

SENATE BILL NO. 2145

Introduced by

Senators Stenehjem, Holmberg

Representative Svedjan

1 A BILL for an Act to provide for acquisition of certain land by the parks and recreation
2 department; to provide an appropriation; and to declare an emergency.

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

4 **SECTION 1. ACQUISITION OF LAND AUTHORIZED.** The parks and recreation
5 department may acquire 5,225.2 acres of land, more or less, in western North Dakota. The
6 land acquired under this authorization is subject to the following conditions and restrictions:

7 1. Land acquired pursuant to this Act must remain open to hunting and other normal
8 recreational activities and use as otherwise provided in the general area.

9 2. Energy exploration, development, and extraction activities may not be limited or
10 restricted on any land acquired under this Act.

11 3. Land acquired pursuant to this Act may not be sold, conveyed, or transferred to the
12 United States or any instrumentality of the United States.

13 4. The attorney general shall approve all documents necessary to effectuate the
14 acquisition authorized by this Act as to form and legality.

15 **SECTION 2. APPROPRIATION.** The amount of \$724,720, or so much of the amount
16 as may be necessary, is appropriated from federal funds and special funds, to the parks and
17 recreation department, for the purpose of defraying the expenses of the purchase of the land
18 described in section 1 of this Act, for the period beginning with the effective date of this Act and
19 ending June 30, 2007.

20 **SECTION 3. APPROPRIATION - TRANSFER.** There is appropriated out of any
21 moneys in the game and fish fund in the state treasury, not otherwise appropriated, the sum of
22 \$424,720, or so much of the sum as may be necessary, to the game and fish department for
23 the purpose of defraying the expenses of the purchase of the land described in section 1 of this
24 Act, for the period beginning with the effective date of this Act and ending June 30, 2007. The

1 game and fish department may transfer up to \$424,720 as appropriated in this section to the
2 parks and recreation department to assist in defraying the expenses of the purchase of the land
3 as authorized by this Act, and is included in the appropriation to the parks and recreation
4 department contained in section 2 of this Act.

5 **SECTION 4. BORROWING AUTHORITY.** Pursuant to section 55-08-01.3, the director
6 of the parks and recreation department may borrow up to \$300,000 from the Bank of North
7 Dakota to defray the costs associated with the acquisition of land as provided in this Act.

8 **SECTION 5. USE OF PROCEEDS OF SALE - APPROPRIATION.** The parks and
9 recreation department may sell any parcel or parcels of land included in the acquisition
10 authorized by this Act, subject to the restrictions in subsection 3 of section 1 of this Act. Funds
11 received by the parks and recreation department from such sales are appropriated and must be
12 used first to retire any debt relating to acquisition of the property described in this Act and
13 second deposited in the general fund in the state treasury.

14 **SECTION 6. EMERGENCY.** This Act is declared to be an emergency measure.