

**Game and Fish Department
 Budget No. 720
 House Bill Nos. 1018, 1050, 1069, 1189**

	FTE Positions	General Fund	Other Funds	Total
2005-07 executive budget (bills as introduced)	152.00	\$0	\$48,465,166	\$48,465,166
2005-07 legislative appropriations	152.00		51,201,059	51,201,059
Legislative increase (decrease) to executive budget	0.00	\$0	\$2,735,893	\$2,735,893
Legislative increase (decrease) to 2003-05 appropriations	5.00	\$0	\$7,835,296	\$7,835,296

SUMMARY OF LEGISLATIVE CHANGES TO THE EXECUTIVE BUDGET AND MAJOR FUNDING ITEMS

Salaries and Wages

The legislative action affecting the recommended appropriation for the Game and Fish Department is in accordance with legislative salary and fringe benefits guidelines as contained in House Bill No. 1050.

	Major Items FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Added funding for state employee salary increases			\$72,931	\$72,931
Reduced funding recommended in the executive budget for state employee health insurance premiums from \$559.15 to \$553.95 per month per policy			(18,970)	(18,970)
Added funding for boat ramp improvements and marina development			800,000	800,000
Added funding to provide a grant for construction costs of the Grahams Island Road			750,000	750,000
Increased funding for wildlife services from \$550,000 to \$680,000			130,000	130,000
Provided funding in House Bill No. 1069 for the cost of paying military service retirement credit for veterans			1,932	1,932
Added funding in House Bill No. 1189 for the department to enter leases with private landowners to provide access for hunting purposes			1,000,000	1,000,000
Total	0.00	\$0	\$2,735,893	\$2,735,893

FTE Changes

The 2005-07 biennium appropriation includes funding for 152 FTE positions, an increase of 5 FTE positions from the 2003-05 biennium authorized level of 147 FTE positions. The Legislative Assembly did not change the executive recommendation which added 1 FTE license clerk position, 1 FTE wildlife technician position, 2 FTE wildlife biologist I positions, and 1 FTE fisheries biologist position.

Funding for Department of Agriculture

Wildlife Services

The Legislative Assembly increased the executive recommendation for the wildlife services line item by \$130,000 from the game and fish fund. The funding will be made available to the Agriculture Commissioner to contract with the United States Department of Agriculture - Wildlife Services Agency to alleviate wildlife depredation and damage in North Dakota. The Legislative Assembly provided a contingent appropriation to the Department of Agriculture for a total of \$130,000 in addition to the \$550,000 appropriation included in the executive recommendation for wildlife services. The contingent appropriation provides that if federal funding for the cooperative wildlife damage management program for North Dakota wildlife services for federal fiscal year 2006 is less than \$400,000, then \$65,000 of the contingent appropriation is available for wildlife services programs and if the same federal funding is less than \$400,000 for federal fiscal year 2007, an additional \$65,000 of the contingent appropriation is available for wildlife services programs. The total 2005-07 biennium appropriation for wildlife services is \$680,000, \$130,000 more than the 2003-05 biennium appropriation of \$550,000.

Board of Animal Health

The Legislative Assembly did not change the executive recommendation to provide \$150,000 from the game and fish fund for a grant to the Department of Agriculture for expenses of the Board of Animal Health, the same as the 2003-05 biennium appropriation.

Funding for Parks and Recreation Department

The Legislative Assembly did not change the executive recommendation to provide \$122,000 from the game and fish fund for a grant to the Parks and Recreation Department for state park boat ramp maintenance and repairs, the same as the 2003-05 biennium appropriation.

Capital Projects

The Legislative Assembly did not change the executive recommendation to provide funding from the game and fish fund for the following capital projects:

Project	Other Funds
Extraordinary repairs	\$416,116
Construction of two storage buildings at the Bismarck shop	400,000
Fishing area projects	870,000
Wildlife management area projects	150,000
Land acquisitions	750,000
Equipment over \$5,000	485,000
Total	\$3,071,116

NOTE: The total of \$3,071,116 consists of \$2,961,116 in the capital assets line, \$70,000 in the land habitat and deer depredation line, and \$40,000 in the Lonetree Reservoir line.

The Legislative Assembly also provided \$800,000 in the ramp improvements and marina development line item for various boat ramp improvements and marina development and added an emergency section to the bill for the funds included in this line item.

