

**Fifty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2003**

SENATE BILL NO. 2021
(Appropriations Committee)
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the parks and recreation department and the International Peace Garden; to amend and reenact section 55-08-06 of the North Dakota Century Code, relating to park permit fees; to repeal section 55-08-14 of the North Dakota Century Code, relating to capital projects and revenue bonds authorization; 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 parks and recreation department for the purpose of defraying the expenses of the parks and recreation department and the International Peace Garden, for the biennium beginning July 1, 2003, and ending June 30, 2005, as follows:

Subdivision 1.

PARKS AND RECREATION DEPARTMENT

Salaries and wages	\$5,254,566
Operating expenses	4,601,793
Capital assets	2,517,794
Grants	4,336,000
Lewis and Clark bicentennial	<u>760,618</u>
Total all funds	\$17,470,771
Less estimated income	<u>10,767,112</u>
Total general fund appropriation	\$6,703,659

Subdivision 2.

INTERNATIONAL PEACE GARDEN

International Peace Garden	<u>\$352,854</u>
Total general fund appropriation	\$352,854
Grand total general fund appropriation S.B. 2021	\$7,056,513
Grand total special funds appropriation S.B. 2021	\$10,767,112
Grand total all funds appropriation S.B. 2021	\$17,823,625

SECTION 2. APPROPRIATION. There is appropriated from special funds derived from federal funds and other income the sum of \$500,000, or so much of the sum as may be necessary, to the parks and recreation department for the purpose of providing grants for the period beginning with the effective date of this Act and ending June 30, 2003.

SECTION 3. AMENDMENT. Section 55-08-06 of the North Dakota Century Code is amended and reenacted as follows:

55-08-06. Permits for motor vehicles. Unless authorized by the director, a motor vehicle may not enter or be permitted to enter any state park, state recreational area, or reserve unless the operator of the motor vehicle displays upon request a permit issued as provided in this chapter. Permits must be of a size, form, and character as the director prescribes, and the director shall procure permits for each calendar year which by appropriate language must grant permission to use any state park, state recreational area, or reserve. Permits for each calendar year must be provided and placed on sale on

or before November first next preceding and used on or at any time after that date until May first of the year following the calendar year for which issued. Permits in each category must be numbered consecutively for each year of issue. Except for senior citizen discounts, a fee of twenty-five dollars must be charged for each permit issued, except that permits of appropriate special design may be sold individually at a maximum of ~~four~~ five dollars per permit covering the use of state parks, state recreational areas, or reserves under such conditions as the director may prescribe for a designated period of not more than three days. The director may authorize a discount on the sale of annual permits to any resident of North Dakota who is sixty-five years of age or older and who applies for a discount. The fees collected must be deposited in the state park operating fund in the state treasury, unless authorized by the director as follows:

1. The director may allow other agencies or organizations that have leased state parks, state recreational areas, reserves, or facilities to retain entrance and special permit fees collected by the lessee.
2. The director may exempt all or any part of any state park, state recreational area, or reserve from the requirement of the motor vehicle permit and fee, for any activity or period, when in the director's judgment it is desirable to do so; provided, however, that no further exceptions may be made after state park revenue bonds are issued and while the bonds are outstanding.

SECTION 4. SNOWMOBILE FUND. The sum of \$902,888, or so much of the sum as may be necessary, included in the estimated income line item in subdivision 1 of section 1 of this Act, is from the snowmobile fund and must be used by the parks and recreation department pursuant to section 39-24-05, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 5. TRAIL TAX TRANSFER FUND. The sum of \$50,000, or so much of the sum as may be necessary, included in the estimated income line item in subdivision 1 of section 1 of this Act, is from the trail tax transfer fund and must be used by the parks and recreation department pursuant to section 39-29-05, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 6. STATE PARKS GIFT FUND. The sum of \$100,456, or so much of the sum as may be necessary, included in the estimated income line item in subdivision 1 of section 1 of this Act, is from the state parks gift fund and must be used by the parks and recreation department pursuant to section 55-08-07.2, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 7. GAME AND FISH OPERATING FUND. The sum of \$122,000, or so much of the sum as may be necessary, included in the estimated income line item in subdivision 1 of section 1 of this Act, is from the game and fish operating fund, or federal or other funds available to the game and fish department, and must be transferred to the parks and recreation department for maintenance, operating, and extraordinary repairs expenses relating to boat ramps at various state parks, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 8. WATER DEVELOPMENT TRUST FUND. Notwithstanding section 54-27-25, the sum of \$575,287, or so much of the sum as may be necessary, included in the estimated income line item in subdivision 1 of section 1 of this Act, is from the water development trust fund and may be spent by the parks and recreation department for the purpose of repaying principal and interest on disaster response loans from the Bank of North Dakota, pursuant to section 54-16-13.

SECTION 9. REPEAL. Section 55-08-14 of the North Dakota Century Code is repealed.

SECTION 10. EMERGENCY. The capital assets line item in subdivision 1 of section 1 of this Act and sections 2 and 3 of this Act are declared to be an emergency measure.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2021 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote: Yeas 42 Nays 0 Absent 5

President of the Senate

Secretary of the Senate

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

Vote: Yeas 92 Nays 0 Absent 2

Speaker of the House

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2003.

Approved at _____ M. on _____, 2003.

Governor

Filed in this office this _____ day of _____, 2003,

at ___ o'clock _____ M.

Secretary of State