

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1459

Introduced by

Representatives Brandenburg, Froelich, Kerzman, Kretschmar

Senators Erbele, Krauter

1 A BILL for an Act to provide legislative findings and to authorize the governor to direct the
2 seizure of certain land and transfer that land to the board of university and school lands.

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

4 **SECTION 1. LEGISLATIVE FINDINGS AND DECLARATION OF INTENT.** The
5 legislative assembly finds and declares that:

- 6 1. The economy and well-being of the residents of North Dakota is dependent upon
7 agriculture.
- 8 2. The United States, through the army corps of engineers, has acquired certain
9 lands around Lake Sakakawea and Lake Oahe.
- 10 3. The army corps of engineers has failed to control weeds and manage this land
11 properly.
- 12 4. This failure to control weeds on land managed by the army corps of engineers is a
13 public nuisance and jeopardizes the public health, safety, and general welfare of
14 the citizens of North Dakota.
- 15 5. The state must exercise its police power for the protection of the public health,
16 safety, and general welfare of the citizens of North Dakota.

17 **SECTION 2. SEIZURE OF LAND - TRANSFER TO BOARD OF UNIVERSITY AND**
18 **SCHOOL LANDS.** On the effective date of this Act, the governor shall direct the state's
19 attorney of each county in this state in which lands adjacent to Lake Sakakawea or Lake Oahe
20 is located to seize that land and effect a transfer from the United States to the board of
21 university and school lands. At the direction of the governor, the state's attorney shall prepare
22 any necessary documents and cause those documents to be recorded in the recorder's office of
23 the affected county. The governor may do all things necessary to execute this Act.