

Sixty-seventh
Legislative Assembly
of North Dakota

ENGROSSED 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 annual permit issued to a
7 permitholder under subsection 2, which only may be used by members of the
8 permitholder'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 **SECTION 2. AMENDMENT.** Section 55-08-07 of the North Dakota Century Code is
22 amended and reenacted as follows:

23 **55-08-07. State park fund - Appropriation.**

24 All revenues collected as permit fees, admissions, use charges, rentals, compensation for
25 concession agreements, or otherwise, with the exception of revenue from bequests, trusts, or
26 gifts, and with the exceptions noted in ~~subsections 1 and 2~~ subdivisions a and b of subsection 4
27 of section 55-08-06, must be placed in the state park fund, together with all proceeds of bonds
28 issued pursuant to section 55-08-08. This fund must be maintained by the state treasurer as a
29 special trust fund and is irrevocably appropriated and must be used and disbursed solely for the
30 following purposes:

- 1 1. To pay the current cost of furnishing each special service provided in accordance with
2 this chapter. For this purpose the charges, fees, and rentals for each service must be
3 credited to a special operating account, from which must be paid only the current,
4 reasonable, and necessary cost of operating that service, determined in accordance
5 with accepted accounting practice, including the purchase price of merchandise and
6 utilities sold and the compensation of employees necessarily attributable to the
7 furnishing of that service. The director may incur no operating cost for any building,
8 structure, or facility leased, and the leases must provide for the payment of the costs
9 by the lessee and for the payment of a net rental in addition to the costs. No lease
10 rentals and no motor vehicle permit fees may be credited to operating accounts.
- 11 2. To provide for the payment and security of the principal and interest when due on any
12 state park revenue bonds issued under section 55-08-08. For this purpose the
13 treasurer shall credit to a special service account within the state park fund, as
14 received, all bond proceeds, all motor vehicle permit fees and all rental payments by
15 lessees, and all net income remaining in the operating account for each special
16 service at the end of each month, in excess of the costs of operation thereof which are
17 then payable or are to become due and payable within one month, and shall transfer
18 from this fund and account to the revenue bond fund described in section 55-08-09,
19 whenever necessary, so much of the revenues then on hand as may be required to
20 produce a balance in the revenue bond fund equal to the interest due and to become
21 due within eighteen months plus the principal due and to become due within
22 twenty-four months thereafter on all outstanding series of the bonds.
- 23 3. To finance the acquisition, construction, reconstruction, improvement, betterment, or
24 extension of the department's properties, for projects within state parks, state
25 campgrounds, state recreation areas, and reserves including the acquisition of land
26 and water, the erection of buildings and structures, and the improvement of properties
27 held in trust for or leased by the state, as authorized by the legislative assembly. For
28 this purpose the director shall authorize the disbursement of bond proceeds and
29 revenues received in the fund. However, a disbursement may not be made in excess
30 of the amounts of revenue bonds issued and other funds granted or appropriated and

- 1 received for this purpose, and no disbursements may be made at any time when the
2 balance in the revenue bond fund is less than specified in subsection 2.
- 3 4. For any other purpose for which funds have been appropriated by the legislative
4 assembly to the parks and recreation department. A disbursement may not be made at
5 any time when the balance in the revenue bond fund is less than specified in
6 subsection 2.