

Fifty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representatives DeKrey, Brusegaard, Gulleason

1 A BILL for an Act to amend and reenact subsections 1 and 3 of section 10-06.1-10 of the
2 North Dakota Century Code, relating to acquisition of farmland or ranchland by nonprofit
3 organizations; and to provide an expiration date.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 10-06.1-10 of the North Dakota
6 Century Code is amended and reenacted as follows:

- 7 1. Unless it is permitted to own farmland or ranchland under section 10-06.1-09, the
8 nonprofit organization must have been either incorporated in this state or issued a
9 certificate of authority to do business in this state before January 1, 1985, or,
10 before January 1, 1987, have been incorporated in this state if the nonprofit
11 organization was created or authorized under Public Law No. 99-294 [100 Stat.
12 418]. ~~A nonprofit organization created or authorized under Public Law No. 99-294~~
13 ~~[100 Stat. 418]~~ Nonprofit organizations may acquire no more than ~~twelve~~ fifty
14 ~~thousand acres [4856.228 20234.3 hectares] of land from interest derived from~~
15 ~~state, federal, and private sources held in its trust fund. in this state~~
16 3. Before farmland or ranchland may be purchased by a nonprofit organization for the
17 purpose of conserving natural areas and habitats for biota, the governor must
18 approve the proposed acquisition. A nonprofit organization that desires to
19 purchase farmland or ranchland for the purpose of conserving natural areas and
20 habitats for biota shall first submit a proposed acquisition plan to the agriculture
21 commissioner who shall convene an advisory committee consisting of the director
22 of the parks and recreation department, the agriculture commissioner, the state
23 forester, the director of the game and fish department, the chairman of the board of
24 county commissioners of the county in which the property is located or if the

1 property is located in more than one county, the county containing the largest
2 portion of the farmland or ranchland proposed to be acquired, the president of the
3 North Dakota farmers union, the president of the North Dakota farm bureau, and
4 the chairman of the county commission of any county affected by the acquisition.
5 The advisory committee shall hold a public hearing with the board of county
6 commissioners concerning the proposed acquisition plan and shall make
7 recommendations to the governor within forty-five days after receipt of the
8 proposed acquisition plan. The governor shall approve or disapprove any
9 proposed acquisition plan, or any part thereof, within thirty days after receipt of the
10 recommendations from the advisory committee.

11 **SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 2011, and
12 after that date is ineffective.