

**Game and Fish Department
Budget No. 720
Senate Bill No. 2017**

	FTE Positions	General Fund	Other Funds	Total
2023-25 legislative appropriation	174.00 ¹	\$0	\$134,761,466 ¹	\$134,761,466 ²
2021-23 legislative appropriation	<u>164.00</u>	<u>0</u>	<u>92,368,134¹</u>	<u>92,368,134</u>
2023-25 appropriation increase (decrease) to 2021-23 appropriation	10.00	\$0	\$42,393,332	\$42,393,332

¹In Section 4 of Senate Bill No. 2017, the Legislative Assembly appropriated \$27.15 million of other funds and authorized 4 FTE positions to implement the Recovering America's Wildlife Act during the 2023-25 biennium, contingent upon enactment of the Recovering America's Wildlife Act and after corresponding federal funds have been made available to the state. See the **Recovering America's Wildlife Act** section below.

²This amount does not include any transfers of appropriation authority from the Office of Management and Budget funding pools for targeted market equity adjustments, retirement contribution increases, or new and vacant FTE positions.

Item Description

Full-time equivalent changes - The 2023 Legislative Assembly authorized 174 FTE positions for the Game and Fish Department for the 2023-25 biennium, an increase of 10 FTE positions from the 2021-23 biennium authorized level of 164 FTE positions.

The Legislative Assembly authorized 1 FTE fisheries biologist II position, 1 FTE enforcement warden investigator position, 2 FTE private lands biologist I position, 1 FTE private lands biologist II position, and 1 FTE aquatic nuisance species biologist I position.

In addition, 4 FTE positions were authorized to implement the Recovering America's Wildlife Act during the 2023-25 biennium, contingent on Congress passing the Act.

Targeted market equity - The Legislative Assembly appropriated \$82.5 million, of which \$45.1 million was from the general fund, to the Office of Management and Budget for a targeted market equity pool to be distributed to state agencies.

New and vacant FTE funding pool - The Legislative Assembly reduced \$3,420,755 of 2023-25 biennium appropriation authority for the Game and Fish Department for the new and vacant FTE funding pool, of which \$1,179,021 was for new FTE positions and \$2,241,734 was for estimated vacant salary savings.

Line item transfers - In Section 6 of Senate Bill No. 2017, the Legislative Assembly authorized the Game and Fish Department to request the transfer of up to \$2 million between the operating expenses, capital assets, and grants - game and fish line items during the 2023-25 biennium.

Status/Result

Through March 2024, the department has hired five of the new FTE positions. Of the new positions, 1 FTE private lands biologist I position was funded for the 2nd year of the 2023-25 biennium. The department anticipates converting a current full-time temporary employee to the permanent FTE position in July 2024.

The department has not hired any FTE positions related to the Recovering America's Wildlife Act. See the **Recovering America's Wildlife Act** section.

The department received \$162,301 for targeted market equity increases, of which \$79,114 was from federal funds and \$83,187 was from special funds. Equity increases were provided to 19 employees.

Through January 2024, the department received \$1,086,291 from the new and vacant FTE funding pool to fill 5 new FTE positions and had estimated vacant FTE position savings of \$249,057. The department used \$88,084 of the savings for other purposes, including accrued leave payouts and overtime funding. The number of vacancies in the agency has ranged from two to six with an average monthly vacancy rate of 3.4 FTE positions.

Through March 2024, the department has not requested any line item transfers but anticipates funding may need to be transferred from the grants line item to the capital assets line item. The potential transfer amount is not yet known.

One-time funding - The Legislative Assembly appropriated one-time funding of \$3.4 million for the Game and Fish Department for the 2023-25 biennium, as follows:

	General Fund	Other Funds	Total
Equipment for new FTE positions	\$0	\$294,090	\$294,090
Aquatic nuisance species laboratory and storage facility	0	850,000	850,000
In-car video system and body cameras	0	550,000	550,000
Fisheries pond liners	0	1,000,000	1,000,000
Fisheries dam repairs at Camel Hump and Baukol Noonan	0	380,000	380,000
Devils Lake bunkhouse improvements	0	350,000	350,000
Total	\$0	\$3,424,090	\$3,424,090

Aquatic nuisance species program - The Legislative Assembly, in Senate Bill No. 2293 (2019), established a surcharge on fishing and hunting licenses and increased the fee on motorboat licenses to provide funding for an aquatic nuisance species program fund. The 2023 Legislative Assembly appropriated \$2,738,844 from the aquatic nuisance species program fund and federal funds to the Game and Fish Department, for the purpose of administering aquatic nuisance species education, inspection, and monitoring programs for the 2023-25 biennium.

