

**2023 SENATE STATE AND LOCAL GOVERNMENT**

**SB 2108**

# 2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee  
Room JW216, State Capitol

SB 2108  
1/5/2023

Relating to Parks and Recreation Dept motor vehicle permit fees.

11:00 am Chairman Roers opened the hearing. Present: Chair K Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

**Discussion Topics:**

- Entrance fee
- Partnerships
- Simple language

11:02 am Cody Schulz, Director of ND Parks and Recreation Dept, testified in support #12382

11:15 am Chairman Roers closed the hearing.

*Pam Dever, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee  
Room JW216, State Capitol

SB 2108  
1/26/2023

Relating to motor vehicle permit fees.

11:09 AM Chair Roers opened committee work. Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

**Discussion Topics:**

- Park fees schedule
- Discounts

11:11 AM Jeff Indovina, Park and Recreation, commented on the bill.

11:12 AM Chair Roers adjourned the meeting.

*Pam Dever, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee  
Room JW216, State Capitol

SB 2108  
2/2/2023

Relating to motor vehicle fees.

3:35 PM Chair Roers opened committee work. Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

### Discussion Topics:

- Committee action

Jeff Indovina, ND Parks and Recreation brought an amendment #26676 to committee.

Sen Lee moved Amendment 23.8113.01001 #26676.

Sen Cleary seconded.

| Senators                 | Vote |
|--------------------------|------|
| Senator Kristin Roers    | Y    |
| Senator Jeff Barta       | Y    |
| Senator Ryan Braunberger | Y    |
| Senator Sean Cleary      | Y    |
| Senator Judy Estenson    | Y    |
| Senator Judy Lee         | Y    |

VOTE: YES – 6 NO – 0 Absent – 0 Motion PASSED

Sen Barta moved a DO PASS as Amended.

Sen Cleary seconded.

| Senators                 | Vote |
|--------------------------|------|
| Senator Kristin Roers    | Y    |
| Senator Jeff Barta       | Y    |
| Senator Ryan Braunberger | Y    |
| Senator Sean Cleary      | Y    |
| Senator Judy Estenson    | Y    |
| Senator Judy Lee         | Y    |

VOTE: YES - 6 NO - 0 Absent – 0 Motion PASSED

Sen Barta will carry the bill.

3:44 PM Chair Roers closed meeting.

*Pam Dever, Committee Clerk*

*DR*  
*2-3-2023*  
*193*

PROPOSED AMENDMENTS TO SENATE BILL NO. 2108

Page 1, line 1, remove "subsection 7 of"

Page 1, line 1, replace the second "subsection" with "subsections"

Page 1, line 1, after "3" insert "and 4"

Page 1, line 3, after "fees" insert "; and to repeal section 55-08-14.1 of the North Dakota Century Code, relating to leadership and facility grants"

Page 1, replace lines 5 through 12 with:

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

**55-08-05. Charges for services.**

The director may provide special services within state parks, state campgrounds, state recreation areas, and reserves; provide special technical assistance services; and make rules for the use of those services. The director shall establish and cause to be collected charges, fees, and rentals for the use of all special services, and shall revise the same, when necessary, in the manner that the revenue derived will be sufficient to pay the cost of providing each service and to pay the principal of and interest on all bonds issued for projects furnishing the facilities for the services, and to maintain a reserve for the security of the bonds. The director may waive the collection of charges, fees, and rentals for the use of special services by health care-related charitable organizations conducting group camp activities without charge to participants. However, the director shall waive the collection of charges, fees, and rentals for the use of all special services by any care-related charitable organization sponsoring or conducting summer group camp activities without charge for fourteen days for children from age eight through age fourteen who have diabetes. Nothing in this section requires the director to provide camp services if the camp facilities are otherwise closed due to adverse administrative or fiscal impacts upon the department. Specifically, 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 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 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.
- 5.4. Provide facilities and allow for the sale to the public of food, nonintoxicating beverages, beer and wine as provided in subsection 6, 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 use of food vendors or the lease of the buildings, structures, and facilities to a concessionaire to be operated on the terms and compensation basis as the director determines to be in the best interest of the state. The duration of a concession agreement may not exceed twenty years. A bond must be required of each concessionaire in the amount the director determines, conditioned upon the faithful performance of all duties under the lease and proper accounting for all funds.
- 6.5. Allow the sale of beer and wine by operating concessionaires on property under the management of the director, if the concessionaire holds the appropriate local and state retail licenses or an event permit required or authorized by chapter 5-02.
- 7.6. Charge and collect motor vehicle permit fees ~~in the amounts prescribed by the legislative assembly, which fees are and must be imposed for the sole purposes of paying capital costs of projects required to provide the special services herein described and referred to, and of meeting the principal and interest and reserve requirements of bonds issued to finance such projects as established under section 55-08-06.~~
8. Charge a fee for providing special technical assistance to groups requesting information from the natural heritage inventory database.
- 9.7. Allow the sale of advertising in parks and recreation publications. The director may make rules regarding advertisement contracts and charges, space availability, and content."

