

HOUSE BILL NO. 1357

Introduced by

Representative Paulson

1 A BILL for an Act to amend and reenact sections 55-08-06 and 55-08-07 of the North Dakota
2 Century Code, relating to permits for entry to state parks; and to provide a continuing
3 appropriation.

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

5 **SECTION 1. AMENDMENT.** Section 55-08-06 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **55-08-06. Permits for motor vehicles.**

8 1. Unless authorized by the director, and except as provided in subsection 5, a motor
9 vehicle may not enter or be permitted to enter any state park, state recreational area,
10 or reserve unless the operator of the motor vehicle displays upon request a permit
11 issued as provided in this chapter. Permits must be of a size, form, and character as
12 the director prescribes, and the director shall procure permits for each calendar year
13 which by appropriate language must grant permission to use any state park, state
14 recreational area, or reserve.

15 2. Permits for each calendar year must be provided and placed on sale on or before
16 November first next preceding and used on or at any time after that date until May first
17 of the year following the calendar year for which issued. Permits in each category
18 must be numbered consecutively for each year of issue. ~~Except for senior citizen~~
19 ~~discounts, a~~

20 3. ~~A fee of thirty-five:~~

21 a. ~~Thirty-five dollars must be charged for each~~ the first annual permit issued to a
22 permitholder under subsection 2, except that permits:

23 (1) Permits of appropriate special design may be sold individually at a
24 maximum of seven dollars per permit covering the use of state parks, state

1 recreational areas, or reserves under such conditions as the director may
2 prescribe for a designated period of not more than three days. ~~The; and~~
3 (2) The director may authorize a discount on the sale of annual permits to any
4 resident of North Dakota who is sixty-five years of age or older and who
5 applies for a discount.

6 b. Twenty dollars must be charged for a second ~~or subsequent~~ annual permit issued
7 to a permit holder under subsection 2, which only may be used by members of
8 the permit holder's household, except the director may authorize a discount on the
9 sale of a second or subsequent annual permit to any resident of North Dakota
10 who is sixty-five years of age or older and who applies for a discount.

11 4. The fees collected must be deposited in the state park operating fund in the state
12 treasury, unless authorized by the director as follows:

13 1. a. The director may allow other agencies or organizations that have leased state
14 parks, state recreational areas, reserves, or facilities to retain entrance and
15 special permit fees collected by the lessee.

16 2. b. The director may exempt all or any part of any state park, state recreational area,
17 or reserve from the requirement of the motor vehicle permit and fee, for any
18 activity or period, when in the director's judgment it is desirable to do so;
19 provided, however, that no further exceptions may be made after state park
20 revenue bonds are issued and while the bonds are outstanding.

21 ~~5. The director shall maintain a computerized database that contains a record of~~
22 ~~identifying information for all individuals issued a permit under this section. If the~~
23 ~~operator of a motor vehicle is unable to display a permit upon request pursuant to~~
24 ~~subsection 1, the director shall permit the motor vehicle to enter any state park, state~~
25 ~~recreational area, or reserve upon verification in the database that the operator of the~~
26 ~~motor vehicle has been issued a valid permit for the calendar year.~~

27 **SECTION 2. AMENDMENT.** Section 55-08-07 of the North Dakota Century Code is
28 amended and reenacted as follows:

29 **55-08-07. State park fund - Appropriation.**

30 All revenues collected as permit fees, admissions, use charges, rentals, compensation for
31 concession agreements, or otherwise, with the exception of revenue from bequests, trusts, or

1 gifts, and with the exceptions noted in ~~subsections 1 and 2~~subdivisions a and b of subsection 4
2 of section 55-08-06, must be placed in the state park fund, together with all proceeds of bonds
3 issued pursuant to section 55-08-08. This fund must be maintained by the state treasurer as a
4 special trust fund and is irrevocably appropriated and must be used and disbursed solely for the
5 following purposes:

- 6 1. To pay the current cost of furnishing each special service provided in accordance with
7 this chapter. For this purpose the charges, fees, and rentals for each service must be
8 credited to a special operating account, from which must be paid only the current,
9 reasonable, and necessary cost of operating that service, determined in accordance
10 with accepted accounting practice, including the purchase price of merchandise and
11 utilities sold and the compensation of employees necessarily attributable to the
12 furnishing of that service. The director may incur no operating cost for any building,
13 structure, or facility leased, and the leases must provide for the payment of the costs
14 by the lessee and for the payment of a net rental in addition to the costs. No lease
15 rentals and no motor vehicle permit fees may be credited to operating accounts.
- 16 2. To provide for the payment and security of the principal and interest when due on any
17 state park revenue bonds issued under section 55-08-08. For this purpose the
18 treasurer shall credit to a special service account within the state park fund, as
19 received, all bond proceeds, all motor vehicle permit fees and all rental payments by
20 lessees, and all net income remaining in the operating account for each special
21 service at the end of each month, in excess of the costs of operation thereof which are
22 then payable or are to become due and payable within one month, and shall transfer
23 from this fund and account to the revenue bond fund described in section 55-08-09,
24 whenever necessary, so much of the revenues then on hand as may be required to
25 produce a balance in the revenue bond fund equal to the interest due and to become
26 due within eighteen months plus the principal due and to become due within
27 twenty-four months thereafter on all outstanding series of the bonds.
- 28 3. To finance the acquisition, construction, reconstruction, improvement, betterment, or
29 extension of the department's properties, for projects within state parks, state
30 campgrounds, state recreation areas, and reserves including the acquisition of land
31 and water, the erection of buildings and structures, and the improvement of properties

1 held in trust for or leased by the state, as authorized by the legislative assembly. For
2 this purpose the director shall authorize the disbursement of bond proceeds and
3 revenues received in the fund. However, a disbursement may not be made in excess
4 of the amounts of revenue bonds issued and other funds granted or appropriated and
5 received for this purpose, and no disbursements may be made at any time when the
6 balance in the revenue bond fund is less than specified in subsection 2.

7 4. For any other purpose for which funds have been appropriated by the legislative
8 assembly to the parks and recreation department. A disbursement may not be made at
9 any time when the balance in the revenue bond fund is less than specified in
10 subsection 2.