

**Sixty-first Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE BILL NO. 1017  
(Appropriations Committee)  
(At the request of the Governor)

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

**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 game and fish fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the game and fish department for the purpose of defraying the expenses of that agency, for the biennium beginning July 1, 2009, and ending June 30, 2011, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$19,013,463	\$2,566,824	\$21,580,287
Operating expenses	11,690,087	1,109,913	12,800,000
Capital assets	3,284,241	680,759	3,965,000
Grants	6,652,184	(108,184)	6,544,000
Land habitat and deer depredation	12,786,351	(1,706,189)	11,080,162
Noxious weed control	450,000	100,000	550,000
Recruitment and retention study	30,000	(30,000)	0
Grants, gifts, and donations	500,000	(100,000)	400,000
Nongame wildlife conservation	120,000	0	120,000
Lonetree reservoir	1,594,713	60,976	1,655,689
Wildlife services	680,000	88,800	768,800
Ramp improvements and marina development	1,040,000	(1,040,000)	0
Total special funds	<u>\$57,841,039</u>	<u>\$1,622,899</u>	<u>\$59,463,938</u>
Full-time equivalent positions	155.00	2.00	157.00

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

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

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

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

1. In the exempt training area, a professional trainer may train or run any gun dog or allow the gun dog to run loose at any time.
2. The fee for the permit may not exceed ten dollars per year.

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

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

\_\_\_\_\_  
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-first Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1017.

House Vote:      Yeas    81      Nays    9      Absent    4

Senate Vote:    Yeas    46      Nays    0      Absent    1

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Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2009.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2009,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State