OR  
2-3-2003  
293

Page 1, line 22, replace "an" with "and"

Page 2, after line 10, insert:

**"SECTION 3. AMENDMENT.** Subsection 4 of section 55-08-06 of the North Dakota Century Code is amended and reenacted as follows:

4. The fees collected must be deposited in the state park operating fund in the state treasury, unless authorized by the director as follows:
  - a. The director may allow other agencies or organizations that have leased state parks, state recreational areas, reserves, or facilities to retain entrance and special permit fees collected by the lessee.
  - b. The director may exempt all or any part of any state park, state recreational area, or reserve from the requirement of the motor vehicle permit and fee, for any activity or period, when in the director's judgment it is desirable to do so; ~~provided, however, that no further~~

~~exceptions may be made after state park revenue bonds are issued  
and while the bonds are outstanding."~~

*DR*  
*2/3/2023*  
*3 of 3*

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2108: State and Local Government Committee (Sen. K. Roers, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2108 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 1, remove "subsection 7 of"

Page 1, line 1, replace the second "subsection" with "subsections"

Page 1, line 1, after "3" insert "and 4"

Page 1, line 3, after "fees" insert "; and to repeal section 55-08-14.1 of the North Dakota Century Code, relating to leadership and facility grants"

Page 1, replace lines 5 through 12 with:

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

**55-08-05. Charges for services.**

The director may provide special services within state parks, state campgrounds, state recreation areas, and reserves; provide special technical assistance services; and make rules for the use of those services. The director shall establish and cause to be collected charges, fees, and rentals for the use of all special services, and shall revise the same, when necessary, in the manner that the revenue derived will be sufficient to pay the cost of providing each service and to pay the principal of and interest on all bonds issued for projects furnishing the facilities for the services, and to maintain a reserve for the security of the bonds. The director may waive the collection of charges, fees, and rentals for the use of special services by health care-related charitable organizations conducting group camp activities without charge to participants. However, the director shall waive the collection of charges, fees, and rentals for the use of all special services by any care-related charitable organization sponsoring or conducting summer group camp activities without charge for fourteen days for children from age eight through age fourteen who have diabetes. Nothing in this section requires the director to provide camp services if the camp facilities are otherwise closed due to adverse administrative or fiscal impacts upon the department. Specifically, 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 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 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.
- ~~5.4.~~ Provide facilities and allow for the sale to the public of food, nonintoxicating beverages, beer and wine as provided in subsection 6, 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 use of food vendors or the lease of the buildings, structures, and facilities to a concessionaire to be operated on the terms and compensation basis as the director determines to be in the best interest of the state. The duration of a concession agreement may not exceed twenty years. A bond must be required of each concessionaire in the amount the director determines, conditioned upon the faithful performance of all duties under the lease and proper accounting for all funds.

- 6-5. Allow the sale of beer and wine by operating concessionaires on property under the management of the director, if the concessionaire holds the appropriate local and state retail licenses or an event permit required or authorized by chapter 5-02.
- 7-6. Charge and collect motor vehicle permit fees ~~in the amounts prescribed by the legislative assembly, which fees are and must be imposed for the sole purposes of paying capital costs of projects required to provide the special services herein described and referred to, and of meeting the principal and interest and reserve requirements of bonds issued to finance such projects as established under section 55-08-06.~~
- 8. Charge a fee for providing special technical assistance to groups requesting information from the natural heritage inventory database.
- 9-7. Allow the sale of advertising in parks and recreation publications. The director may make rules regarding advertisement contracts and charges, space availability, and content."

