

**Sixty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1020  
(Appropriations Committee)

AN ACT to provide an appropriation for defraying the expenses of the North Dakota state university extension service, northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm; to provide for a report; to provide for a transfer; to provide an exemption; and to declare an emergency.

**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 North Dakota state university extension service, the northern crops institute, the upper great plains transportation institute, the main research center, branch research centers, and agronomy seed farm for the purpose of defraying the expenses of the North Dakota state university extension service, the northern crops institute, the upper great plains transportation institute, the main research center, branch research centers, and agronomy seed farm, for the biennium beginning with the effective date of this Act and ending June 30, 2025, as follows:

Subdivision 1.

NORTH DAKOTA STATE UNIVERSITY EXTENSION SERVICE

|                                | <u>Base Level</u> | <u>Adjustments or<br/>Enhancements</u> | <u>Appropriation</u> |
|--------------------------------|-------------------|--|----------------------|
| Extension service              | \$56,530,224      | \$2,002,613                            | \$58,532,837         |
| Soil conservation committee    | 1,211,520         | 150,000                                | 1,361,520            |
| Total all funds                | \$57,741,744      | \$2,152,613                            | \$59,894,357         |
| Less estimated income          | 28,303,921        | 682,222                                | 28,986,143           |
| Total general fund             | \$29,437,823      | \$1,470,391                            | \$30,908,214         |
| Full-time equivalent positions | 241.77            | 10.93                                  | 252.70               |

Subdivision 2.

NORTHERN CROPS INSTITUTE

|                                | <u>Base Level</u> | <u>Adjustments or<br/>Enhancements</u> | <u>Appropriation</u> |
|--------------------------------|-------------------|--|----------------------|
| Northern crops institute       | \$3,909,760       | \$5,640,941                            | \$9,550,701          |
| Total all funds                | \$3,909,760       | \$5,640,941                            | \$9,550,701          |
| Less estimated income          | 1,922,618         | 5,517,827                              | 7,440,445            |
| Total general fund             | \$1,987,142       | \$123,114                              | \$2,110,256          |
| Full-time equivalent positions | 13.55             | 4.60                                   | 18.15                |

Subdivision 3.

UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

|   | <u>Base Level</u> | <u>Adjustments or<br/>Enhancements</u> | <u>Appropriation</u> |
|---|-------------------|--|----------------------|
| Upper great plains transportation institute | \$23,527,957      | \$1,570,236                            | \$25,098,193         |
| Total all funds                             | \$23,527,957      | \$1,570,236                            | \$25,098,193         |

|                                |                   |                |                   |
|--------------------------------|-------------------|----------------|-------------------|
| Less estimated income          | <u>19,042,350</u> | <u>959,427</u> | <u>20,001,777</u> |
| Total general fund             | \$4,485,607       | \$610,809      | \$5,096,416       |
| Full-time equivalent positions | 43.88             | 0.00           | 43.88             |

Subdivision 4.

MAIN RESEARCH CENTER

|                                | <u>Base Level</u> | <u>Adjustments or<br/>Enhancements</u> | <u>Appropriation</u> |
|--------------------------------|-------------------|--|----------------------|
| Main research center           | \$111,676,188     | \$107,718,315                          | \$219,394,503        |
| Total all funds                | \$111,676,188     | \$107,718,315                          | \$219,394,503        |
| Less estimated income          | <u>57,087,956</u> | <u>102,288,358</u>                     | <u>159,376,314</u>   |
| Total general fund             | \$54,588,232      | \$5,429,957                            | \$60,018,189         |
| Full-time equivalent positions | 334.56            | 23.91                                  | 358.47               |

Subdivision 5.

BRANCH RESEARCH CENTERS

|                                    | <u>Base Level</u> | <u>Adjustments or<br/>Enhancements</u> | <u>Appropriation</u> |
|------------------------------------|-------------------|--|----------------------|
| Dickinson research center          | \$7,078,838       | \$153,874                              | \$7,232,712          |
| Central grasslands research center | 3,553,320         | 42,199                                 | 3,595,519            |
| Hettinger research center          | 5,174,885         | 123,393                                | 5,298,278            |
| Langdon research center            | 3,091,310         | 74,729                                 | 3,166,039            |
| North Central research center      | 5,203,251         | 74,501                                 | 5,277,752            |
| Williston research center          | 5,362,734         | 115,922                                | 5,478,656            |
| Carrington research center         | <u>9,827,963</u>  | <u>239,286</u>                         | <u>10,067,249</u>    |
| Total all funds                    | \$39,292,301      | \$823,904                              | \$40,116,205         |
| Less estimated income              | <u>20,722,818</u> | <u>228,047</u>                         | <u>20,950,865</u>    |
| Total general fund                 | \$18,569,483      | \$595,857                              | \$19,165,340         |
| Full-time equivalent positions     | 108.21            | 3.60                                   | 111.81               |

Subdivision 6.

