

**HOUSE BILL NO. 1456**

Introduced by

Representatives Brandenburg, Kretschmar, Rohr, Schmidt

Senators Erbele, Schaible

1 A BILL ~~for an Act to create and enact section 54-01-29 of the North Dakota Century Code,~~  
2 ~~relating to negotiation for the transfer of excess lands around Lake Sakakawea and Lake~~  
3 ~~Oahe;~~ for an Act to create and enact section 54-01-29.1 of the North Dakota Century Code,  
4 relating to the encouragement of federal legislation to return lands and mineral rights to the  
5 state.

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

7 ~~— **SECTION 1.** Section 54-01-29 of the North Dakota Century Code is created and enacted as~~  
8 ~~follows:~~

9 ~~— **54-01-29. Negotiation for the transfer of excess lands - Generally.**~~

10 ~~— 1. The state board of university and school lands shall negotiate with the United States~~  
11 ~~army corps of engineers for the return of excess lands around Lake Sakakawea above~~  
12 ~~elevation 1,854 feet mean sea level and excess lands around Lake Oahe above 1,617-~~  
13 ~~feet mean sea level to the state for transfer to the appropriate persons.~~

14 ~~— 2. If the United States army corps of engineers transfers land surrounding Lake~~  
15 ~~Sakakawea or Lake Oahe to the state government, the ownership of land located~~  
16 ~~within a Native American reservation is to be determined by the tribe and the~~  
17 ~~ownership of land not located within a reservation is to be determined by the~~  
18 ~~appropriate county. The state board of university and school lands shall accept~~  
19 ~~temporary transfer of the land.~~

20 **SECTION 1.** Section 54-01-29.1 of the North Dakota Century Code is created and enacted  
21 as follows:

22 **54-01-29.1. Federal legislation encouraged to return lands and mineral rights to the**  
23 **state of North Dakota.**

1 Uplands of the Oahe Reservoir in Emmons and Morton Counties in North Dakota above the  
2 elevation of 1,620 feet [493.78 meters] are defined as access lands to the operation of the  
3 Oahe Dam. The North Dakota legislative assembly encourages Congress to pass federal  
4 legislation to return those lands and mineral rights to the state of North Dakota and the North  
5 Dakota legislative assembly encourages the governor of North Dakota to work with the North  
6 Dakota congressional delegation and Congress to secure enactment of necessary federal  
7 legislation.