

2021 HOUSE TRANSPORTATION

HB 1357

2021 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1357
1/28/2021

A bill relating to permits for entry to state parks; and to provide a continuing appropriation.

10:29 **Chairman Ruby** opened the hearing.

Representatives	
Representative Dan Ruby	P
Representative Tom Kading	P
Representative Rick Becker	P
Representative Cole Christensen	P
Representative LaurieBeth Hager	P
Representative Jared C. Hagert	P
Representative Karla Rose Hanson	P
Representative Terry B. Jones	P
Representative Emily O'Brien	P
Representative Mark S. Owens	P
Representative Bob Paulson	P
Representative Gary Paur	P
Representative Robin Weisz	P
Representative Greg Westlind	P

Discussion Topics:

- Purchasing additional permits for a reduced rate.
- Online database to show permit purchase.

Representative Paulson introduction. Testimony # 4055.

Ryan Gardner, West Region Manager for ND Parks and Recreation Department, neutral testimony # 3904.

Jeff Indovina, Chief of Business Services for Parks and Recreation Department, responded to questions.

10:57 Hearing Closed.

10:58 **Chairman Ruby** adjourned.

Jeanette Cook, Committee Clerk

Thank you, Mr. Chairman. For the record, my name is Bob Paulson, and I represent District 3 in Minot. Mr. Chairman and members of the committee, I'm here to submit House Bill 1357 for your consideration.

You may notice that this bill has no co-sponsors. This was my first bill in the new system, and I introduced it into the system and then set about gathering co-sponsors. And the system allowed me to do so! I just couldn't get them on the bill. So let me just say that you would have been really impressed with the list of folks who agreed to co-sponsor.

House Bill 1357 deals with annual permits to state parks, and seeks to do two things. First, it allows a family who desires to purchase a second annual permit for use by members of the same household to do so at a reduced rate. The normal rate for an annual pass is \$35. This bill would reduce the cost of the second pass to \$20.

I had initially submitted the bill to have all additional passes to be sold for \$5 each, but then I received some great input from the Parks and Rec staff. They demonstrated the loss of revenue that would represent, and stated that second passes were often bought not to be used by the same household, but to be given as gifts, etc. Based on that feedback, I raised the price of the second pass to \$20 and stipulated that the reduced price would only be offered if the second permit was to be used by members of the same household. So, if the second and subsequent passes were purchased for gifts or any other reason, the price would remain \$35. This should be able to be accomplished within the current system of the static cling decal, since there are already discounts offered for senior citizens and disabled veterans. This would add a third category where the purchaser simply needs to certify that the additional permit is to be utilized by members of the same household.

I don't believe that the "same household" requirement is calculated into the fiscal note, as the fiscal notes states "Multiplied all duplicate annual passes sold by \$15". This is found in section 2B of the fiscal note. The fiscal note appears to be calculated based on the assumption that all additional permits are sold only to the same household, and never given as gifts or purchased for other purposes. During research for this bill I was informed by the Parks and Rec department that there are "a lot" of people who buy additional permits as gifts or for other

reasons, and that they are not used by members of the same household. Those additional permits would be sold at full price, which calls into question the calculations in the fiscal note. To be fair, I don't think they track that data specifically, so it would likely be difficult to determine exact amounts, but I wanted to mention that for your consideration as you review the fiscal note.

The second thing the bill seeks to do is allow Parks and Rec staff to utilize their data base to confirm that a valid annual permit has been purchased for entry into a park. Currently, if you purchase an annual permit, and you leave it at home because you took a different vehicle to the park, you are required to pay full price for a day pass, even though you purchased an annual permit. I jokingly refer to this as the "bad memory tax".

This happened to me when my wife suggested we take a different vehicle to the state park over an hour away. Upon arrival, I realized that we didn't have the permit with us. I said, "It shouldn't be a problem, they should have all of our info in the data base." I went into the office and showed my ID and explained the situation. I was told by the staff member that she was actually not allowed to look in the data base to confirm my permit status, and instead I would have to pay full price for a day pass. I have since talked to many other people who have experienced this same problem.

This bill seeks to alleviate that problem by allowing the staff to confirm via valid identification that the individual has purchased an annual permit, and allow entrance via a day pass at no charge.

