

SPECIAL SUPPLEMENT
CHAPTERS 577 THROUGH 585

LAWS

PASSED AT
The Sixty-second Session
OF THE
Legislative Assembly
OF THE
STATE OF NORTH DAKOTA

MEETING IN SPECIAL SESSION AT BISMARCK, THE CAPITAL,
ON
MONDAY, NOVEMBER 7, 2011, AND
CONCLUDING FRIDAY, NOVEMBER 11, 2011

AUTHENTICATION

STATE OF NORTH DAKOTA Department of State, Bismarck

I, Alvin A. Jaeger, Secretary of State, certify that the laws contained in this special supplement are true and correct copies, except clerical errors, of the laws and resolutions passed at the special session of the Sixty-second Session of the Legislative Assembly of the State of North Dakota, beginning Monday, November 7, 2011, and concluding Friday, November 11, 2011.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this day of 2011.

(SEAL)

ALVIN A. JAEGER
Secretary of State

Jim W. Smith, John Walstad, and Jeffrey N. Nelson of the Legislative Council certify that we have prepared the contents of this supplement and that the laws and resolutions contained herein are true and correct copies of the original laws and resolutions on file in the office of the Secretary of State in the State Capitol at Bismarck, North Dakota, clerical errors excepted.

JIM W. SMITH
JOHN WALSTAD
JEFFREY N. NELSON

TABLE OF CONTENTS
I. SESSION LAWS
Special Supplement

	Chapters
Appropriations	577-578
Banks and Banking	579
Education	580
Insurance	581
State Government	582

II. RESOLUTIONS

House Concurrent Resolutions	583-584
Senate Concurrent Memorial Resolution	585

APPROPRIATIONS

CHAPTER 577

HOUSE BILL NO. 1477

(Representatives Wall, Skarphol, Steiner, Williams)
(Senator Luick)
(Approved by the Delayed Bills Committee)

AN ACT to amend and reenact section 15 of chapter 3 of the 2011 Session Laws, relating to authorization of the state board of higher education to issue revenue bonds; to provide legislative intent; to provide an appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15 of chapter 3 of the 2011 Session Laws is amended and reenacted as follows:

SECTION 15. BOND ISSUANCE AUTHORIZATION - PURPOSES - APPROPRIATION. The state board of higher education, in accordance with chapter 15-55, may arrange for the funding of projects authorized in this section, declared to be in the public interest, through the issuance of self-liquidating, tax-exempt evidences of indebtedness under chapter 15-55, beginning with the effective date of this Act and ending June 30, 2013. Evidences of indebtedness issued pursuant to this section are not a general obligation of the state of North Dakota. Any unexpended balance resulting from the proceeds of the evidences of indebtedness must be placed in a sinking fund to be used for the retirement of indebtedness. The evidences of indebtedness may be issued and the proceeds are appropriated, for the biennium beginning July 1, 2011, and ending June 30, 2013, for the purpose of financing the following capital projects:

Bismarck state college student union renovation and addition	\$7,000,000
Williston state college workforce training center	1,725,000
University of North Dakota - Wilkerson hall renovation and addition	14,000,000
University of North Dakota - University town home apartments	5,000,000
North Dakota state college of science - Forkner hall renovation	5,000,000
North Dakota state college of science - Schulz Riley hall renovation	4,000,000
Minot state university - Resident apartments	<u>3,500,000</u>
Total special funds	\$40,225,000

SECTION 2. LEGISLATIVE INTENT - NORTH DAKOTA STATE COLLEGE OF SCIENCE APPROPRIATION. It is the intent of the sixty-second Legislative Assembly that the \$4,000,000 of estimated income from revenue bond proceeds appropriated in House Bill No. 1003, as approved by the sixty-second legislative assembly, to the North Dakota state college of science for the Schulz hall renovation project be used

instead for the Riley hall renovation project, for the biennium beginning July 1, 2011, and ending June 30, 2013.

SECTION 3. LEGISLATIVE INTENT - DICKINSON STATE UNIVERSITY THEODORE ROOSEVELT CENTER APPROPRIATION. It is the intent of the sixty-second legislative assembly that the \$750,000 general fund appropriation provided in House Bill No. 1003, as approved by the sixty-second legislative assembly, to Dickinson state university for the digitization of documents related to the Theodore Roosevelt center may be used for any project or program related to the Theodore Roosevelt center, for the biennium beginning July 1, 2011, and ending June 30, 2013.

SECTION 4. APPROPRIATION - WILLISTON STATE COLLEGE. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$2,000,000, or so much of the sum as may be necessary, to Williston state college for public safety or other unusual or unexpected expenses due to the impact of oil and gas development in the region, for the period beginning with the effective date of this Act and ending June 30, 2013. The funding provided in this section is considered one-time funding.

SECTION 5. EFFECTIVE DATE. This Act becomes effective December 1, 2011.

Approved November 11, 2011
Filed November 11, 2011

CHAPTER 578

HOUSE BILL NO. 1475

(Legislative Management)
(Health Care Reform Review Committee)

AN ACT to provide for appropriations for certain medical services, health insurance, economic assistance, and information technology programs and systems; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$8,736,675, or so much of the sum as may be necessary, and from special funds derived from federal funds and other income, the sum of \$33,881,250, or so much of the sum as may be necessary, to the department of human services for the purpose of defraying the expenses of incorporating the medicaid and children's health insurance program eligibility determination functionality into the health benefit exchange, and for the purpose of defraying the corresponding costs related to the modification of the department's economic assistance eligibility system, for the period beginning November 14, 2011, and ending June 30, 2013. The department of human services is authorized one full-time equivalent position for this initiative.

SECTION 2. APPROPRIATION. There is appropriated from special funds derived from federal funds and other income, the sum of \$19,346,077, or so much of the sum as may be necessary, to the information technology department for the purpose of defraying the costs of the department of human services eligibility system, for the period beginning November 14, 2011, and ending June 30, 2013. The information technology department is authorized ten additional full-time equivalent positions for the project; however, the positions are only authorized until the development and implementation of the system is completed.

SECTION 3. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$214,123, or so much of the sum as may be necessary, and from special funds derived from federal funds and other income, the sum of \$290,156, or so much of the sum as may be necessary, to the department of human services for the purpose of defraying the expenses of implementation of the federal Affordable Care Act, for the period beginning November 14, 2011, and ending June 30, 2013. The department of human services is authorized seven full-time equivalent positions for this implementation.

SECTION 4. APPROPRIATION. There is appropriated from special funds in the state treasury, not otherwise appropriated, the sum of \$642,350, or so much of the sum as may be necessary, to the insurance commissioner for the purpose of defraying the expenses of implementation of the federal Affordable Care Act, for the period beginning November 14, 2011, and ending June 30, 2013. The insurance commissioner is authorized four full-time equivalent positions for this implementation.

SECTION 5. EFFECTIVE DATE. This Act becomes effective on November 14, 2011.

