

HOUSE BILL NO. 1425

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 North
2 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.** Subsections 1 and 3 of section 10-06.1-10 of the North
6 Dakota Century Code are 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 any farmland or ranchland may be purchased by any nonprofit organization
17 for the purpose of conserving natural areas and habitats for biota, the governor
18 must 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 state engineer, the commissioner of
23 agriculture, the state forester, the director of the game and fish department, the
24 chairman of the board of county commissioners of the county in which the property

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

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