Page 1, line 22, replace "an" with "and"

Page 2, after line 10, insert:

**"SECTION 3. AMENDMENT.** Subsection 4 of section 55-08-06 of the North Dakota Century Code is amended and reenacted as follows:

- 4. The fees collected must be deposited in the state park operating fund in the state treasury, unless authorized by the director as follows:
  - a. The director may allow other agencies or organizations that have leased state parks, state recreational areas, reserves, or facilities to retain entrance and special permit fees collected by the lessee.
  - b. The director may exempt all or any part of any state park, state recreational area, or reserve from the requirement of the motor vehicle permit and fee, for any activity or period, when in the director's judgment it is desirable to do so; ~~provided, however, that no further exceptions may be made after state park revenue bonds are issued and while the bonds are outstanding.~~

Renumber accordingly

**2023 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**SB 2108**

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Pioneer Room, State Capitol

SB 2108  
3/2/2023

Relating to motor vehicle permit fees and to leadership and facility grants.

Chairman Schauer called the meeting to order at 10:16 AM.

Chairman Austen Schauer, Vice Chairman Bernie Satrom, Reps. Landon Bahl, Claire Cory, Jeff A. Hoverson, Jorin Johnson, Karen Karls, Scott Louser, Carrie McLeod, Karen M. Rohr, Vicky Steiner, Steve Vetter, and Mary Schneider present. Rep. Scott Louser virtually present. Vice Chairman Bernie Satrom and Rep. Jorin Johnson not present.

### **Discussion Topics:**

- Flexible pricing
- Partnership opportunities
- Camping fees
- Cabin rental
- Working remotely

Cole Garmen, Chief of Outreach and Engagement for North Dakota Department of Parks and Recreation, introduced SB 2108, speaking in support.

Jeff Indovina, Chief Director for Business and Development with the North Dakota Parks and Recreation, answered questions from the committee.

### **Additional Testimony:**

Cody Schulz, Director for North Dakota Parks and Recreation Department, supportive testimony (#21669).

Chairman Schauer adjourned the meeting at 10:36 AM.

*Phillip Jacobs, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Pioneer Room, State Capitol

SB 2108  
3/10/2023

Relating to motor vehicle permit fees and to leadership and facility grants.

Chairman Schauer called the meeting to order at 10:45 AM.

Chairman Austen Schauer, Vice Chairman Bernie Satrom, Claire Cory, Jeff A. Hoverson, Jorin Johnson, Karen Karls, Scott Louser, Carrie McLeod, Karen M. Rohr, Vicky Steiner, Steve Vetter, and Mary Schneider present. Reps. Landon Bahl not present.

### Discussion Topics:

- Committee work

Cole Schulz, Director for North Dakota Parks and Recreation Department, answered questions from the committee.

Jeff Indovina, Chief Director for Business and Development with the North Dakota Department of Parks and Recreation, answered questions from the committee.

Rep. Vetter moved a do pass on SB 2108.

Seconded by Rep. McLeod.

Cody Schulz, Director for North Dakota Parks and Recreation Department, answered questions from the committee.

### Roll Call Vote:

| Representatives                 | Vote |
|---------------------------------|------|
| Representative Austen Schauer   | Y    |
| Representative Bernie Satrom    | Y    |
| Representative Landon Bahl      | AB   |
| Representative Claire Cory      | Y    |
| Representative Jeff A. Hoverson | Y    |
| Representative Jorin Johnson    | Y    |
| Representative Karen Karls      | Y    |
| Representative Scott Louser     | Y    |
| Representative Carrie McLeod    | Y    |
| Representative Karen M. Rohr    | Y    |
| Representative Mary Schneider   | Y    |
| Representative Vicky Steiner    | AB   |
| Representative Steve Vetter     | Y    |

Motion carries 11-0-2.

House Government and Veterans Affairs Committee  
SB 2108  
3/10/2023  
Page 2

Carried by Rep. Cory.

Chairman Schauer adjourned the meeting at 10:54 AM.

*Phillip Jacobs, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2108, as engrossed: Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING).** Engrossed SB 2108 was placed on the Fourteenth order on the calendar.

**TESTIMONY**

**SB 2108**

Testimony – SB 2108  
Senate State and Local Government Committee  
January 5, 2022  
By Cody Schulz  
Director, ND Parks and Recreation

Good morning Chairman Roers and members of the Senate State and Local Government Committee, my name is Cody Schulz. I am the Director of the North Dakota Parks & Recreation Department. I offer this testimony in support of SB 2108.

