

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

SENATE BILL NO. 2017
(Appropriations Committee)

AN ACT to provide an appropriation for defraying the expenses of the game and fish department; to provide a contingent appropriation; to provide for a transfer; and to provide an exemption.

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 the game and fish department, for the biennium beginning July 1, 2023, and ending June 30, 2025, as follows:

| | <u>Base Level</u> | <u>Adjustments or Enhancements</u> | <u>Appropriation</u> |
|-----------------------------------|-------------------|----------------------------------------|----------------------|
| Salaries and wages | \$33,741,592 | \$2,746,155 | \$36,487,747 |
| Operating expenses | 16,276,782 | 1,543,716 | 17,820,498 |
| Capital assets | 6,774,770 | 1,773,891 | 8,548,661 |
| Grants - game and fish | 8,923,343 | 1,166,633 | 10,089,976 |
| Land habitat and deer depredation | 17,995,597 | 9,212,172 | 27,207,769 |
| Noxious weed control | 725,000 | 0 | 725,000 |
| Missouri River enforcement | 296,999 | 16,342 | 313,341 |
| Grants, gifts, and donations | 670,133 | 6,853 | 676,986 |
| Nongame wildlife conservation | 100,000 | 0 | 100,000 |
| Lonetree reservoir | 1,818,409 | 334,235 | 2,152,644 |
| Wildlife services | 500,000 | 0 | 500,000 |
| Shooting sports grant program | 250,000 | 0 | 250,000 |
| Aquatic nuisance species program | <u>1,509,009</u> | <u>1,229,835</u> | <u>2,738,844</u> |
| Total special funds | \$89,581,634 | \$18,029,832 | \$107,611,466 |
| Full-time equivalent positions | 164.00 | 6.00 | 170.00 |

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-NINTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act:

| <u>One-Time Funding Description</u> | <u>2021-23</u> | <u>2023-25</u> |
|----------------------------------------------------------|----------------|----------------|
| Additional PLOTS payments | \$1,485,000 | \$0 |
| Red River basin wildlife and water quality program | 500,000 | 0 |
| State radio equipment | 801,500 | 0 |
| Aquatic nuisance species laboratory and storage facility | 0 | 850,000 |
| In-car video system and body cameras | 0 | 550,000 |
| Fisheries pond liners | 0 | 1,000,000 |
| Devils Lake bunkhouse improvements | 0 | 350,000 |
| Fisheries dam repairs | 0 | 380,000 |
| Wash stations and other equipment | 0 | 205,000 |
| Uniforms and supplies for new FTE positions | <u>0</u> | <u>89,090</u> |
| Total special funds | \$2,786,500 | \$3,424,090 |

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The game and fish department shall report to the appropriations committees of the

sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 3. GRANTS, GIFTS, AND DONATIONS LINE ITEM. The grants, gifts, and donations line item in section 1 of this Act includes up to \$100,000 received by the game and fish department for surface damage, easements, or reclamation on department-owned or managed properties as a result of mineral exploration and extraction activities.

SECTION 4. CONTINGENT APPROPRIATION AND FULL-TIME EQUIVALENT POSITIONS - RECOVERING AMERICA'S WILDLIFE ACT. Subject to the provisions of this section, there is appropriated from federal funds, the sum of \$27,150,000, or so much of the sum as may be necessary, to the game and fish department for the purpose of administering programs approved under the federal Recovering America's Wildlife Act, for the biennium beginning July 1, 2023, and ending June 30, 2025. The department is authorized four full-time equivalent positions for this purpose. The funding and positions authorized in this section are available only upon enactment of the federal Recovering America's Wildlife Act and after corresponding federal funds have been made available to the state. The department shall regularly coordinate with and consider input from the federal environmental law impact review committee in the expenditure of funds for conservation or research under this section.

SECTION 5. MIDTERM CONSERVATION AGREEMENTS. The game and fish department may spend up to \$2,777,778 from other funds in the land habitat and deer depredation line item in section 1 of this Act for national fish and wildlife foundation midterm conservation agreements with private landowners. The department shall limit the term of these agreements to a maximum of thirty years. The department shall provide buyback provisions after the fifteenth, twentieth, and twenty-fifth years of the agreement if the property owner desires to withdraw all or a portion of acreage from the lease.

SECTION 6. EXEMPTION - LINE ITEM TRANSFERS. Notwithstanding section 54-16-04, the director of the office of management and budget shall transfer up to \$2,000,000 of appropriation authority between the operating expenses, capital assets, and grants - game and fish line items in section 1 of this Act as requested by the game and fish department during the biennium beginning July 1, 2023, and ending June 30, 2025. The game and fish department shall notify the legislative council of any transfers made pursuant to this section.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2017.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 67 Nays 24 Absent 3

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State