The following is a summary of the status of the department's one-time funding items:

Equipment for new FTE positions	Through March 2024, the department has spent \$106,256 on equipment for new FTE positions and anticipates the entire appropriation will be spent by the end of the 2023-25 biennium. Equipment purchased with this funding includes trailers, all-terrain vehicles, enforcement vehicles, uniforms, computers, and other staff equipment.
Aquatic nuisance species laboratory and storage facility	Through March 2024, the department has spent approximately \$100,000 on architect and engineering fees and anticipates spending the entire appropriation by the end of the 2023-25 biennium. The department awarded a contract to Gast Construction for the project.
In-car video system and body cameras	Through March 2024, the department has not spent any of this funding but anticipates spending the entire appropriation by the end of the 2023-25 biennium. The department has tested various systems and cameras for potential purchase.
Fisheries pond liners	The department contracted with Hanson's Excavating, Inc., to have two pond liners replaced at a cost of \$471,100. The project was completed in November 2023. The department is evaluating whether additional pond liners will need to be replaced during the 2023-25 biennium.
Fisheries dam repairs at Camel Hump and Baukol Noonan	Through March 2024, the department has spent \$4,546 on engineering costs for fisheries dam repairs at Camel Hump and Baukol Noonan. The department anticipates the draft engineering report for the Camel Hump repairs to be available in December 2024. The Game and Fish Department is collaborating with the Department of Water Resources for engineering estimates for the Baukol Noonan repairs. It is unknown if the projects will be completed by the end of the 2023-25 biennium.
Devils Lake bunkhouse improvements	Through March 2024, the department has spent approximately \$45,000 on architect and engineering fees for the bunkhouse improvements. The project was awarded to Forks Lathe and Plaster, Inc. The department anticipates spending the entire appropriation and the estimated completion date is November 2024.

Through March 2024, \$568,713 has been expended for use in aquatic nuisance species education, inspection, and monitoring programs under North Dakota Century Code Chapter 20.1-17, of which \$426,042 is from the aquatic nuisance species program fund and \$142,671 is from federal funds. Through March 2024, the aquatic nuisance species fund has received deposits of \$362,196 collected from a surcharge on fishing and hunting licenses and increased fees on motorboat licenses.

Funding for Parks and Recreation Department - The Legislative Assembly appropriated \$122,000 from the game and fish fund for a grant to the Parks and Recreation Department for state park boat ramp maintenance and improvements.

Private land open to sportsmen program - The Legislative Assembly appropriated \$20.3 million for land habitat and deer depredation funding for the 2023-25 biennium, of which \$18.2 million is estimated to be used for landowner payments.

These funds are granted to the Parks and Recreation Department on a reimbursement basis. Through March 2024, the Game and Fish Department has reimbursed the Parks and Recreation Department \$48,941 for state park boat ramp maintenance and improvements.

The following table summarizes the total annual private land open to sportsmen program acreage available for public access:

Year	Acres
2003	374,245
2004	745,979
2005	853,954
2006	978,735
2007	1,027,088
2008	1,041,611
2009	1,010,384
2010	1,007,999
2011	969,834
2012	838,548
2013	759,383
2014	734,700
2015	716,535
2016	726,580
2017	737,640
2018	764,688
2019	790,901
2020	800,640
2021	799,324
2022	796,908
2023	799,998

Recovering America's Wildlife Act - In Section 4 of Senate Bill No. 2017, the Legislative Assembly appropriated \$27.15 million and authorized 4 FTE positions to implement the Recovering America's Wildlife Act during the 2023-25 biennium, contingent upon enactment of the Recovering America's Wildlife Act and after corresponding federal funds have been made available to the state. The section provided any expenditures of funds under this section for conservation or research must be coordinated with and input considered from the Federal Environment Law Impact Review Committee.

Through March 2024, Congress has not enacted the Recovering America's Wildlife Act. The department does not anticipate the legislation passing during the 2023-25 biennium, resulting in the contingent funding and FTE positions not being available to the department.

Midterm conservation agreements - In Section 5 of Senate Bill No. 2017, the Legislative Assembly identified \$2,777,778 from other funds in the land habitat and deer depredation line item is for National Fish and Wildlife Foundation midterm conservation agreements with private landowners and that the department is required to limit the term of these agreements to a maximum of 30 years. The department is required to provide buyback provisions after the 15th, 20th, and 25th years of the agreement if the property owner desires to withdraw all or a portion of acreage from the lease.

The department was awarded \$2.5 million of federal funds from the National Fish and Wildlife Foundation for midterm conservation agreements. Through March 2024, the department has not spent any of the awarded funding. The department is required to match the federal funds with a 10 percent state match. The grant award is authorized through June 2028.