There are two primary purposes of the bill in front of you today. First, section one and two aim to create flexibility within the pricing process and model of vehicle entrance fees into North Dakota State Parks. Currently, the fees are written into statute and therefore can only be changed every two years, and only by legislative action. The current price structure is:

- Annual Vehicle Pass \$35
- Annual Vehicle Pass (2<sup>nd</sup>/Family) \$20
- Daily Vehicle Pass \$ 7

I am respectfully requesting that the authority to set fees be given directly to the Director of North Dakota Parks and Recreation. The ability of the agency to create packages, discounts, bundles and partnerships may be very beneficial from a marketing, sales and visitor perspective. A few examples of potential models we are researching and considering are; if an individual reserves a campsite for twelve or more days they receive a free annual vehicle pass, or partnering with another entity such as the International Peace Garden where customers could buy an annual pass to both entities for \$65 (rather than the \$75 it would cost to purchase the passes separately), and other partnership opportunities potentially exist with State Historical Society properties, Theodore Roosevelt National Park, and city and county park agencies.

Secondly, section three of this bill aims to eliminate inconsistencies that currently exist in NDCC 55-08. The language we propose striking in 55-08-07 currently reads, "No lease rentals and no motor vehicle permit fees may be credited to operating accounts." However, 55-08-06-4 currently reads, "The fees collected must be deposited in the state park operating fund in the state treasury..." Striking the language as requested would eliminate the inconsistency and align with current practice.



23.8113.01001  
Title.02000

Adopted by the Senate State and Local  
Government Committee  
February 2, 2023

PROPOSED AMENDMENTS TO SENATE BILL NO. 2108

Page 1, line 1, remove "subsection 7 of"

Page 1, line 1, replace the second "subsection" with "subsections"

Page 1, line 1, after "3" insert "and 4"

Page 1, line 3, after "fees" insert "; and to repeal section 55-08-14.1 of the North Dakota Century Code, relating to leadership and facility grants"

Page 1, replace lines 5 through 12 with:

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

**55-08-05. Charges for services.**

The director may provide special services within state parks, state campgrounds, state recreation areas, and reserves; provide special technical assistance services; and make rules for the use of those services. The director shall establish and cause to be collected charges, fees, and rentals for the use of all special services, ~~and shall revise the same, when necessary, in the manner that the revenue derived will be sufficient to pay the cost of providing each service and to pay the principal of and interest on all bonds issued for projects furnishing the facilities for the services, and to maintain a reserve for the security of the bonds. The director may waive the collection of charges, fees, and rentals for the use of special services by health care related charitable organizations conducting group camp activities without charge to participants. However, the director shall waive the collection of charges, fees, and rentals for the use of all special services by any care related charitable organization sponsoring or conducting summer group camp activities without charge for fourteen days for children from age eight through age fourteen who have diabetes.~~ Nothing in this section requires the director to provide camp services if the camp facilities are otherwise closed due to adverse administrative or fiscal impacts upon the department. Specifically, 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 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 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.
- 5.4. Provide facilities and allow for the sale to the public of food, nonintoxicating beverages, beer and wine as provided in subsection 6, 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 use of food vendors or the lease of the buildings, structures, and facilities to a concessionaire to be operated on the terms and compensation basis as the director determines to be in the best interest of the state. The duration of a concession agreement may not exceed twenty years. A bond must be required of each concessionaire in the amount the director determines, conditioned upon the faithful performance of all duties under the lease and proper accounting for all funds.
- 6.5. Allow the sale of beer and wine by operating concessionaires on property under the management of the director, if the concessionaire holds the appropriate local and state retail licenses or an event permit required or authorized by chapter 5-02.
- 7.6. ~~Charge and collect motor vehicle permit fees in the amounts prescribed by the legislative assembly, which fees are and must be imposed for the sole purposes of paying capital costs of projects required to provide the special services herein described and referred to, and of meeting the principal and interest and reserve requirements of bonds issued to finance such projects as established under section 55-08-06.~~
8. ~~Charge a fee for providing special technical assistance to groups requesting information from the natural heritage inventory database.~~
- 9.7. Allow the sale of advertising in parks and recreation publications. The director may make rules regarding advertisement contracts and charges, space availability, and content."

Page 1, line 22, replace "an" with "and"

Page 2, after line 10, insert:

**"SECTION 3. AMENDMENT.** Subsection 4 of section 55-08-06 of the North Dakota Century Code is amended and reenacted as follows:

4. The fees collected must be deposited in the state park operating fund in the state treasury, unless authorized by the director as follows:
  - a. The director may allow other agencies or organizations that have leased state parks, state recreational areas, reserves, or facilities to retain entrance and special permit fees collected by the lessee.
  - b. The director may exempt all or any part of any state park, state recreational area, or reserve from the requirement of the motor vehicle permit and fee, for any activity or period, when in the director's judgment it is desirable to do so; ~~provided, however, that no further~~

~~exceptions may be made after state park revenue bonds are issued  
and while the bonds are outstanding."~~

Renumber accordingly