

HOUSE BILL NO. 1339

Introduced by

Representatives Hanson, Carlson

Senator B. Stenehjem

1 A BILL for an Act to create and enact a new section to chapter 15-04 and a new section to
2 chapter 15-07 of the North Dakota Century Code, relating to public access on original grant
3 lands and nongrant lands; and to amend and reenact section 15-07-20 of the North Dakota
4 Century Code, relating to nongrant land leases.

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

6 **SECTION 1.** A new section to chapter 15-04 of the North Dakota Century Code is
7 created and enacted as follows:

8 **Lease of grant lands - Public access.** Notwithstanding any other provision of law, a
9 lessee of grant lands under this chapter may not post those lands to prohibit public access or
10 hunting on the lands. The board of university and school lands shall include a provision in each
11 lease executed after July 31, 1999, that the lessee may not post the leased land to prohibit
12 hunting during any open hunting season.

13 **SECTION 2.** A new section to chapter 15-07 of the North Dakota Century Code is
14 created and enacted as follows:

15 **Lease of nongrant lands - Public access.** Notwithstanding any other provision of law,
16 a lessee of nongrant lands under this chapter may not post those lands to prohibit public access
17 or hunting on the lands. The board of university and school lands shall include a provision in
18 each lease executed after July 31, 1999, that the lessee may not post the leased land to
19 prohibit hunting during any open hunting season.

20 **SECTION 3. AMENDMENT.** Section 15-07-20 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **15-07-20. Leasing of nongrant lands.** The board of university and school lands may
23 lease nongrant lands under ~~such~~ reasonable rules ~~and regulations~~ as it may establish. ~~Such~~
24 ~~The rules and regulations~~ may provide for leasing with or without advertisement or competitive

1 bidding. Leases made under ~~the provisions of~~ this section must be for cash only, and the rental
2 must be collected in advance except that the board may collect a share of a conservation
3 reserve program payment paid by the federal government. No lease of nongrant lands may
4 extend for a period of more than four years, except pasture lands may be leased for a period of
5 five years and any land accepted into the conservation reserve program may have a lease term
6 that coincides with the term of the conservation reserve program contract if so provided in the
7 lease. Leases may be renewed at the discretion of the board. When nongrant lands are leased
8 without advertisement or competitive bidding, the board shall determine the rental by taking into
9 consideration the nature and adaptability of the lands and the improvements thereon. Leases
10 made under this section after July 31, 1999, must include a provision that the lessee may not
11 post the land to prohibit public access or hunting.