Mr. Chairman, that is the bill, I ask for a Do Pass and I would be happy to answer any questions.

HB1357

North Dakota Parks and Recreation Department

Transportation Committee

327E, 10:15 am

Thursday, January 28, 2021

Ryan Gardner, West Region Manager

Good morning Chairman Ruby, members of the committee: my name is Ryan Gardner, West Region Manager, with North Dakota Parks and Recreation Department. I am testifying on behalf of the Department and providing neutral testimony for HB 1357 relating to permits for entry to state parks: to provide a continuing appropriation.

The North Dakota Parks and Recreation Department (Department), as defined in century code, a vehicle entry permit is currently required to access a North Dakota State Park. Users can purchase a daily permit for \$7 or an annual permit for \$35. Discounted permits are available for North Dakota residents aged 65 and older and North Dakota veterans with service-related disabilities up to 50% for \$28. A free lifetime permit is available to North Dakota veterans with 50% or greater service-related disabilities. Additionally, all North Dakota volunteer first responders, with red license plates, have free access to all state parks.

The requirement that a second or subsequent annual permit issued to a permitholder, which may be used by members of the permitholder's household for \$20, will result in a loss of revenue for the Department due to a second permit being purchased at a lower price. The fiscal note provided shows a decrease in revenues by \$42,800 based on reduced revenue from sales of multiple passes. Revenues that are received from permits and camping accommodations are invested back into the parks to keep up with maintenance and providing amenities as customer preferences continue to evolve. The fiscal note also shows an increase in the cost required for programming and testing of our point of sale system to support this bill. This is required to ensure that our current point of sale system can perform the duties outlined in this bill.

Lack of internet or cell phone connectivity within our state parks will hamper the implementation of this legislation. As park staff are patrolling the park for compliance, staff may not have the service needed to conduct compliance checks. Most park locations only have internet and cell phone service at the entry of the park. This will result in additional staff time and resources invested into this process. Customer service will be impacted due to a lack of connectivity and may result in a negative experience. The fiscal note is silent on the cost of the broadband infrastructure upgrades required to ensure that the Department can support this legislation.

The proposed requirement of maintaining a computerized database that contains a record of identifying information for all individuals issued a permit may reduce some of the flexibility associated with the vehicle permits. At this time, annual vehicle permits are a static cling. Meaning they can be transferred between vehicles as needed. The fiscal note does not show the increased cost of changing the pass from a transferrable cling to a sequentially numbered sticker for one vehicle.

Tying the annual vehicle permit to a specific vehicle will take more administrative time when the permit is purchased. Information related to vehicle registration and identifiable household information would need to be collected. In addition, individuals or companies often purchase the annual vehicle permit and give them as gifts since no identifiable information is collected at this time. For example, we have a company that annually purchases 100 passes for its employees since the permit is transferrable.

The Department is always interested in providing the best customer service and experience and open to exploring all options.

Mr. Chairman, this concludes my remarks; I would be pleased to answer any questions that the committee may have. Thank you for your time and consideration.

2021 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1357
2/4/2021

A bill relating to permits for entry to state parks; and to provide a continuing appropriation.

11:12 AM **Chairman Ruby** opened meeting.

Attendance

Representatives	
Representative Dan Ruby	P
Representative Tom Kading	P
Representative Rick Becker	P
Representative Cole Christensen	P
Representative LaurieBeth Hager	P
Representative Jared C. Hagert	P
Representative Karla Rose Hanson	P
Representative Terry B. Jones	P
Representative Emily O'Brien	P
Representative Mark S. Owens	P
Representative Bob Paulson	P
Representative Gary Paur	P
Representative Robin Weisz	P
Representative Greg Westlind	P

Discussion Topics:

- Amendment

Representative Paulson provided amendments. #5462

Representative Paur moved the amendment. LC 21.0340.03001 -.04000

Representative Paulson seconded. Voice vote. Carried.

Representative Hanson moved a Do Pass as amended. **Representative Christensen** seconded.