Approved November 11, 2011
Filed November 11, 2011

BANKS AND BANKING

CHAPTER 579

SENATE BILL NO. 2371

(Senators Wardner, Christmann, Hogue)
(Representatives Carlson, Delzer, Vigesaa)
(Approved by the Delayed Bills Committee)

AN ACT to create and enact a new section to chapter 6-09 and a new subsection to section 39-12-02 of the North Dakota Century Code, relating to the establishment of a rebuilders loan program and to special permits for vehicles of excessive size and weight; to amend and reenact subsection 5 of section 57-35.3-05 and subsections 1 and 5 of section 57-38-01.32 of the North Dakota Century Code, section 4 of chapter 12 of the 2011 Session Laws, and subsection 4 of section 10 of chapter 12 of the 2011 Session Laws, relating to financial institutions tax and income tax credits for contributions to the housing incentive fund, department of transportation borrowing authority for emergency relief projects, and the county and township road reconstruction program; to provide for a rebuilders loan program, principal reduction grants, a flood-impacted political subdivision infrastructure development grant program, road grade raising grants, oil and gas impact grant funding enhancement, and transportation funding enhancement; to provide for transfers; to provide appropriations; to provide contingent appropriations and transfers; to provide a continuing appropriation; to provide statements of legislative intent; to provide for a study; to provide for retroactive application; to provide an effective date; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 6-09 of the North Dakota Century Code is created and enacted as follows:

Rebuilders loan program - Loan fund - Continuing appropriation - Requirements.

1. The Bank of North Dakota shall maintain a loan fund to make or participate in loans to North Dakota residents affected by a presidentially declared disaster in the state for the purpose of the resident rebuilding the resident's flood-damaged home or purchasing a new home in the disaster-impacted community. Up to twenty percent of the loan proceeds disbursed under this program may be used for debt service, debt retirement, or other credit obligations. All moneys transferred into the fund, interest upon moneys in the fund, and payments to the fund of principal and interest on loans made from the fund are appropriated for the purpose of providing loans in accordance with this section.
2. The Bank shall administer and supervise the loan fund and loans made from the fund. The Bank may deduct, from interest payments received on loans, a service fee for administering the fund for the Bank and originating financial

institutions. An application for a loan from the fund must be made to the Bank or originating financial institution and, upon approval, a loan must be made from the fund in accordance with this section.

3. A loan may be made from the fund only to a homeowner residing in an area in this state in which federal emergency management agency individual assistance was available to homeowners after a presidentially declared disaster in the state as a result of a flood event occurring during 2011. A loan may be made from the fund only to a homeowner residing in this state whose home was granted a reduction in 2011 in true and full valuation from the individual's property's preflood value by an assessment reduction pursuant to the governor's executive order 2011-22 or by an abatement for flood-damaged property granted by the board of county commissioners. An initial loan made to a homeowner under this section from state funds may not exceed thirty thousand dollars or the actual amount of documented damage not paid by flood insurance, whichever is less. If federal funds are made available for this program, an additional amount as determined by the Bank may be borrowed by eligible homeowners who received an initial loan of thirty thousand dollars.
4. A loan from the fund must have the interest rate fixed at one percent per year for no more than twenty years.
5. For every loan made from the fund, principal and interest payments must be deferred for the first twenty-four months of the loan.
6. A loan application under this section may not be accepted after September 30, 2012.
7. If, subsequent to receiving a loan from the fund, the property for which the loan was made is purchased for flood mitigation purposes or otherwise sold, the balance of the loan and any interest accrued on the loan must be repaid to the fund upon the closing of the sale.
8. The industrial commission shall contract with a certified public accounting firm to audit the fund as necessary. The cost of the audit, and any other actual costs incurred by the Bank on behalf of the fund, must be paid by the fund.
9. The Bank shall adopt policies to implement this section.

SECTION 2. A new subsection to section 39-12-02 of the North Dakota Century Code is created and enacted as follows:

A multitrip permit for nondivisible loads may be issued for specific routes identified in the permit application. The fee for this permit is the single trip permit fee multiplied by the number of days the permit is valid. This subsection does not apply to special mobile equipment or loads over one hundred fifty thousand pounds [68038.86 kilograms].

SECTION 3. AMENDMENT. Subsection 5 of section 57-35.3-05 of the North Dakota Century Code is amended and reenacted as follows:

5. There is allowed a credit against the tax imposed by sections 57-35.3-01 through 57-35.3-12 in an amount equal to the contribution to the housing incentive fund under section 54-17-40. ~~The taxpayer may not claim more than twenty percent of the credit for each separate contribution made in any~~

~~taxable year.~~ For the purposes of the credit allowed in this subsection, subsections 2 through 8 of section 57-38-01.32 apply.

SECTION 4. AMENDMENT. Subsections 1 and 5 of section 57-38-01.32 of the North Dakota Century Code are amended and reenacted as follows:

1. A taxpayer is entitled to a credit as determined under this section against state income tax liability under section 57-38-30 or 57-38-30.3 for contributing to the housing incentive fund under section 54-17-40. The amount of the credit is equal to the amount contributed to the fund during the taxable year. ~~The taxpayer may not claim more than twenty percent of the credit for each separate contribution made in any taxable year.~~
5. The aggregate amount of tax credits allowed to all eligible contributors is limited to ~~four~~fifteen million dollars per biennium. This limitation applies to all contributions for which tax credits are claimed under section 57-35.3-05 and this section.

SECTION 5. AMENDMENT. Section 4 of chapter 12 of the 2011 Session Laws is amended and reenacted as follows:

SECTION 4. APPROPRIATION - BORROWING AUTHORITY - ADDITIONAL EMERGENCY RELIEF PROGRAM. The department of transportation may borrow the sum of ~~\$120,000,000~~\$200,000,000, or so much of the sum as may be necessary, from the Bank of North Dakota for the purpose of providing funding for emergency relief projects on the state highway system, for the period beginning with the effective date of this Act and ending June 30, 2013. Any funding borrowed from the Bank of North Dakota under this section is appropriated to the department of transportation for emergency relief projects on the state highway system. Funding appropriated under this section is considered one-time funding and is not to be considered a part of the department's 2013-15 base budget request. Any federal funding received for projects receiving funding under this section must be used to repay the loan from the Bank of North Dakota.

SECTION 6. AMENDMENT. Subsection 4 of section 10 of chapter 12 of the 2011 Session Laws is amended and reenacted as follows:

4. The funding included in the county and township road reconstruction program line item in section 1 of this Act may be used for:
 - a. Ninety percent of the cost of the approved paved roadway projects not to exceed the funding available for that county.
 - b. ~~Twenty-five~~Ninety percent of the cost of the approved unpaved roadway projects not to exceed the funding available for that county.
 - c. Funding may be used for construction, engineering, and plan development costs.

