

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1215**

Introduced by

Representatives M. Ruby, Dockter, Headland, Lefor, Louser, Paulson, Porter

Senators Bekkedahl, Burckhard, Krebsbach

1 A BILL for an Act to amend and reenact section 54-17.8-03 of the North Dakota Century Code,
2 relating to allowable uses of the outdoor heritage fund.

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

4 **SECTION 1. AMENDMENT.** Section 54-17.8-03 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-17.8-03. North Dakota outdoor heritage fund purposes.**

- 7 1. The commission shall use the fund to provide grants to state agencies, tribal
8 governments, political subdivisions, and nonprofit organizations, with higher priority
9 given to enhance conservation practices in this state by:
- 10 a. Providing access to private and public lands for ~~sportsmen~~the public, including
11 projects that create fish and wildlife habitat and provide access for
12 ~~sportsmen~~recreation and enhance the recreational experiences and opportunities
13 on public lands;
- 14 b. Improving, maintaining, and restoring water quality, soil conditions, plant diversity,
15 animal systems, and by supporting other practices of stewardship to enhance
16 farming and ranching;
- 17 c. Developing, enhancing, conserving, and restoring wildlife and fish habitat on
18 private and public lands; and
- 19 d. Conserving natural areas and creating other areas for recreation through the
20 establishment and development of parks and other recreation areas.
- 21 2. The commission or grantee may not use the fund, in any manner, to finance:
- 22 a. Litigation;
- 23 b. Lobbying activities;

- 1 c. Any activity that would interfere, disrupt, or prevent activities associated with
- 2 surface coal mining operations; sand, gravel, or scoria extraction activities; oil
- 3 and gas operations; or other energy facility or infrastructure development;
- 4 d. The acquisition of land or to encumber any land for a term longer than twenty
- 5 years; or
- 6 e. Projects outside this state or projects that are beyond the scope of defined
- 7 activities that fulfill the purposes of this chapter.
- 8 3. The commission or a grantee may not use grant funds, except after a finding of
- 9 exceptional circumstances by the commission, to finance:
- 10 a. A completed project or project commenced before the grant application;
- 11 b. A feasibility or research study;
- 12 c. Maintenance costs;
- 13 d. A paving project for a road or parking lot;
- 14 e. A swimming pool or aquatic park;
- 15 f. Personal property that is not affixed to the land;
- 16 g. Playground equipment, except that grant funds may be provided for up to
- 17 twenty-five percent of the cost of the equipment not exceeding ten thousand
- 18 dollars per project and all playground equipment grants may not exceed five
- 19 percent of the total grants per year;
- 20 h. A building, except for a building that is included as part of a comprehensive
- 21 conservation plan for a new or expanded recreational project or a building that
- 22 needs repairs or replacement due to damage caused by an act of God; or
- 23 i. A project in which the applicant is not directly involved in execution and
- 24 completion of the project.