

STATE HISTORICAL SOCIETY AND STATE PARKS

CHAPTER 579

SENATE BILL NO. 2243
(Committee on State and Federal Government)
(At the request of the State Historical Society)

SITE DATA RELEASE RESTRICTED

AN ACT to create and enact a new section to chapter 55-02 of the North Dakota Century Code, to provide protection of archeological, historical or paleontological sites by limiting access to and release of information from files held by the state historical society of North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1.) A new section to chapter 55-02 of the North Dakota Century Code is hereby created and enacted to read as follows:

PROTECTION OF PREHISTORIC OR HISTORIC SITE LOCATIONAL DATA.)
The superintendent of the state historical board may limit access to and release of information from files of the state historical society of North Dakota which contain data that specifically identifies the location of archeological, historical, or paleontological sites in North Dakota. No access to, or release of information from files which contain such site specific locational data shall be made until the superintendent shall be 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.

Approved March 13, 1979

CHAPTER 580

HOUSE BILL NO. 1222

(Committee on Natural Resources)

(At the request of the Parks and Recreation Department)

PARK LAND ACQUISITION

AN ACT to amend and reenact subsection 7 of section 55-08-03 of the North Dakota Century Code, relating to the powers, duties, and limitations of the director of the North Dakota parks and recreation department.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 7 of section 55-08-03 of the 1977 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

7. The director of state parks may use ~~for any project herein authorized~~ any land of the state under his jurisdiction or control so far as is not inconsistent with the laws governing the same, may acquire:
 - a. Acquire by purchase, gift, or condemnation any additional lands or interests in lands required ~~for such projects~~, including lands or interests in adjacent states if authorized by the laws thereof, ~~may, subject.~~ Only land within or immediately adjacent to already existing state park land under the control of the director of state parks shall be subject to condemnation. Condemnation proceedings shall be instituted only upon express approval by the emergency commission. Condemnation may only be used to protect the integrity of state lands that are appropriate for park and recreation purposes.
 - b. Subject to prior approval of the attorney general, lease or exchange such lands under ~~his~~ the director's jurisdiction or control ~~as he shall deem~~ deemed necessary for the improved management of state parks, state campgrounds, state recreation areas or reserves, ~~and may also, subject.~~

- c. Subject to prior approval of the attorney general, impose such conditions or reservations to such leases or exchanges as the director may deem necessary, ~~may accept.~~
- d. Accept gifts or grants of money or property from the United States or any other source ~~for such projects,~~ may use.
- e. Use and apply any money or property so received in accordance with the terms of the gift or grant so far as is not inconsistent with the provisions of this chapter or other lands, ~~may act.~~
- f. Act in behalf of the state as sponsor for any such project undertaken or authorized by the United States, may make.
- g. Make any sponsor's contribution required for any such projects out of moneys appropriated or otherwise made available therefor, ~~and may cooperate.~~
- h. Cooperate with the United States or any adjacent state or any authorized agency of either in planning, acquiring, constructing, maintaining, and operating any such project upon such terms and conditions as he the director may deem proper, not inconsistent with the laws of this state.

Approved March 27, 1979

CHAPTER 581

HOUSE BILL NO. 1381
(Olson, Lee, Stenehjem)

ALCOHOL CONSUMPTION IN STATE PARKS

AN ACT to provide that alcoholic beverage consumption in state parks and campgrounds may be restricted; and providing a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. STATE PARKS - ALCOHOLIC BEVERAGE CONSUMPTION RESTRICTED - PENALTY.) The director of North Dakota parks and recreation department may designate state parks or state campgrounds or an area therein where the use of alcoholic beverages is prohibited. Any person violating that designation shall be guilty of an infraction.

Approved March 10, 1979

CHAPTER 582

HOUSE BILL NO. 1081
(Legislative Council)
(Interim Committee on State and Federal Government)

HERITAGE COMMISSION REPEALED

AN ACT to repeal chapter 55-09 of the North Dakota Century Code, relating to the North Dakota heritage commission; and providing an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. REPEAL.) Chapter 55-09 of the North Dakota Century Code is hereby repealed.

SECTION 2. EFFECTIVE DATE.) The provisions of this Act shall not become effective until July 1, 1981.

Approved March 3, 1979

CHAPTER 583

HOUSE BILL NO. 1259
(Lipsiea)

HISTORIC SITE ACQUISITION

AN ACT to amend and reenact section 55-10-11 of the North Dakota Century Code, relating to the acquisition of historic sites by the state historical society.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 55-10-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

55-10-11. ACCEPTANCE OF FEDERAL HISTORICAL PRESERVATION LAW.) The state of North Dakota hereby assents to the provisions of Public Law 89-665, [16 U.S.C. 470 et seq.] approved October 15, 1966, by the Eighty-ninth Congress, an Act to establish a program for the preservation of additional historic properties throughout the nation, and all acts amendatory and supplementary thereto. The state historical society of North Dakota is hereby authorized, empowered, and directed to perform all such acts as may be necessary on behalf of North Dakota to conduct, coordinate, and carry out the purposes and objectives of this Act of Congress for and within North Dakota. The state historical society shall carry out a comprehensive statewide historic survey in accordance with criteria established by the secretary of the interior for the preservation, acquisition, and development of such property as provided in the Act of Congress. The society may transfer funds made available to the state to other state agencies, local governments, and to other public bodies and, private organizations, and individuals for the acquisition of title or interests in, and for the development of, any district, site, building, structure, or object significant in American history, architecture, archaeology, and culture, or property used in that connection, and for its development to assure the preservation for public benefit of any historic properties, in compliance with this Act of Congress and with rules and regulations promulgated by the secretary of the interior for its administration. For these purposes, the state historical society may inspect the projects and examine the records of those projects eligible for grants and may establish necessary rules and regulations for the projects.

Approved March 3, 1979