SECTION 7. TRANSFER - BANK OF NORTH DAKOTA - REBUILDERS LOAN PROGRAM FUND. The Bank of North Dakota shall transfer the sum of \$30,000,000, or so much of the sum as may be necessary, from the Bank's current earnings and undivided profits to the rebuilders loan program fund during the period beginning with the effective date of this Act and ending June 30, 2013.

SECTION 8. CONTINGENT APPROPRIATION - TRANSFER - REBUILDERS LOAN PROGRAM FUND. In the event moneys transferred pursuant to section 7 of this Act are fully obligated prior to June 30, 2013, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$20,000,000, or so much of the sum as may be necessary, which the office of management and budget shall transfer to the rebuilders loan program fund during the period beginning with the effective date of this Act and ending June 30, 2013.

SECTION 9. APPROPRIATION - ADJUTANT GENERAL - FUNDING FOR REBUILDERS LOAN PROGRAM AND FLOOD-IMPACTED HOUSING REHABILITATION - CITY AND COUNTY AUTHORITY. There is appropriated out of any moneys in the state disaster relief fund in the state treasury, not otherwise appropriated, the sum of \$10,000,000, or so much of the sum as may be necessary, to the adjutant general for the purpose of providing funds to the Bank of North Dakota's rebuilders loan program fund and to cities and counties for flood-impacted housing rehabilitation, for the period beginning with the effective date of this Act and ending June 30, 2013. Funds made available to cities and counties under this section must be used by the city or county as deemed most effective in that community to assist homeowners in rehabilitation or replacement of their flood-damaged homes and to retain homeowners in the community.

SECTION 10. APPROPRIATION - LAND DEPARTMENT - FLOOD-IMPACTED POLITICAL SUBDIVISION INFRASTRUCTURE DEVELOPMENT GRANTS - ADMINISTRATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$30,000,000, or so much of the sum as may be necessary, to the commissioner of university and school lands for the purpose of providing infrastructure development grants to flood-impacted political subdivisions, for the period beginning with the effective date of this Act and ending June 30, 2013. The funding provided in this section is considered a one-time funding item. Up to \$110,000 of this appropriation may be used by the commissioner of university and school lands for salaries and operating expenses relating to the administration of this grant program.

SECTION 11. FLOOD-IMPACTED POLITICAL SUBDIVISION INFRASTRUCTURE DEVELOPMENT GRANTS - CRITERIA - DISTRIBUTION.

1. The energy infrastructure and impact office director shall:
 - a. Develop a plan for providing infrastructure development grants to eligible political subdivisions and establish procedures and forms to be used for making applications for funds.
 - b. Receive and review applications for infrastructure development grants pursuant to this section.
 - c. Make recommendations to the board of university and school lands on grants to eligible political subdivisions pursuant to this section.
2. The board of university and school lands shall award and distribute infrastructure development grants to eligible political subdivisions based on identified needs.
3. Eligible political subdivisions include counties, as well as cities, school districts, and other political subdivisions located within such counties, which have received an individual assistance designation by the federal emergency management agency relating to a flood event that occurred during 2011.

4. Grants received by eligible political subdivisions may be used to offset up to fifty percent of the costs not otherwise reimbursed through federal or other state funds to:
 - a. Develop new community infrastructure, the need for which is directly related to the displacement of residents due to flooding. For the purposes of this Act, infrastructure includes community-owned waterlines, sewer, curb, and gutter.
 - b. Evaluate the extent of damage to community-owned infrastructure.
 - c. Restore or repair flood-related damage to community-owned infrastructure.
 - d. Expand landfill capacity or reimburse flood-related waste disposal costs.
 - e. Raise roads or develop flood control structures.
 - f. Acquire property needed for floodway development or levy construction.
 - g. Acquire homes damaged by levy construction.
 - h. Provide reimbursement for other flood-related expenses.

SECTION 12. LEGISLATIVE INTENT - FLOOD-IMPACTED POLITICAL SUBDIVISION INFRASTRUCTURE DEVELOPMENT GRANTS. The legislative assembly intends that the moneys appropriated to and distributed by the commissioner of university and school lands for flood-impacted political subdivision infrastructure development grants are to be used by grantees to address needs not funded by other state or federal response or insurance coverage.

SECTION 13. APPROPRIATION - DEPARTMENT OF COMMERCE - FLOOD-RELATED COSTS. There is appropriated from special funds derived from federal funds the sum of \$235,000,000, or so much of the sum as may be necessary, to the department of commerce for the purpose of providing loans or grants to flood-impacted individuals, property acquisitions, and infrastructure development grants to flood-impacted communities, for the period beginning with the effective date of this Act and ending June 30, 2013.

SECTION 14. APPROPRIATION - STATE DISASTER RELIEF FUND - DEPARTMENT OF TRANSPORTATION - ROAD GRADE RAISING GRANTS. Notwithstanding section 37-17.1-27, there is appropriated out of any moneys in the state disaster relief fund in the state treasury, not otherwise appropriated, the sum of \$6,000,000, or so much of the sum as may be necessary, to the department of transportation for grants to eligible counties for federal aid-eligible road grade raising projects, for the period beginning with the effective date of this Act and ending June 30, 2013. The director of the department of transportation shall distribute funds on a prorated basis based on the total federal aid-eligible roadway damage occurring in the eligible counties. For purposes of this section, an eligible county is one that contains any portion of a natural body of water that comprises more than one hundred fifty thousand acres at current water levels and has risen more than twenty-five feet since 1993.

SECTION 15. APPROPRIATION - ADJUTANT GENERAL - STATE DISASTER RELIEF FUND. There is appropriated out of any moneys in the state disaster relief fund, not otherwise appropriated, the sum of \$29,500,000, or so much of the sum as

may be necessary, to the adjutant general for the purposes of providing the required state share of funding for defraying the expenses associated with presidentially declared state disasters, for the period beginning with the effective date of this Act and ending June 30, 2013.

SECTION 16. CONTINGENT APPROPRIATION - ADJUTANT GENERAL - 2012 DISASTERS. If a disaster event occurring during 2012 exceeds \$50,000,000 in damages across the state, there is appropriated out of any moneys in the state disaster relief fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the adjutant general for the purpose of providing grants to political subdivisions for a portion of the local share required to match federal emergency relief funding relating to the disaster, for the period beginning with the effective date of this Act and ending June 30, 2013. A political subdivision may apply to the adjutant general for an emergency relief grant under this subsection for up to fifty percent of the local match required to receive the federal emergency relief funding.

SECTION 17. APPROPRIATION - TRANSFER - STATE DISASTER RELIEF FUND. The office of management and budget shall transfer \$48,700,000 from the state general fund to the state disaster relief fund during the period beginning with the effective date of this Act and ending June 30, 2013.

