

HOUSE BILL NO. 1423

Introduced by

Representatives Galvin, Carlson, DeKrey, Drovdal

Senator Wardner

1 A BILL for an Act to create and enact a new subsection to section 15-02-05, a new section to
2 chapter 15-04, a new section to chapter 15-07, and a new subsection to section 20.1-03-39 of
3 the North Dakota Century Code, relating to duties of the commissioner of university and school
4 lands, public access on original grant lands and nongrant lands, and regulation of guides; and
5 to amend and reenact section 15-07-20 of the North Dakota Century Code, relating to nongrant
6 land leases.

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

8 **SECTION 1.** A new subsection to section 15-02-05 of the North Dakota Century Code
9 is created and enacted as follows:

10 Identify by signage and publication all grant and nongrant lands that are open to
11 hunting.

12 **SECTION 2.** A new section to chapter 15-04 of the North Dakota Century Code is
13 created and enacted as follows:

14 **Lease of grant lands - Public access.** Notwithstanding any other provision of law, a
15 lessee of grant lands under this chapter may not post those lands to prohibit public access or
16 hunting on the lands. The board of university and school lands shall include a provision in each
17 lease executed after July 31, 2005, that the lessee may not post the leased land to prohibit
18 hunting during any open hunting season.

19 **SECTION 3.** A new section to chapter 15-07 of the North Dakota Century Code is
20 created and enacted as follows:

21 **Lease of nongrant lands - Public access.** Notwithstanding any other provision of law,
22 a lessee of nongrant lands under this chapter may not post those lands to prohibit public access
23 or hunting on the lands. The board of university and school lands shall include a provision in

1 each lease executed after July 31, 2005, that the lessee may not post the leased land to
2 prohibit hunting during any open hunting season.

3 **SECTION 4. AMENDMENT.** Section 15-07-20 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **15-07-20. Leasing of nongrant lands.** The board of university and school lands may
6 lease nongrant lands under reasonable rules as it may establish. The rules may provide for
7 leasing with or without advertisement or competitive bidding. Leases made under this section
8 must be for cash only, and the rental must be collected in advance except that the board may
9 collect a share of a conservation reserve program payment paid by the federal government. A
10 lease of nongrant lands may not extend for a period of more than five years, except any land
11 accepted into the conservation reserve program may have a lease term that coincides with the
12 term of the conservation reserve program contract if so provided in the lease. Leases may be
13 renewed at the discretion of the board. When nongrant lands are leased without advertisement
14 or competitive bidding, the board shall determine the rental by taking into consideration the
15 nature and adaptability of the lands and the improvements thereon. Leases made under this
16 section after July 31, 2005, must include a provision that the lessee may not post the land to
17 prohibit public access or hunting.

18 **SECTION 5.** A new subsection to section 20.1-03-39 is created and enacted as follows:

19 A guide or outfitter may not guide on any lands belonging to the state, including
20 grant lands, nongrant lands, and lands known as school lands and public institution
21 lands.