AGRONOMY SEED FARM

|                                | <u>Base Level</u> | <u>Adjustments or<br/>Enhancements</u> | <u>Appropriation</u> |
|--------------------------------|-------------------|--|----------------------|
| Agronomy seed farm             | \$1,579,655       | \$50,109                               | \$1,629,764          |
| Total special funds            | \$1,579,655       | \$50,109                               | \$1,629,764          |
| Full-time equivalent positions | 3.00              | 0.00                                   | 3.00                 |

Subdivision 7.

SECTION 1 TOTAL

|                          | <u>Base Level</u>  | <u>Adjustments or<br/>Enhancements</u> | <u>Appropriation</u> |
|--------------------------|--------------------|--|----------------------|
| Grand total general fund | \$109,068,287      | \$8,230,128                            | \$117,298,415        |
| Grand total other funds  | <u>128,659,318</u> | <u>109,725,990</u>                     | <u>238,385,308</u>   |
| Grand total all funds    | \$237,727,605      | \$117,956,118                          | \$355,683,723        |

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the 2023-25 biennium one-time funding items included in section 1 of this Act:



| <u>One-Time Funding Description</u>                              | <u>2021-23</u>    | <u>2023-25</u>     |
|--|-------------------|--------------------|
| Deferred maintenance   | \$500,000         | \$500,000          |
| Transportation data intelligence center                          | 0                 | 432,600            |
| Northern crops institute feed production center facility upgrade | 0                 | 3,250,000          |
| Pellet mill  | 0                 | 650,000            |
| Storage sheds  | 0                 | 1,900,000          |
| Nesson Valley irrigation research site project                   | 0                 | 1,700,000          |
| Branch research extension centers capital projects inflation     | 0                 | 2,933,230          |
| Hettinger research extension center land purchase                | 0                 | 1,038,000          |
| Waldron hall replacement project                                 | 0                 | 97,000,000         |
| Carrington research extension center capital projects            | 1,221,000         | 0                  |
| Central grasslands research extension center capital projects    | 2,488,000         | 0                  |
| Dickinson research extension center capital projects             | 2,200,000         | 0                  |
| Hettinger research extension center capital projects             | 3,720,000         | 0                  |
| Langdon research extension center capital projects               | 473,000           | 0                  |
| Remote sensing of infrastructure                                 | <u>2,225,000</u>  | <u>0</u>           |
| Total all funds  | \$12,827,000      | \$109,403,830      |
| Total other funds  | <u>12,327,000</u> | <u>105,695,600</u> |
| Total general fund   | \$500,000         | \$3,708,230        |

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2023-25 biennium. The upper great plains transportation center, northern crops institute, and main research center shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 3. DICKINSON RESEARCH EXTENSION CENTER - MINERAL RIGHTS INCOME.** The Dickinson research extension center may spend up to \$755,000 of revenues received during the 2023-25 biennium from mineral royalties, leases, or easements for ongoing operational expenses. Any revenues received in excess of \$755,000 may be spent only for one-time expenditures for the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 4. WILLISTON RESEARCH EXTENSION CENTER - MINERAL RIGHTS INCOME - REPORT.** The Williston research extension center shall report to the sixty-ninth legislative assembly on amounts received and spent from mineral royalties, leases, or easements in the biennium beginning July 1, 2021, and ending June 30, 2023, and the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 5. ADDITIONAL INCOME - APPROPRIATION.** In addition to the amount included in the grand total other funds appropriation line item in section 1 of this Act, any other income, including funds from federal acts, private grants, gifts, and donations, or from other sources received by the North Dakota state university extension service, the northern crops institute, the upper great plains transportation institute, the main research center, branch research centers, and agronomy seed farm, except as otherwise provided by law, is appropriated for the purpose designated in the act, grant, gift, or donation, for the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 6. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - UPPER GREAT PLAINS TRANSPORTATION INSTITUTE - NORTHERN CROPS INSTITUTE - MAIN RESEARCH CENTER.** The estimated income line item in subdivision 2 of section 1 of this Act includes the sum of \$3,900,000 from the strategic investment and improvements fund for the northern crops institute feed production center facility upgrade and pellet mill. The estimated income line item in subdivision 3 of section 1 of this Act includes the sum of \$432,600 from the strategic investment and improvements fund for a transportation data intelligence center. The estimated income line item in subdivision 4 of section 1 of this Act includes the sum of \$89,400,000 from the strategic investment and improvements fund for the Waldron hall replacement project, storage sheds, and deferred maintenance.



