

**FIRST ENGROSSMENT  
with Senate Amendments**

Fifty-eighth  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE BILL NO. 1416**

Introduced by

Representatives R. Kelsch, Carlisle, Martinson

Senators Cook, Krauter, Nething

1 A BILL for an Act to amend and reenact section 55-08-05 of the North Dakota Century Code,  
2 relating to alcoholic beverage sales on state parks and recreation department property.

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

4 **SECTION 1. AMENDMENT.** Section 55-08-05 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **55-08-05. Charges for services.** The director ~~is hereby authorized to~~ may provide  
7 special services within state parks, state campgrounds, state recreation areas, and reserves;  
8 provide special technical assistance services; and ~~to make rules and regulations for the use of~~  
9 ~~such those~~ those services. The director shall establish and cause to be collected charges, fees, and  
10 rentals for the use of all ~~such~~ special services, and shall revise the same, when necessary, in  
11 ~~such the~~ the manner that the revenue derived ~~therefrom~~ will be sufficient to pay the cost of  
12 providing each ~~such~~ service and to pay the principal of and interest on all bonds issued for  
13 projects furnishing the facilities for ~~any such the~~ the services, and to maintain a reserve for the  
14 security of ~~said the~~ the bonds ~~as herein provided~~. The director may waive the collection of  
15 charges, fees, and rentals for the use of ~~all such~~ special services by health care-related  
16 charitable organizations conducting group camp activities without charge to participants.  
17 However, the director shall waive the collection of charges, fees, and rentals for the use of all  
18 special services by any care-related charitable organization sponsoring or conducting summer  
19 group camp activities without charge for fourteen days for children from age eight through age  
20 fourteen who have diabetes. Nothing in this section requires the director to provide camp  
21 services if the camp facilities are otherwise closed due to adverse administrative or fiscal  
22 impacts upon the department. Specifically, ~~but without limitation of said general authorization,~~  
23 the director may:

1. Provide special parking space for automobiles or other motor-driven vehicles in any state park or state recreation area.
2. Provide special parking spurs and campgrounds for automobiles and sites for tent camping and special auto trailer coach parking spaces for the use of the individual charged for ~~such~~ the space according to the daily rate which must be determined and fixed by the director consistent with the type of facility provided for the accommodation of visitors in any particular park and with similar facilities offered for tourist camping in the area.
3. Charge a fee for entrance to any pageant grounds ~~which may be~~ created in any state park, state recreation area, or reserve for the purpose of having historical or other pageants conducted by the agent of any authorized agency.
4. Provide water, sewer, and electric service to trailer or tent campsites and buildings and structures included in projects authorized by the legislative assembly.
5. Provide facilities for the sale to the public of food, nonintoxicating beverages, except beer and wine sales as provided in ~~subsection~~ subsections 6 and 7, and other merchandise and personal services of a suitable nature, and make buildings, structures, and other recreational facilities available for use and occupancy by the public, or contract for the lease of ~~any such~~ the buildings, structures, and facilities to a concessionaire to be operated on ~~such~~ the terms and compensation basis as the director determines to be in the best interest of the state. A bond must be required of each concessionaire in ~~such~~ the amount ~~as~~ the director determines, conditioned upon the faithful performance of all duties under the lease and proper accounting for all funds.
6. Allow the sale of beer and wine by concessionaires on property leased to the department by the United States department of the army, corps of engineers, ~~provided if~~ the concessionaire also obtains the appropriate local and state licenses required by section 5-02-01.
7. Allow the sale of on-sale beer and wine by operating, liquor-licensed concessionaires for fourteen events per year on property under the management of the director which borders the Missouri river and which is within fifteen miles [24.14 kilometers] of a city with a population in excess of twenty thousand, if the

- 1                    concessionaire also obtains the appropriate local and state licenses required by  
2                    section 5-02-01.
- 3            8.    Charge and collect motor vehicle permit fees in the amounts prescribed by the  
4                    legislative assembly, which fees are and must be imposed for the sole purposes of  
5                    paying capital costs of projects required to provide the special services herein  
6                    described and referred to, and of meeting the principal and interest and reserve  
7                    requirements of bonds issued to finance such projects.
- 8            ~~8.~~    9.    Charge a fee for providing special technical assistance to groups requesting  
9                    information from the natural heritage inventory data base.