

Written Testimony in Support of HB 1096  
Hearing on January 14, 2021  
Energy and Natural Resources Committee  
Fern Swenson, Director of Archaeology and Historic Preservation  
State Historical Society of North Dakota

Chairman Porter and members of the committee. My name is Fern Swenson and am Director of the Archaeology & Historic Preservation Division at the State Historical Society of North Dakota (SHSND).

The SHSND supports the proposed amendment in 49-22-26 and 49-22.1-24 that states:

49-22-26. Protection of cultural or historic site data.

The commission may limit access to, and release of, information that contains data that specifically identifies the location of cultural, archaeological, historical, or paleontological sites.

49-22.1-24. Protection of cultural or historic site data.

The commission may limit access to, and release of, information that contains data that specifically identifies the location of cultural, archaeological, historical, or paleontological sites.

These amendments are consistent with **NDCC 55-02-07.1 Protection of prehistoric or historic locational data**. The director of the state historical society may limit access to, and release of, information from files of the state historical society which contain data that specifically identifies the location of archaeological, historical, or paleontological sites in North Dakota. No access to, or release of, information from files that contain site-specific locational data may be made until the director is satisfied that the applicant has a reasonable need for the information contained in those files and professionally acceptable qualifications to assure that release of the information will not result in unnecessary destruction of the resource.