

**FIRST ENGROSSMENT
with Conference Committee Amendments**

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1017

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 game and fish
2 department; to create and enact a new section to chapter 20.1-04 of the North Dakota Century
3 Code, relating to permits for exempt training areas for gun dogs; and to amend and reenact
4 section 20.1-02-05.1 and subsection 5 of section 20.1-17-01 of the North Dakota Century
5 Code, relating to game and fish department land acquisitions and agency rules adopted under
6 the Nonindigenous Aquatic Nuisance Prevention and Control Act.

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

8 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
9 funds as may be necessary, are appropriated out of any moneys in the game and fish fund in
10 the state treasury, not otherwise appropriated, and from special funds derived from federal
11 funds and other income, to the game and fish department for the purpose of defraying the
12 expenses of that agency, for the biennium beginning July 1, 2009, and ending June 30, 2011,
13 as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>	
14				
15				
16	Salaries and wages	\$19,013,463	\$2,566,824	\$21,580,287
17	Operating expenses	11,690,087	1,109,913	12,800,000
18	Capital assets	3,284,241	680,759	3,965,000
19	Grants	6,652,184	(108,184)	6,544,000
20	Land habitat and deer depredation	12,786,351	(1,706,189)	11,080,162
21	Noxious weed control	450,000	100,000	550,000
22	Recruitment and retention study	30,000	(30,000)	0
23	Grants, gifts, and donations	500,000	(100,000)	400,000
24	Nongame wildlife conservation	120,000	0	120,000

1	Lonetree reservoir	1,594,713	60,976	1,655,689
2	Wildlife services	680,000	88,800	768,800
3	Ramp improvements and	1,040,000	(1,040,000)	0
4	marina development	_____	_____	_____
5	Total special funds	\$57,841,039	\$1,622,899	\$59,463,938
6	Full-time equivalent positions	155.00	2.00	157.00

7 **SECTION 2. AMENDMENT.** Section 20.1-02-05.1 of the North Dakota Century Code
8 is amended and reenacted as follows:

9 **20.1-02-05.1. Land acquisitions - Statewide land acquisition plan.** The director
10 shall establish a comprehensive statewide land acquisition plan that must be approved by the
11 budget section of the legislative council. Every land acquisition made by the department
12 exceeding ten acres [4.05 hectares] or ten thousand dollars must be approved by the budget
13 section. Prior to any land acquisition, the department shall have the land in question appraised
14 by a certified appraiser. The department may not acquire any land for an amount that exceeds
15 the appraised value except for parcels or tracts of land less than forty acres [16.19 hectares]
16 which may be acquired for up to two hundred percent of the appraised value.

17 **SECTION 3.** A new section to chapter 20.1-04 of the North Dakota Century Code is
18 created and enacted as follows:

19 **Gun dog training area - Permit.** Notwithstanding section 20.1-04-12, a professional
20 trainer may apply to and obtain from the department a permit designating a specific training
21 area, not to exceed forty acres [16.19 hectares], as an exempt training area.

22 1. In the exempt training area, a professional trainer may train or run any gun dog or
23 allow the gun dog to run loose at any time.

24 2. The fee for the permit may not exceed ten dollars per year.

25 **SECTION 4. AMENDMENT.** Subsection 5 of section 20.1-17-01 of the North Dakota
26 Century Code is amended and reenacted as follows:

27 5. Develop rules to prevent the movement of aquatic nuisance species into or within
28 the state. In addition to requirements under chapter 28-32, the department shall
29 conduct a cost-benefit analysis for any rule proposed for adoption under this
30 chapter.