SECTION 18. STATE WATER COMMISSION - FLOODWAY PROPERTY ACQUISITION AND CONSTRUCTION FUNDING. In its future plans, the state water commission shall place a high priority on providing funding for floodway property acquisitions and construction. The funding must be used to supplement federal hazard mitigation grant funds or other federal funds for acquiring property and for the construction of flood control projects in qualifying political subdivisions, including necessary funding for any state or local match requirements. For purposes of this section, qualifying political subdivisions are cities or counties that are eligible for federal emergency management agency hazard mitigation grant funding or other comparable federal programs for flood mitigation and have received, or are located within counties that have received, an individual assistance designation by the federal emergency management agency as a result of a flood event occurring during 2011.

SECTION 19. APPROPRIATION - STATE WATER COMMISSION - RESOURCES TRUST FUND. There is appropriated out of any moneys in the resources trust fund, not otherwise appropriated, the sum of \$50,000,000, or so much of the sum as may be necessary, to the state water commission for the purpose of defraying the expenses of that agency, for the period beginning with the effective date of this Act and ending June 30, 2013. As provided in section 4 of chapter 46 of the 2011 Session Laws, expenditures pursuant to this section require budget section approval.

SECTION 20. APPROPRIATION - ADJUTANT GENERAL - FLOOD-DAMAGED SCHOOL INFRASTRUCTURE GRANTS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, to the adjutant general for the purpose of providing flood-damaged school infrastructure grants to eligible school districts in the state to defray expenses relating to school buildings or other infrastructure damage due to flooding, for the period beginning with the effective date of this Act and ending June 30, 2013. For the purposes of this section, an eligible school district is a school district that experienced a flood event during the summer of 2011 which resulted in multiple school facilities being damaged and determined to be unusable.

SECTION 21. APPROPRIATION - FULL-TIME EQUIVALENT POSITIONS - HIGHWAY PATROL. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$681,870, or so much of the sum as may be necessary, to the highway patrol for the purpose of hiring additional patrol officers, for the period beginning with the effective date of this Act and ending June 30, 2013. The highway patrol is authorized four additional full-time equivalent positions.

SECTION 22. FLEX PACE PROGRAM USE. The Bank of North Dakota shall utilize the flex partnership in assisting community expansion program to assist in financing of affordable multifamily housing units for individuals in areas of North Dakota affected by oil and gas development, for the period beginning with the effective date of this Act and ending June 30, 2013.

SECTION 23. CONTINGENT APPROPRIATION - TRANSFER - OIL AND GAS IMPACT GRANT FUND. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$30,000,000, or so much of the sum as may be necessary, which the office of management and budget shall transfer to the oil and gas impact grant fund during the period beginning April 1, 2012, and ending June 30, 2013. The office of management and budget may transfer this funding only if the tax commissioner certifies that total oil and gas tax revenue collections for the period July 1, 2011, through February 29, 2012, exceed total oil and gas tax revenue collection projections for that period by at least \$48,000,000, based on legislative estimates made at the close of the 2011 regular legislative session.

SECTION 24. CONTINGENT APPROPRIATION - LAND DEPARTMENT - OIL AND GAS IMPACT GRANTS. If the office of management and budget transfers \$30,000,000 from the general fund to the oil and gas impact grant fund in accordance with provisions of section 23 of this Act, there is appropriated out of any moneys in the oil and gas impact grant fund in the state treasury, not otherwise appropriated, the sum of \$30,000,000, or so much of the sum as may be necessary, to the commissioner of university and school lands for providing oil and gas impact grants in accordance with sections 57-62-03.1 and 57-62-05, for the period beginning April 1, 2012, and ending June 30, 2013. The commissioner of university and school lands shall request appropriation authority for the 2013-15 biennium for any grants approved but not distributed by the end of the 2011-13 biennium. In determining grant awards with the funds appropriated in this section, the commissioner shall give priority to grants relating to emergency services, including licensed emergency medical services operations, fire districts and departments, sheriff offices, and police departments providing service in an area affected by oil and gas development. Any amounts made available for emergency services grants under this section are not to be considered in making grant recommendations under section 57-62-05.

SECTION 25. APPROPRIATION - TRANSFER - OIL AND GAS IMPACT GRANT FUND. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, which the office of management and budget shall transfer to the oil and gas impact grant fund only as necessary to provide funding for grants distributed under section 26 of this Act during the period beginning with the effective date of this Act and ending June 30, 2013.

SECTION 26. APPROPRIATION - LAND DEPARTMENT - OIL AND GAS IMPACT GRANT FUND. There is appropriated out of any moneys in the oil and gas impact grant fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so much of the sum as may be necessary, to the commissioner of

university and school lands for the purpose of providing distributions to eligible counties experiencing new oil and gas development activities, for the period beginning with the effective date of this Act and ending June 30, 2013. As determined by the director of the department of mineral resources, a county is eligible for a distribution under this section if the county produced fewer than one hundred thousand barrels of oil for the month of November 2011 and after November 2011 the number of active oil rigs operating in the county in any one month exceeds four rigs. Upon the determination by the director of the department of mineral resources that a county is eligible for a distribution under this section, the commissioner of university and school lands shall provide \$1,250,000 to the county for defraying expenses associated with oil and gas development impacts in the county. The county, in determining the use of the funds received, shall consider and, to the extent possible, address the needs of other political subdivisions in the county resulting from the impact of oil and gas development.

SECTION 27. CONTINGENT APPROPRIATION - STATE TREASURER - TRANSPORTATION FUNDING DISTRIBUTIONS TO NON-OIL-PRODUCING POLITICAL SUBDIVISIONS. If the tax commissioner certifies that total oil and gas tax revenue collections for the period July 1, 2011, through February 29, 2012, exceed total oil and gas tax revenue collection projections for that period by at least \$48,000,000, based on legislative estimates made at the close of the 2011 regular legislative session, there is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$23,000,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of providing transportation funding distributions, for the period beginning with the effective date of this Act and ending June 30, 2013. The funding provided in this section is considered a one-time funding item. The state treasurer shall distribute the funds provided under this section on April 1, 2012, as follows:

1. Six million eight hundred thousand dollars to non-oil-producing counties and cities pursuant to subsection 4 of section 54-27-19.
2. One million seven hundred thousand dollars to counties and townships in non-oil-producing counties pursuant to section 54-27-19.1. Organized townships are not required to provide matching funds to receive distributions under this section.
3. Fourteen million five hundred thousand dollars to counties and townships in non-oil-producing counties through a distribution of \$10,000 to each organized township and a distribution of \$10,000 for each unorganized township to the county in which the unorganized township is located. If any funds remain after the distributions provided under this subsection, the state treasurer shall distribute eighty percent of the remaining funds to counties and cities pursuant to the method provided in subsection 1 of this section and shall distribute twenty percent of the remaining funds to counties and townships pursuant to the method provided in subsection 2 of this section.

For purposes of this section, a "non-oil-producing county" means a county that received no allocation of funding or a total allocation under section 57-51-15 of less than \$500,000 for state fiscal year 2011. Any funds received by a county under this section for an unorganized township distribution must be used for roadway purposes in those unorganized townships located in the county. All funds distributed under this section must be used for extraordinary roadway maintenance purposes.

