

House Energy and Natural Resources Committee

Testimony on SB 2379 (IN FAVOR)

Kurt Swenson, Beulah, ND District 33

Chairman Porter, Vice Chairman Anderson and members of the House Energy and Natural Resources Committee, my name is Kurt Swenson from Beulah.

In our bundle of property rights, the **right to exclude** is one of the most treasured. I am submitting this testimony in favor of SB 2379.

My primary concern is non-governmental corporations feeling they have free rights of access to my property without asking for my consent. I should be asked for permission before stepping on my land as a simple courtesy. I may have guard dogs, livestock, protected wildlife or rare plant species I do not want disturbed. If I am not able to be reached, a court should authorize their physical invasion of my property.

Non-governmental corporations do not automatically have the constitutional right of access for all projects and while they may believe the project under consideration meets our constitutional threshold of public use, an independent court should at least agree with their opinion prior to entry if I decline access or am not able to be reached.

I respectfully ask you to vote DO PASS vote on SB 2379.

Sincerely,

Kurt Swenson