

**Fifty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2005**

HOUSE BILL NO. 1189
(Representatives Porter, DeKrey, Martinson, Nelson)
(Senators Lyson, Tollefson)

AN ACT to create and enact a new subsection to section 20.1-02-05 and a new section to chapter 20.1-02 of the North Dakota Century Code, relating to establishing a private land access program; to provide an appropriation; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 20.1-02-05 of the North Dakota Century Code is created and enacted as follows:

Carry out a private land access improvement program by entering leases with private landowners to provide access for hunting on private land. To be eligible for funding under this subsection, state funds for each lease must be supplemented by local funds. Public access to lands leased under this subsection may not be prohibited.

SECTION 2. A new section to chapter 20.1-02 of the North Dakota Century Code is created and enacted as follows:

Private land access program - Guidelines.

1. In the implementation of the private land access program provided for under section 1 of this Act, the department shall develop hunter-access partnerships with communities under the following guidelines:
 - a. Use current department hunter-access improvement programs, agreements, and payment rates.
 - b. Pay one hundred percent of the standard program payment.
 - c. Hunter-access tracts obtained through community partnerships must meet minimum department habitat criteria and standards.
 - d. Land must be open to public access and posted as open by the department and may include information identifying the community partner.
 - e. Land must be identified in the annual private land open to sportsmen guide.
 - f. If the local match meets one-third of the total cost of the contract, local communities may decide if the land is open to nonresidents during normally closed times.
2. The community shall offer additional incentive payments based on the community's negotiations with potential landowner cooperators to attract and influence additional interest and signups in areas selected by the community.

SECTION 3. APPROPRIATION. There is appropriated out of any moneys in the game and fish fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the game and fish department for the purpose of entering leases with private landowners to provide access for hunting purposes, for the biennium beginning July 1, 2005, and ending June 30, 2007.

SECTION 4. EXPIRATION DATE. This Act is effective through June 30, 2007, and after that date is ineffective.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1189.

House Vote: Yeas 93 Nays 0 Absent 1

Senate Vote: Yeas 41 Nays 4 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2005.

Approved at _____ M. on _____, 2005.

Governor

Filed in this office this _____ day of _____, 2005,

at _____ o'clock _____ M.

Secretary of State