Other Sections in Bill

Private land habitat and access improvement - Section 4 provides that \$3,500,000 included in the land habitat and deer depredation line item is from the private land habitat and access improvement fund and shall be used by the department for the private land habitat and access improvement program, as provided in North Dakota Century Code (NDCC) Section 20.1-02-05.

Nongame wildlife fund - Section 5 provides that \$35,000 of the nongame wildlife conservation line item is from the nongame wildlife fund and is to be used by the department for the purposes of preservation, inventory, perpetuation, and conservation of nongame wildlife, natural areas, and nature preserves in this state.

Wildlife services - Section 6 provides that the wildlife services line item (\$680,000) is from the game and fish fund and is to be used for the purpose of alleviating wildlife depredation and damage in North Dakota. Projects, contracts, and agreements may be entered into by the department in cooperation with the Agriculture Commissioner.

Legislative intent - Section 7 provides a statement of legislative intent regarding the grants, gifts, and donations line item. This section states that up to \$500,000 included in the grants, gifts, and donations line item was provided to the Game and Fish Department as a gift from the estate of Rodney Underdahl and it is the intent of the Legislative Assembly to approve the unrestricted receipt of the gift.

Legislative intent - Section 8 provides a statement of legislative intent regarding the Grahams Island Road project. This section provides that if the bids for the Grahams Island Road construction project are less than the amount budgeted, then \$350,000 of the \$750,000 grant provided by the Game and Fish Department for the road project must be returned to the game and fish fund.

Game and fish fund balance - Section 9 amends NDCC Section 20.1-02-16.1 to change the required minimum balance of the game and fish fund from \$10 million to \$15 million.

Opening of youth pheasant season - Section 10 amends NDCC Section 20.1-04-15 to provide that the Governor, in the Governor's proclamation, may provide a pheasant hunting season for youth ages 12 through 16 on the Saturday and Sunday preceding the opening of the regular pheasant season. Section 11 provides an expiration date of July 31, 2007, for Section 10.

Related Legislation

House Bill No. 1062 changes the eligibility for individuals to participate in the deerproof hay yard program so that landowners that allow commercial big game hunting in exchange for compensation and who post that person's land to prohibit big game hunting is not eligible to participate in the program.

House Bill No. 1100 provides for the protection of Game and Fish Department records of personal information obtained from the public and records of sensitive biological data.

House Bill No. 1102 provides that the capture or killing of a black bear or mountain lion shall be reported to the Game and Fish Department within 24 hours and the entire animal must be turned over to the department. The department shall assess the status of mountain lions in the state and report its findings to the Legislative Council.

House Bill No. 1276 provides for the powers of the game and fish director and guiding on prohibited lands and provides for the licensing and qualifications of guides and outfitters.

House Bill No. 1395 increases the per diem for members of the state Game and Fish Advisory Board from \$50 to \$62.50.

House Bill No. 1402 establishes a nonresident wild turkey hunting license with a fee of \$80.

Senate Bill No. 2041 eliminates the requirement that non-Indians must have a state hunting license to hunt on tribal or Indian-owned land.

Senate Bill No. 2100 changes the definition of a resident for game and fish purposes.

Senate Bill No. 2256 creates a new statewide nonresident waterfowl hunting license with a fee increase of \$40, which is not subject to current zone restrictions. The bill provides that \$40 of each statewide nonresident fee must be used for the private land open to sportsmen program.

Senate Bill No. 2290 changes the formula for calculating the annual fee for a shooting preserve license.

Senate Bill No. 2294 increases the fee for resident wholesale bait licenses from \$30 to \$50, establishes Class A and Class B nonresident wholesale bait vendor licenses, changes the fee for a Class B nonresident license from \$200 to \$250, and provides for a Class A nonresident license fee of \$500.

Senate Bill No. 2334 allows nonresident full-time college students residing in and attending college in North Dakota to purchase fishing and hunting licenses at resident rates.

Senate Bill No. 2338 establishes an aquatic nuisance species program within the Game and Fish Department.

Senate Bill No. 2367 changes the nonresident small game hunting license periods from 10 consecutive days or two 5-day periods to 14 consecutive days or two 7-day periods.

Senate Bill No. 2369 creates a new 10-day nonresident fishing license for \$25.