

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3019

Page 1, line 1, after "resolution" replace the remainder of the resolution with "requesting the Army Corps of Engineers exercise nondiscrimination in public land management and develop, in cooperation with the North Dakota Board of University and School Lands, a process consistent with this resolution to allow prior owners, their heirs, and their successors to repurchase eligible land within the Pick-Sloan Missouri Basin project.

WHEREAS, the Army Corps of Engineers maintains control of excess land purchased or condemned for the Pick-Sloan Missouri Basin project but which is located above the ordinary high-water mark of the Missouri River, was not needed for the original intent of that project, and is not needed for flood control; and

WHEREAS, the Army Corps of Engineers has transferred a portion of the excess land to the Department of the Interior to manage in trust for the Three Affiliated Tribes of the Fort Berthold Reservation; and

WHEREAS, fairness dictates the Army Corps of Engineers, in cooperation with the North Dakota Board of University and School Lands, should make the remainder of the excess land available to United States citizens through a process that will allow prior owners, and their heirs and successors, of excess land that is not being used by the state for public benefit to repurchase their eligible land without discrimination or the appearance of discrimination; and

WHEREAS, the process should include a designation by the Army Corps of Engineers or Department of the Interior of the eligible land as disposable for land management purposes; and

WHEREAS, the process should provide an opportunity for a prior owner of eligible land, or the prior owner's heir or successor, to make a case to the North Dakota Board of University and School Lands that the prior owner, heir, or successor has just cause to repurchase the prior owner's eligible land and doing so will not conflict with the state's interest; and

WHEREAS, if the North Dakota Board of University and School Lands finds the prior owner, heir, or successor has just cause to repurchase the prior owner's eligible land and doing so will not conflict with the state's interests, the prior owner, heir, or successor must be allowed to repurchase the eligible land at market value plus survey and transfer costs;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING
THEREIN:**

That the Sixty-fifth Legislative Assembly requests the Army Corps of Engineers to exercise nondiscrimination in public land management and develop, in cooperation with the North Dakota Board of University and School Lands, a process consistent with this resolution to allow prior owners, their heirs, and their successors to repurchase eligible land within the Pick-Sloan Missouri Basin project; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretary of the United States Department of the Interior, the

Commanding General and Chief of Engineers of the Army Corps of Engineers, and to each member of the North Dakota Congressional Delegation."

Renumber accordingly