
| Senate Vote: | Yeas 46 | Nays 1 | Absent 0 |

Chief Clerk of the House

Received by the Governor at 8:09 PM. on April 26, 2019.

Approved at 11:53 AM. on May 1, 2019.

Governor

Filed in this office this 2nd day of May, 2019,

at 10:05 o'clock A. M.

Secretary of State