SECTION 28. APPROPRIATION - LITIGATION AND ADMINISTRATIVE PROCEEDINGS COSTS - REPORT TO BUDGET SECTION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the industrial commission for the purpose of defraying expenses associated with possible litigation and other administrative proceedings involving the United States environmental protection agency's effort to regulate hydraulic fracturing, for the period beginning with the effective date of this Act and ending June 30, 2013. The industrial commission may spend the general fund moneys appropriated in this section only for expenses relating to possible litigation and other administrative proceedings involving the United States environmental protection agency's efforts to regulate hydraulic fracturing and any moneys not spent must be canceled pursuant to section 54-44.1-11. The industrial commission shall report quarterly to the budget section during the 2011-12 interim regarding the status of any litigation and other administrative proceedings.

SECTION 29. FLOOD RESPONSE AND COORDINATION STUDY - REPORT TO SIXTY-THIRD LEGISLATIVE ASSEMBLY. The department of emergency services shall coordinate an executive branch study of flood response measures and coordination of state, local, and federal resources to mitigate future flooding in the state. The department of emergency services shall utilize all relevant executive branch resources in conducting the study. The study must include potential flood plain building restrictions, establishment of permanent levees and diversion works, financial institution lending policies, Bank of North Dakota and housing finance agency acquisition of secondary market loans regarding flood insurance requirements for housing, and any other flood insurance issues affecting property owners in the state. The department of emergency services shall report the findings and recommendations of the study to committees designated by the chairman of the legislative management and to the sixty-third legislative assembly.

SECTION 30. EXEMPTION. The amount appropriated to the commissioner of university and school lands pursuant to section 10 of this Act is not subject to the provisions of section 54-44.1-11. Any unexpended funds from this appropriation are available for continuing the grant program authorized by this Act during the biennium beginning July 1, 2013, and ending June 30, 2015.

SECTION 31. RETROACTIVE APPLICATION. Section 6 of this Act applies retroactively to July 1, 2011.

SECTION 32. EFFECTIVE DATE. This Act becomes effective November 14, 2011.

SECTION 33. EXPIRATION DATE. Section 2 of this Act is effective through December 31, 2013, and is thereafter ineffective. Sections 3 and 4 of this Act are effective for the first two taxable years beginning after December 31, 2010, and are thereafter ineffective.

Approved November 11, 2011
Filed November 11, 2011

EDUCATION

CHAPTER 580

SENATE BILL NO. 2370

(Senators Laffen, Schaible, O'Connell)
(Representatives Anderson, Dahl, Kreun)
(Approved by the Delayed Bills Committee)

AN ACT relating to adoption of a nickname and logo for the university of North Dakota athletic teams; to repeal section 15-10-46 of the North Dakota Century Code, relating to the university of North Dakota fighting Sioux nickname and logo; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. University of North Dakota athletic nickname and logo.

Neither the state board of higher education nor the university of North Dakota may adopt or implement an athletic nickname or corresponding logo before January 1, 2015.

SECTION 2. REPEAL. Section 15-10-46 of the North Dakota Century Code is repealed.

SECTION 3. EFFECTIVE DATE. This Act becomes effective on December 1, 2011.

Approved November 9, 2011
Filed November 9, 2011

INSURANCE

CHAPTER 581

HOUSE BILL NO. 1476

(Legislative Management)
(Health Care Reform Review Committee)

AN ACT to amend and reenact section 26.1-36-46 of the North Dakota Century Code, relating to the external review procedures for health insurance; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 26.1-36-46 of the North Dakota Century Code is amended and reenacted as follows:

26.1-36-46. External appealsreview procedures.

1. As used in this section, unless the context otherwise requires:

- a. "Adverse benefit determination" means a denial of, reduction of, termination of, or a failure to provide or make payment for a claim for benefits which involves medical judgment and involves the cancellation or discontinuation of coverage that has retroactive effect. The term includes a determination based on the requirements of an insurance company, nonprofit health services corporation, or health maintenance organization for medical necessity, appropriateness, health care setting, level of care, or effectiveness of a covered benefit and a determination that a treatment is experimental or investigational. The term does not include a denial of, reduction of, termination of, or failure to provide or make payment related to a claimant's eligibility for benefits under the terms of coverage.
- b. "Claim for benefits" means a request for one or more benefits which is made by a claimant in accordance with the reasonable procedure for submitting benefit claims offered by an insurance company, nonprofit health services corporation, or health maintenance organization. A reasonable procedure includes an external review procedure that complies with this section.
- c. "Claimant" means an individual who makes a claim for benefits under this section.
- d. "Expedited external review" means an adverse benefit determination that involves:
 - (1) An admission, availability of care, a continued stay, or a health care service for which the claimant received emergency services but has not been discharged from the facility; or

- (2) A medical condition for which the standard external review timeframes would seriously jeopardize the life or health of the claimant or jeopardize the claimant's ability to regain maximum function.
- e. "External review" is a review of an adverse benefit determination conducted pursuant to this section.
- f. "Final external review determination" means a determination by an independent review organization at the conclusion of an external review.
- g. "Independent review organization" means an entity that conducts independent external reviews of adverse benefit determinations.
2. An insurance company, nonprofit health services corporation, or health maintenance organization may not deliver, issue, execute, or renew any health insurance policy, health service contract, or evidence of coverage on an individual, group, blanket, franchise, or association basis unless the policy, contract, or evidence of coverage meets the minimum requirements of 42 U.S.C. 300gg-19 and complies with 29 U.S.C. 1133, 29 CFR 2560.503-1; 42 U.S.C. 300gg-19, 26 CFR 54.9815-2719T; 29 U.S.C. 1185d, 29 CFR 2590.715-2719; and 26 U.S.C. 9815, 45 CFR 147.136. The insurance commissioner ~~may take steps~~ shall adopt rules as necessary to ensure compliance with this section and the federal minimum consumer protection standards. If federal laws or rules relating to external ~~appeals~~ review are amended, repealed, or otherwise changed, the insurance commissioner shall adopt rules that track such changes to the federal external review rules to ensure the external review procedure set forth in this section is in compliance with and substantively equivalent and parallel to the federal requirements. An external review procedure must meet the requirement set forth in this section.
3. An external review process offered by an insurance company, nonprofit health services corporation, or health maintenance organization pursuant to this section must include each of the following:
- a. An external review must be available to a claimant for:
- (1) An adverse benefit determination involving medical necessity, appropriateness, health care setting, level of care, or effectiveness of a covered benefit;
- (2) A determination that a treatment is experimental or investigational if it is ensured that adequate clinical and scientific protocols are taken into account as part of the external review for determinations involving experimental or investigative claims for benefits; and
- (3) An adverse benefit determination involving the cancellation or discontinuation of coverage that has a retroactive effect. For purposes of this paragraph, an adverse benefit determination does not include a denial, a reduction, a termination, or a failure to provide or make payment related to a claimant's eligibility for benefits under the terms of coverage.