Roll Call Vote

Representatives	Vote
Representative Dan Ruby	Y
Representative Tom Kading	Y
Representative Rick Becker	Y
Representative Cole Christensen	Y
Representative LaurieBeth Hager	Y
Representative Jared C. Hagert	Y

Representative Karla Rose Hanson	Y
Representative Terry B. Jones	Y
Representative Emily O'Brien	Y
Representative Mark S. Owens	Y
Representative Bob Paulson	Y
Representative Gary Paur	Y
Representative Robin Weisz	Y
Representative Greg Westlind	Y

Motion carried. 14-0-0 **Representative Hanson** carrier.

11:21 **Chairman Ruby** adjourned.

Jeanette Cook, Committee Clerk

21.0340.03001
Title.04000

Prepared by the Legislative Council staff for
Representative Paulson
February 2, 2021

JP
2/4/21

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1357

Page 2, line 6, remove "or subsequent"

Page 2, remove lines 21 through 26

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1357: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1357 was placed on the Sixth order on the calendar.

Page 2, line 6, remove "or subsequent"

Page 2, remove lines 21 through 26

Renumber accordingly

21.0340.03001
Title.

Prepared by the Legislative Council staff for
Representative Paulson
February 2, 2021

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1357

Page 2, line 6, remove "or subsequent"

Page 2, remove lines 21 through 26

Renumber accordingly

2021 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee Room JW327E, State Capitol

HB 1357
2/11/2021

A bill relating to permits for entry to state parks; and to provide a continuing appropriation.

11:39 **Chairman Ruby** opened the hearing.

Attendance

Representatives	
Representative Dan Ruby	P
Representative Tom Kading	P
Representative Rick Becker	P
Representative Cole Christensen	P
Representative LaurieBeth Hager	P
Representative Jared C. Hagert	P
Representative Karla Rose Hanson	P
Representative Terry B. Jones	P
Representative Emily O'Brien	P
Representative Mark S. Owens	P
Representative Bob Paulson	P
Representative Gary Paur	P
Representative Robin Weisz	P
Representative Greg Westlind	P

Discussion Topics:

- Reconsider
- Additional amendment

Representative Hagert moved to reconsider.

Representative Owens seconded.

Voice vote carried.

Representative Paulson moved the amendment. LC 21.0340.04001 Title 05000

Representative Hagert seconded.

Voice vote carried.

Representative Christensen moved a Do Pass as amended.

Representative Owens seconded.

Roll Call Vote

Representatives	Vote
Representative Dan Ruby	Y
Representative Tom Kading	Y
Representative Rick Becker	Y
Representative Cole Christensen	Y

Representative LaurieBeth Hager	Y
Representative Jared C. Hagert	Y
Representative Karla Rose Hanson	Y
Representative Terry B. Jones	Y
Representative Emily O'Brien	Y
Representative Mark S. Owens	Y
Representative Bob Paulson	Y
Representative Gary Paur	Y
Representative Robin Weisz	Y
Representative Greg Westlind	Y

Motion carried. 14-0-0 Representative Hanson carrier.

11:46 Adjourned.

Jeanette Cook, Committee Clerk

21.0340.04001
Title.05000

Adopted by the Transportation Committee

DA 2/11/21
1041

February 11, 2021

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1357

Page 1, line 8, remove "and except as provided in subsection 5."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1357, as engrossed: Transportation Committee (Rep. D. Ruby, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1357
was placed on the Sixth order on the calendar.

Page 1, line 8, remove "and except as provided in subsection 5."

Renumber accordingly

2021 SENATE TRANSPORTATION

HB 1357

2021 SENATE STANDING COMMITTEE MINUTES

Transportation Committee Fort Totten Room, State Capitol

HB 1357
3/12/2021

A BILL for an Act to amend and reenact sections 55-08-06 and 55-08-07 of the North Dakota Century Code, relating to permits for entry to state parks; and to provide a continuing appropriation.

Chair Clemens calls the meeting to order. Present are Chair Clemens, Vice Chair Fors, Senators Bakke, Conley, Dwyer. Senator D. Larsen is absent. [9:30]

Discussion Topics:

- State park passes
- ND Parks and Recreation revenues
- Artists in residence

Representative Paulson [9:30] introduces the bill and submits testimony #8947 in favor.

Ryan Gardner [9:35], West Regional Manager for ND State Parks and Recreation, offers oral neutral testimony and submits testimony #8856.

