

**FIRST ENGROSSMENT
with House Amendments**

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2019

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to make an appropriation for defraying the expenses of the state game and
2 fish department; and to amend and reenact section 20.1-02-16.1 of the North Dakota Century
3 Code, relating to the minimum balance of the game and fish fund.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
6 funds as may be necessary, are hereby appropriated out of any moneys in the game and fish
7 fund in the state treasury, not otherwise appropriated, and from special funds derived from
8 federal funds and other income, to the state game and fish department for the purpose of
9 defraying the expenses of the various divisions of the department, for the biennium beginning
10 July 1, 1999, and ending June 30, 2001, as follows:

11 Salaries and wages	\$12,218,261
12 Operating expenses	7,779,014
13 Equipment	771,505
14 Capital improvements	1,602,122
15 Grants	3,397,050
16 Noxious weed control	200,000
17 Land habitat and deer depredation	2,903,224
18 Grants, gifts, and donations	100,000
19 Nongame wildlife conservation	120,000
20 Waterbank program	200,000
21 Wildlife services	100,000
22 Lonetree reservoir	<u>1,314,860</u>
23 Total special funds appropriation	\$30,706,036

1 **SECTION 2. LAND HABITAT AND DEER DEPREDATION.** The amount of
2 \$2,500,000, or such lesser amount as may be available, for the line item entitled land habitat
3 and deer depredation in section 1 of this Act, is from the habitat and depredation fund, to lease
4 privately owned lands for wildlife habitat to reestablish wildlife population, to improve wildlife
5 habitat on private lands, and to alleviate big game and furbearer depredation for the biennium
6 beginning July 1, 1999, and ending June 30, 2001. These funds may be spent only for the
7 purposes and using the guidelines contained in sections 20.1-03-12.1 and 20.1-02-05.

8 **SECTION 3. NONGAME WILDLIFE.** The amount of \$60,000, or such lesser amount
9 as may be available, for the line item entitled nongame wildlife in section 1 of this Act, is from
10 the nongame wildlife fund for the purpose of preservation, inventory, perpetuation, and
11 conservation of nongame wildlife, natural areas, and nature preserves in this state for the
12 biennium beginning July 1, 1999, and ending June 30, 2001.

13 **SECTION 4. WATERBANK PROGRAM.** The amount of \$200,000, or such lesser
14 amount as may be available, for the line item entitled waterbank program in section 1 of this
15 Act, is from the game and fish department operating fund and must be used to increase water
16 storage and enhance wildlife habitat in North Dakota. Contracts and agreements relating to the
17 waterbank program may be entered into by the director of the game and fish department, in
18 cooperation with the commissioner of agriculture.

19 **SECTION 5. WILDLIFE SERVICES.** The amount of \$100,000, or such lesser amount
20 as may be available, for the line item entitled wildlife services in section 1 of this Act, is from the
21 game and fish fund and must be used to provide grants to the wildlife services agency for
22 projects to alleviate wildlife depredation and damage. Projects funded may include projects to
23 alleviate waterfowl depredation and damage and must be approved by the director of the game
24 and fish department.

25 **SECTION 6. PUBLIC ACCESS TO FLOODED AGRICULTURAL LAND - PAYMENTS**
26 **TO LANDOWNERS.** The amount of \$200,000, or such lesser amount as may be available, for
27 the line item entitled land habitat and deer depredation in section 1 of this Act is from the game
28 and fish fund and must be used for providing payments to landowners with flooded agricultural
29 land, as provided in this section. Payments shall be at the rate of two dollars per year per acre
30 of flooded agricultural land which is taxable as agricultural land and is not normally inundated
31 by water. Payments may be made on a one-time basis for a period not to exceed five years.

1 The conditions under which land qualifies for payments under this section shall be determined
2 by the director of the game and fish department and shall include public access to the flooded
3 agricultural land.

4 **SECTION 7. AMENDMENT.** Section 20.1-02-16.1 of the North Dakota Century Code
5 is amended and reenacted as follows:

6 **20.1-02-16.1. ~~Use of game~~ Game and fish fund - Use - Required balance - Budget**
7 **section approval.** All income of the state game and fish department, deposited by the director
8 with the state treasurer must be credited to the state game and fish fund and the fund may be
9 used only by the department. All money derived from the investment of the fund or portions
10 ~~thereof~~ of the fund must be credited to the game and fish department private land habitat and
11 access improvement fund. The department shall spend moneys in the game and fish fund
12 within the limits of legislative appropriations, only to the extent the balance of the fund is not
13 reduced below ten million dollars, unless otherwise authorized by the budget section.