- b. An effective written notice must be provided to each claimant of the claimant's rights related to external review of an adverse benefit determination.
- c. The insurance company, nonprofit health services corporation, or health maintenance organization may require a claimant to exhaust the internal claims and appeals process; however, a claimant may not be required to exhaust all internal and external claims and appeals processes if the insurance company, nonprofit health services corporation, or health maintenance organization waives this requirement. The claimant is considered to have exhausted the internal claims and appeals process under applicable law, or the claimant has filed for expedited external review. A claimant may file for an expedited external review without fully exhausting all internal claims and appeals requirements at the same time any internal appeal is being processed and the claimant meets the defined criteria for requesting an expedited external review.
- d. The insurance company, nonprofit health services corporation, or health maintenance organization against which a request for external review is submitted shall pay the cost of the independent review organization for completing the external review. An insurance company, nonprofit health services corporation, or health maintenance organization may require the claimant to pay a nominal filing fee from the claimant requesting an external review under this section. This fee may not exceed twenty-five dollars and must be refunded to the claimant if the adverse benefit determination is reversed by the independent review organization. A fee must be waived if payment imposes an undue hardship on the claimant. The fees charged by an insurance company, nonprofit health services corporation, or health maintenance organization to a claimant in any single plan year may not exceed seventy-five dollars.
- e. A minimum dollar requirement may not be imposed for a claim for benefits to qualify for external review.
- f. A claimant must have up to four months after receipt of notice of an adverse benefit determination to request external review.
- g. A requirement that the commissioner assign external review to independent review organizations on a random basis or other method of assignment that assures the independence and impartiality of the assignment process, such as rotational assignment. The commissioner's process must provide for the maintenance of a list of at least three independent review organizations that are accredited by a nationally recognized private accrediting organization and are qualified to conduct the external review based on the nature of the health care service that is the subject of the review.

The commissioner may not use an independent review organization that has a conflict of interest that influences its independence. The independent review organization may not own or control, or be owned or controlled by, an insurance company, a nonprofit health services corporation, a health maintenance organization, a group health plan, the sponsor of a group health plan, a trade association of plans or insurance companies, or a trade association of health care providers. The independent review organization and clinical reviewer assigned to conduct

- an external review may not have a material professional, familial, or financial conflict of interest with the insurance company, nonprofit health services corporation, or health maintenance organization or plan that is the subject of the external review; with the claimant whose treatment is the subject of the external review; with any officer, director, or management employee of the insurance company, nonprofit health services corporation, or health maintenance organization; with employees, administrator, or sponsor of the claimant's health plan; with the health care provider or with the health care provider's group or practice association recommending the treatment that is subject to the external review; with the facility at which the recommended treatment would be provided; or with the developer or manufacturer of the principal drug, device, procedure, or other therapy being recommended and that is the subject of the external review.
- h. The claimant must be notified that the claimant is allowed up to five business days to submit additional written information to the independent review organization and that this information must be considered by the independent review organization when completing the external review. Any additional information submitted by a claimant to an independent review organization for consideration in any external review must also be forwarded to the insurance company, nonprofit health services corporation, or health maintenance organization within one business day of receipt by the independent review organization.
- i. Any decision by an independent review organization through the external review process is binding on the claimant and on the insurance company, nonprofit health services corporation, or health maintenance organization, except to the extent other remedies are available under state or federal law and except that the requirement that the determination be binding does not preclude the insurance company, nonprofit health services corporation, or health maintenance organization from making payment on the claim for benefits or from failing to require such payment or benefits. The insurance company, nonprofit health services corporation, or health maintenance organization shall provide benefits, including making payment, pursuant to the final external review decision without delay, regardless of whether the insurance company, nonprofit health services corporation, or health maintenance organization intends to seek judicial review of the external review decision and unless or until there is a judicial decision otherwise.
- j. Within forty-five days of the independent review organization's receipt of the request for external review, the independent review organization shall provide written notice to the commissioner, the claimant, and the insurance company, nonprofit health services corporation, or health maintenance organization of the independent review organization's decision to uphold or reverse the adverse benefit determination. In regard to a request for an expedited external review, within seventy-two hours of the independent review organization's receipt of a request for expedited review, the independent review organization shall make a decision to uphold or reverse the adverse benefit determination and notify the commissioner, the claimant, and the insurance company, nonprofit health services corporation, or health maintenance organization of the determination. If the notice by the independent review organization is not in writing, the independent review organization shall provide written confirmation of the decision within forty-eight hours after the date of the notice of the decision.

- k. An insurance company, nonprofit health services corporation, or health maintenance organization shall include a description of the external review process in or attached to the policy, certificate of coverage, or other plan documents or evidence of coverage provided to covered individuals.
- l. The contract with an independent review organization to provide external review services must require the independent review organization to maintain written records and to make those records specifically involving an external review available to the commissioner.
- 4. An insurance company, nonprofit health services corporation, or health maintenance organization provides an effective and relevant notice in a culturally and linguistically appropriate manner with respect to any applicable non-English language if the insurance company, nonprofit health services corporation, or health maintenance organization provides, upon request, a notice in any applicable non-English language and a statement prominently displayed in any applicable non-English language clearly indicating how to access the language services provided by the insurance company, nonprofit health services corporation, or health maintenance organization. With respect to an address in any United States county to which such notice is sent, an applicable non-English language means that at least ten percent of the population residing in the county is literate only in the same non-English language as determined in guidance issued under federal law.

SECTION 2. EFFECTIVE DATE. This Act becomes effective on December 1, 2011.

Approved November 11, 2011
Filed November 11, 2011

STATE GOVERNMENT

CHAPTER 582

HOUSE BILL NO. 1473

(Legislative Management)
(Legislative Redistricting Committee)

AN ACT to authorize the secretary of state to modify election deadlines and procedures; to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to legislative redistricting and staggering of terms of members of the legislative assembly; to repeal sections 54-03-01.8 and 54-03-01.10 of the North Dakota Century Code, relating to staggering of terms of members of the legislative assembly; to provide a statement of legislative intent; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 54-03 of the North Dakota Century Code is created and enacted as follows:

Legislative districts.

Each legislative district is entitled to one senator and two representatives. The legislative districts of the state are formed as follows:

1. District 1 consists of that part of the city of Williston and Stony Creek and Williston Townships in Williams County bound by a line commencing at the point where the centerline of thirty-second avenue intersects the centerline of United States highway 2, then south on thirty-second avenue and an extended straight line to the shoreline of Lake Sakakawea, then east on the shoreline of Lake Sakakawea until its intersection with the centerline of the Little Muddy Creek, then north on the Little Muddy Creek until its intersection with the extended centerline of forty-second street, then west on forty-second street until its intersection with the centerline of frontage road west, then south on frontage road west until its intersection with the southern property line of the sloulin field international airport, then west and south on the southern property line of the sloulin field international airport until its intersection with the centerline of twenty-sixth street, then west on twenty-sixth street until its intersection with the centerline of seventeenth avenue, then north on seventeenth avenue until its intersection with the centerline of thirty-second street, then west on thirty-second street until its intersection with the centerline of pheasant run parkway, then south on pheasant run parkway until its intersection with the centerline of twenty-sixth street, then west on twenty-sixth street until its intersection with the centerline of one hundred thirty-eighth avenue northwest, then south on one hundred thirty-eighth avenue and an extended line to the point of beginning.