Jeffrey Indovina [9:39], Business Manager for ND Parks and Recreation, offers neutral oral testimony.

Chair Clemens adjourns the public hearing. [9:47]

Senator Conley [9:48] motions DO PASS.

Senator Fors [9:48] seconds.

Senators	Vote
Senator David Clemens	Y
Senator Robert Fors	Y
Senator Cole Conley	Y
Senator Michael Dwyer	Y
Senator Doug Larsen	-
Senator JoNell Bakke	Y

Motion passes 5-0-1. [9:48]

Senator Fors will carry.

Chair Clemens adjourns the committee work meeting. [9:49]

Sheldon Wolf, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1357, as reengrossed: Transportation Committee (Sen. Clemens, Chairman)
recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
Reengrossed HB 1357 was placed on the Fourteenth order on the calendar.

Good morning Chairman Clemens and members of the Senate Transportation committee. For the record, my name is Bob Paulson, and I represent District 3 in Minot. Mr. Chairman and members of the committee, I'm here to submit House Bill 1357 for your consideration.

House Bill 1357 deals with annual permits to state parks and seeks to address an issue that perhaps you or someone you know has experienced. That is the issue of purchasing an annual permit to our many great state parks and arriving at a park only to discover that the permit sticker is on your other vehicle. At that point, you get to pay for a day pass to the park. I jokingly refer to this as the "bad memory tax."

My initial thought was to have a bill would allow park personnel to check the database to confirm that you were a holder of an annual permit. You would then be given a day pass at no charge. However, there proved to be a few challenges with that idea, including lack of staff at the entrance of some parks, lack of reliable internet connectivity and difficulty in determining whether or not the permit sticker was being used by someone else at the same time.

The solution that was arrived at while working with Parks and Rec staff was to offer a second annual pass at a reduced rate, but only if that second pass was to be used by members of the same household. The normal rate for an annual pass is \$35. This bill would reduce the cost of the second pass purchased to be used by members of the same household to \$20. If the second and subsequent passes were purchased as gifts or for any other reason, the price for the additional permits would remain \$35.

Currently there are discounts offered for senior citizens and disabled veterans. This would add a third category where the purchaser simply needs to certify that the additional permit is to be utilized by members of the same household.

Mr. Chairman, that is the bill, I ask for a Do Pass and I would be happy to answer any questions.

#8856

HB1357

North Dakota Parks and Recreation Department

Senate Transportation Committee

Fort Totten Room, 9:30 am

Friday, March 12, 2021

Ryan Gardner, West Region Manager

Good morning Chairman Clemens, members of the committee: my name is Ryan Gardner, West Region Manager, with North Dakota Parks and Recreation Department. I am testifying on behalf of the Department and providing neutral testimony for HB 1357 relating to permits for entry to state parks to provide a continuing appropriation.

The North Dakota Parks and Recreation Department (Department) vehicle entry permit, as defined in century code, is currently required to access a North Dakota State Park. Users can purchase a daily permit for \$7 or an annual permit for \$35. Discounted permits are available for North Dakota residents aged 65 and older and North Dakota veterans with service-related disabilities up to 50% for \$28. A free lifetime permit is available to North Dakota veterans with 50% or greater service-related disabilities. Additionally, all North Dakota volunteer first responders with red license plates have free access to all state parks.

The requirement that a second or subsequent annual permit issued to a permitholder, which may be used by members of the permitholder's household for \$20, may result in a loss of revenue for the Department due to a second permit being purchased at a lower price. The fiscal note provided shows a potential decrease in revenues by \$42,800 based on reduced revenue from sales of multiple passes. Revenues that are received from permits are invested back into infrastructure, maintenance and providing amenities as customer preferences continue to evolve. The fiscal note also shows an increase in the cost required for programming and testing of our point of sale system to support this bill. This is required to ensure that our current point of sale system can perform the duties outlined in this bill.

The Department is always committed to providing the best customer service and experiences and remains open to exploring all options. Should this legislation pass, the Department would like the opportunity to evaluate any potential fiscal impacts in case future price adjustments may be needed. The revenues from permit sales go directly back into maintenance of infrastructure and recreational amenities.

Mr. Chairman, this concludes my remarks; I would be pleased to answer any questions that the committee may have. Thank you for your time and consideration.