**SECTION 7. ESTIMATED INCOME - FEDERAL STATE FISCAL RECOVERY FUND - NORTH DAKOTA STATE UNIVERSITY MAIN RESEARCH CENTER - PURCHASE OF LAND AUTHORIZED.**

The appropriation in subdivision 4 of section 1 of this Act includes the sum of \$1,038,000 from federal funds derived from the state fiscal recovery fund for the purchase of real property for the Hettinger research center, for the biennium beginning July 1, 2023, and ending June 30, 2025. The Hettinger research center shall make payments in lieu of property taxes in the manner and according to the conditions and procedures that would apply if the property were privately owned. The North Dakota state university main research center is authorized to purchase four parcels of land in Adams County, described as:

1. The southeast quarter of section 24, township 129 north, range 96, Adams County;
2. A tract of land in the northeast quarter of the southeast quarter of section 13, township 129 north, range 96, Adams County;
3. The southeast quarter of the southeast quarter of section 13, the north half of the northeast quarter of section 24, township 129 north, range 96, Adams County; and
4. The north half of the north half of section 19, township 129 north, range 95, Adams County.

**SECTION 8. NORTH DAKOTA STATE UNIVERSITY MAIN RESEARCH CENTER - POTATO FAST TRACK.** The estimated income line item in subdivision 4 of section 1 of this Act includes \$250,000 from other funds for the potato fast track program to accelerate potato variety development efforts at the North Dakota state university main research center for the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 9. EXEMPTION - TRANSFER AUTHORITY.** Notwithstanding section 54-16-04, upon approval of the state board of agricultural research and education and appropriate branch research center directors, the director of the office of management and budget shall transfer appropriation authority within subdivisions 1, 2, 4, and 5 of section 1 of this Act.

**SECTION 10. EXEMPTION - FULL-TIME EQUIVALENT POSITION ADJUSTMENTS - REPORT.** Notwithstanding any other provisions of law, the state board of higher education may adjust or increase full-time equivalent positions as needed for the entities in section 1 of this Act, subject to availability of funds. All full-time or part-time positions must be separate from North Dakota state university. Annually, the board shall report to the office of management and budget and to the budget section any adjustments made pursuant to this section.

**SECTION 11. EXEMPTION - UNEXPENDED GENERAL FUND - EXCESS INCOME.** Any unexpended general fund appropriation authority available to and any excess income received by entities listed in section 1 of this Act are not subject to the provisions of section 54-44.1-11, and any unexpended funds from these appropriations or revenues are available and may be expended by those entities, during the biennium beginning July 1, 2025, and ending June 30, 2027.

**SECTION 12. EXEMPTION - BRANCH RESEARCH CENTERS PROJECTS.** The amounts appropriated from other funds for Carrington research center capital projects, central grasslands research center capital projects, and Langdon research center capital projects in subdivision 4 of section 1 of chapter 48 of the 2021 Session Laws, are not subject to the provisions of section 54-44.1-11, and any unexpended funds from these appropriations or related revenues are available and may be expended during the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 13. EXEMPTION - BRANCH RESEARCH CENTERS PROJECTS - FEDERAL STATE FISCAL RECOVERY FUND.** The amounts appropriated from federal funds derived from the state fiscal recovery fund for one-time projects at the Carrington research center, central grasslands research center, Dickinson research center, and Hettinger research center in section 6 of chapter 550 of the 2021 Special Session Session Laws are not subject to the provisions of section 54-44.1-11, and any unexpended funds from these appropriations are available and may be expended during the biennium beginning July 1, 2023, and ending June 30, 2025.

**SECTION 14. EXEMPTION - MAIN RESEARCH CENTER - PUBLIC IMPROVEMENT CONSTRUCTION.** The main research center, for its use of the \$2,400,000 appropriated from the strategic investment and improvements fund for deferred maintenance and branch research center storage sheds, is not subject to the provisions of section 48-01.2-02.1, and the main research center may spend this funding without procuring plans, drawings, and specifications from an architect or engineer.

**SECTION 15. EMERGENCY.** The \$87,000,000 appropriated from the strategic investment and improvements fund and \$10,000,000 appropriated from other funds for the Waldron hall replacement project in subdivision 4 of section 1 of this Act is declared to be an emergency measure.



Dennis E Johnson  
Speaker of the House

Tammelle  
President of the Senate

Buell F Reich  
Chief Clerk of the House

Manda Ryan  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1020 and that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote:        Yeas 79                      Nays 12                      Absent 3

Dennis E Johnson  
Speaker of the House

Buell F Reich  
Chief Clerk of the House

This certifies that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote:        Yeas 46                      Nays 0                      Absent 1

Tammelle  
President of the Senate

Manda Ryan  
Secretary of the Senate

Received by the Governor at 4:38 PM on April 28, 2023.

Approved at 10:00 PM on May 8, 2023.

Doug Burgum  
Governor

Filed in this office this 9 day of May, 2023,

at 1:09 o'clock P M.

Michael Howe  
Secretary of State