2. District 2 consists of all of Burke County and Divide County; all of Williams County except that portion contained in District 1; and Bicker, Powers Lake, Powers, Lostwood, White Earth, Sorkness, Cottonwood, James Hill, Myrtle, Manitou, Ross, and Idaho Townships in Mountrail County.
3. District 3 consists of New Prairie, Sundre, and Surrey Townships in Ward County; and that part of the city of Minot and that part of Nedrose Township in Ward County bound by a line commencing at the intersection of the centerline of eleventh avenue and the centerline of north Broadway, then south on Broadway until its intersection with the centerline of Burdick Expressway, then east on Burdick Expressway until its intersection with the centerline of Third Street, then south on Third Street until its intersection with the centerline of eleventh avenue southeast, then east on eleventh avenue until its intersection with the centerline of seventh street, then south on an extended line from seventh street until its intersection with the centerline of sixteenth avenue southeast, then east on sixteenth avenue until its intersection with the centerline of thirteenth street southeast, then south on thirteenth street until its intersection with the south boundary of Nedrose Township, then east on the south boundary of Nedrose Township until its intersection with the southeast corner of Nedrose Township, then north on the east boundary of Nedrose Township until its intersection with the northeast corner of Nedrose Township, then west on the north boundary of Nedrose Township until its intersection with the centerline of twenty-seventh street, then south on twenty-seventh street until its intersection with the extended centerline of nineteenth avenue, then west on the extended centerline of nineteenth avenue and on nineteenth avenue until its intersection with the centerline of third street, then south on third street until its intersection with the centerline of eleventh avenue, then west on eleventh avenue to the point of beginning.
4. District 4 consists of all of Mountrail County except that portion contained in District 2; all of Ward County except those portions contained in Districts 3, 5, 38, and 40; those portions of McKenzie County and Mercer County within the Fort Berthold reservation; all of McLean County except that portion contained in District 8; and that part of Dunn County bound by a line commencing at the intersection of the Fort Berthold reservation boundary and the north boundary of Dunn County, then south on the reservation boundary until its intersection with the centerline of the Little Missouri River, then south and east on the centerline of the Little Missouri River until its intersection with the west boundary of Township 147-94, then south on the west boundary of Townships 147-94, 146-94, and 145-94, then east on the south boundary of Township 145-94 to the west boundary of Township 144-94, then south on the west boundary of Townships 144-94 and 143-94, then east on the south boundary of Townships 143-94, 143-93, 143-92, and 143-91 to the east boundary of Dunn County, then north, west, and south on the boundary of Dunn County to the point of beginning.
5. District 5 consists of that part of the city of Minot and Harrison Township in Ward County bound by a line commencing at the intersection of the centerline of the Burlington Northern Santa Fe Railway right of way and the centerline of north Broadway, then south on Broadway until its intersection with the centerline of Burdick Expressway, then east on Burdick Expressway until its intersection with the centerline of third street, then south on third street until its intersection with the centerline of eleventh avenue southeast, then east on eleventh avenue until its intersection with the centerline of seventh street, then south on an extended line from seventh street until its intersection with the

centerline of sixteenth avenue southeast, then east on sixteenth avenue until its intersection with the centerline of thirteenth street, then south on thirteenth street until its intersection with the centerline of United States highway 2, then west on United States highway 2 until its intersection with the centerline of United States highway 83, then south on United States highway 83 until its intersection with the centerline of thirty-seventh avenue southwest, then west on thirty-seventh avenue until its intersection with the centerline of thirtieth street, then north on thirtieth street until its intersection with the centerline of twentieth avenue, then west on twentieth avenue until its intersection with the centerline of thirty-third street, then north on thirty-third street until its intersection with the centerline of United States highway 2, then east on United States highway 2 until its intersection with the centerline of United States highway 83 bypass, then north on the United States highway 83 bypass until its intersection with the centerline of the canadian pacific railway right of way, then east on the canadian pacific railway right of way until its intersection with the centerline of sixteenth street, then north on sixteenth street until its intersection with the centerline of fourth avenue, then east on fourth avenue until its intersection with the centerline of tenth street, then south on tenth street until its intersection with the centerline of first avenue northwest, then east on first avenue until its intersection with the centerline of eighth street northwest, then south on eighth street until its intersection with the centerline of central avenue, then east on central avenue until its intersection with the centerline of sixth street, then south on sixth street until its intersection with the centerline of the burlington northern santa fe railway right of way, then north and east on the burlington northern santa fe railway right of way to the point of beginning.

6. District 6 consists of all of Bottineau County, McHenry County, and Renville County.
7. District 7 consists of all of the city of Lincoln in Burleigh County and that part of the city of Bismarck and Apple Creek, Gibbs, and Hay Creek Townships in Burleigh County bound by a line commencing at the intersection of interstate highway 94 and the centerline of the Missouri River, then north and west on the Missouri River until its intersection with the north boundary of Hay Creek Township, then east on the north boundary of Hay Creek Township until its intersection with the centerline of United States highway 83, then south on United States highway 83 until its intersection with the centerline of seventy-first avenue, then east on seventy-first avenue until its intersection with the centerline of eightieth street, then south on eightieth street until its intersection with the centerline of lincoln road, then west on lincoln road until its intersection with the centerline of bluejay avenue, then south and west on bluejay avenue until its intersection with the centerline of sandpiper avenue, then west on sandpiper avenue until its intersection with the centerline of dove street, then south on dove street until its intersection with the centerline of roadrunner avenue, then west on roadrunner avenue until its intersection with the centerline of sixty-sixth street southeast, then south on sixty-sixth street until its intersection with the centerline of forty-eighth avenue southeast, then west on forty-eighth avenue until its intersection with the centerline of fifty-second street southeast, then north on fifty-second street until its intersection with the Lincoln city limit, then west, north, and east on the Lincoln city limit until its intersection with a straight line extended from the centerline of fifty-second street, then north on the straight line extended from fifty-second street until its intersection with the centerline of old highway 10, also identified as apple creek road, then west on old highway 10 until its intersection with the

centerline of fifty-second street, then north on fifty-second street until its intersection with the centerline of county highway 10, then west on county highway 10 until its intersection with Bismarck expressway, then north on Bismarck expressway until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 until its intersection with the centerline of United States highway 83, then north on United States highway 83 until its intersection with the centerline of forty-third avenue, then west on forty-third avenue until its intersection with the centerline of washington street, also identified as third street northwest, then north on washington street until its intersection with the centerline of fifty-seventh avenue northwest, then west on fifty-seventh avenue and an extended straight line until its intersection with the centerline of state highway 1804, then south on state highway 1804 and river road until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 to the point of beginning.

