

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

SENATE CONCURRENT RESOLUTION NO. 4002
(Legislative Management)
(Natural Resources Committee)

A concurrent resolution urging Congress to provide a legal process to return to the riparian landowner land controlled by the Army Corps of Engineers which is not necessary for authorized purposes and if the federal government is unable or unwilling to convey the land back to nontribal and tribal riparian landowners, then Congress shall convey the land back to the state of North Dakota.

WHEREAS, the economy and well-being of the residents of North Dakota are dependent upon agriculture; and

WHEREAS, the United States, through the Army Corps of Engineers, has acquired certain lands around the Missouri River water system, including Lake Oahe and Lake Sakakawea; and

WHEREAS, the Army Corps of Engineers has failed to control weeds and manage this land properly; and

WHEREAS, the failure to control weeds on land managed by the Army Corps of Engineers is a public nuisance and jeopardizes the public health, safety, and general welfare of the residents of North Dakota; and

WHEREAS, in South Dakota, certain land that is not necessary for flood control by the Army Corps of Engineers has been returned to the state and is managed by the state;

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

That the Sixty-second Legislative Assembly urges the Congress of the United States to provide a legal process to return to the riparian landowner land controlled by the Army Corps of Engineers which is not necessary for authorized purposes and if the federal government is unable or unwilling to convey the land back to nontribal and tribal riparian landowners, then Congress shall convey the land back to the state of North Dakota; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Commanding General of the Army Corps of Engineers and each member of the North Dakota Congressional Delegation.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House