

April 7, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1215

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 54-17.8-03 of the North Dakota Century Code, relating to allowable uses of the outdoor heritage fund.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 54-17.8-03 of the North Dakota Century Code is amended and reenacted as follows:

54-17.8-03. North Dakota outdoor heritage fund purposes.

1. The commission shall use the fund to provide grants to state agencies, tribal governments, political subdivisions, and nonprofit organizations, with higher priority given to enhance conservation practices in this state by:
 - a. Providing access to private and public lands for ~~sportsmen~~the public, including projects that create fish and wildlife habitat and provide access for ~~sportsmen~~recreation and enhance the recreational experiences and opportunities on public lands;
 - b. Improving, maintaining, and restoring water quality, soil conditions, plant diversity, animal systems, and by supporting other practices of stewardship to enhance farming and ranching;
 - c. Developing, enhancing, conserving, and restoring wildlife and fish habitat on private and public lands; and
 - d. Conserving natural areas and creating other areas for recreation through the establishment and development of parks and other recreation areas.
2. The commission or grantee may not use the fund, in any manner, to finance:
 - a. Litigation;
 - b. Lobbying activities;
 - c. Any activity that would interfere, disrupt, or prevent activities associated with surface coal mining operations; sand, gravel, or scoria extraction activities; oil and gas operations; or other energy facility or infrastructure development;
 - d. The acquisition of land or to encumber any land for a term longer than twenty years; or
 - e. Projects outside this state or projects that are beyond the scope of defined activities that fulfill the purposes of this chapter.

3. The commission or a grantee may not use grant funds, except after a finding of exceptional circumstances by the commission, to finance:
 - a. A completed project or project commenced before the grant application;
 - b. A feasibility or research study;
 - c. Maintenance costs;
 - d. A paving project for a road or parking lot;
 - e. A swimming pool or aquatic park;
 - f. Personal property that is not affixed to the land;
 - g. Playground equipment, except that grant funds may be provided for up to twenty-five percent of the cost of the equipment not exceeding ten thousand dollars per project and all playground equipment grants may not exceed five percent of the total grants per year;
 - h. A building, except for a building that is included as part of a comprehensive conservation plan for a new or expanded recreational project or a building that needs repairs or replacement due to damage caused by an act of God; or
 - i. A project in which the applicant is not directly involved in execution and completion of the project."

Renumber accordingly