8. District 8 consists of Andrews, Otis, Butte, Dogden, Greatstone, Horseshoe Valley, Aurena, Byersville, St. Mary, Snow, Malcolm, Medicine Hill, Victoria, Turtle Lake, Lake Williams, Wise, Longfellow, and Mercer Townships in McLean County; that part of Township 147-85 within McLean County; Township 148-84 in McLean County, including the city of Garrison; south McLean unorganized township in McLean County, including the city of Washburn; Underwood unorganized township in McLean County, including the cities of Riverdale and Underwood; east McLean unorganized township in McLean County; Wilson, Steiber, Schrunck, Florence Lake, Hazel Grove, Grass Lake, Estherville, Canfield, Richmond, Phoenix, Painted Woods, Ecklund, Ghylin, Rock Hill, Wing, Harriet-Lien, Glenview, Crofte, Cromwell, Trygg, Lyman, Burnt Creek-Riverview, Naughton, Francis, Sibley Butte, Christiania, and Clear Lake Townships in Burleigh County; and that part of Hay Creek, Gibbs, and Apple Creek Townships in Burleigh County bound by a line commencing at the intersection of the north boundary of Hay Creek Township, also identified as eighty-fourth avenue northeast, and United States highway 83, then south on United States highway 83 until its intersection with the centerline of seventy-first avenue, then east on seventy-first avenue until its intersection with the centerline of eightieth street, then south on eightieth street until its intersection with the centerline of lincoln road, then east on lincoln road until its intersection with the east boundary of Apple Creek Township, also identified as one hundred thirty-second street southeast, then north on the east boundary of Apple Creek Township and the east boundary of Gibbs Township until its intersection with the north boundary of Gibbs Township, also identified as eighty-fourth avenue northeast, then west on the north boundary of Gibbs Township and the north boundary of Hay Creek Township to the point of beginning.
9. District 9 consists of all of Rolette County.
10. District 10 consists of all of Cavalier County and Pembina County; and all of Walsh County except that portion contained in District 19.
11. District 11 consists of that part of the city of Fargo in Cass County bound by a line commencing at the intersection of an extended line from the centerline of thirteenth avenue south and the centerline of the Red River, then west on thirteenth avenue until its intersection with the centerline of tenth street, then north on tenth street until its intersection with the centerline of ninth avenue south, then west on ninth avenue until its intersection with the centerline of

twenty-fifth street, then north on twenty-fifth street until its intersection with the centerline of business interstate highway 94, also identified as main avenue, then west on business interstate highway 94 until its intersection with the centerline of interstate highway 29, then south on interstate highway 29 until its intersection with the centerline of seventeenth avenue south, then east on seventeenth avenue until its intersection with the centerline of twenty-fifth street, then south on twenty-fifth street until its intersection with the centerline of eighteenth street, then southeast on eighteenth street until its intersection with the centerline of twenty-fifth avenue south, then northeast and east on twenty-fifth avenue until its intersection with the centerline of United States highway 81, also identified as university drive, then north on United States highway 81 until its intersection with the centerline of interstate highway 94, then east on interstate highway 94 until its intersection with the centerline of the Red River, then north on the Red River to the point of beginning.

12. District 12 consists of that part of the city of Jamestown and Bloom Township in Stutsman County bound by a line commencing at the intersection of the centerline of United States highway 281 and the centerline of seventeenth street southwest, also identified as Louis l'amour lane, then north and east on United States highway 281 until its intersection with the centerline of the James River, then west and north on the James River until its intersection with the centerline of the Pipestem Creek, then north and west on the Pipestem Creek until its intersection with the Jamestown city limit and the centerline of seventeenth avenue southwest, then north and east following the city limit until the city limit intersects the centerline of fourth avenue northwest, then north on fourth avenue until its intersection with an extended straight line from the south shoreline of the Jamestown reservoir, then north on the centerline of the Jamestown reservoir until its intersection with an extended straight line of the centerline of thirtieth street southeast, then east on thirtieth street until its intersection with the centerline of state highway 20, then south on state highway 20 until its intersection with the Jamestown city limit, then east, south, and west on the Jamestown city limit until its intersection with the centerline of twenty-seventh avenue southeast, then south on twenty-seventh avenue until its intersection with the Jamestown city limit, then south, west, east, and southwest on the city limit and south on the centerline of eighty-fifth avenue until the intersection of eighty-fifth avenue with the centerline of twenty-ninth street, then west on twenty-ninth street until its intersection with the centerline of twelfth avenue southeast, then north on twelfth avenue until its intersection with the Jamestown city limit, then west on the city limit until its intersection with the extended centerline of fourth avenue, then north on fourth avenue until its intersection with the centerline of seventeenth street southwest, then west on seventeenth street to the point of beginning.
13. District 13 consists of that part of Barnes and Mapleton Townships and the city of West Fargo in Cass County bound by a line commencing at the intersection of the extended centerline of twelfth avenue northwest and the centerline of the Sheyenne River, then west on twelfth avenue until its intersection with the centerline of thirty-eighth street, then south on thirty-eighth street until its intersection with the centerline of interstate highway 94, then east and southeast on interstate highway 94 until its intersection with the east boundary of Mapleton Township, then south on the east boundary of Mapleton Township until its intersection with the centerline of twenty-first avenue west, then east on twenty-first avenue and an extended straight line until its intersection with the centerline of Sheyenne street, then north on Sheyenne street until its intersection with interstate highway 94, then east on interstate highway 94

until its intersection with the centerline of ninth street, then north on ninth street until its intersection with the centerline of thirteenth avenue east, then east on thirteenth avenue until its intersection with the centerline of seventeenth street, then north on seventeenth street until its intersection with the centerline of fourth avenue east, then west on fourth avenue until its intersection with the centerline of ninth street, then north on ninth street until its intersection with the centerline of business interstate highway 94, then west on business interstate highway 94 to the centerline of the Sheyenne River, then north on the Sheyenne River to the point of beginning.

14. District 14 consists of all of Kidder County, Pierce County, Sheridan County, and Wells County; and Pleasant Lake, Knox, York, Leeds, Irvine, Iowa, Twin Lake, Beaver, Lake Ibsen, Normania, Impark, Broe, Butte Valley, McClellan, Riggis, Esmond, Isabel, Albert, Eldon, Rich Valley, Hesper, North Viking, Aurora, East Fork, Arne, South Viking, and West Antelope Townships in Benson County.
15. District 15 consists of all of Ramsey County and Towner County.
16. District 16 consists of that part of Barnes Township and the cities of Fargo and West Fargo in Cass County bound by a line commencing at the centerline of business interstate highway 94, also identified as main avenue, and the centerline of forty-second street in Fargo, then west on business interstate highway 94 until its intersection with the centerline of ninth street, then south on ninth street until its intersection with the centerline of fourth avenue east, then east on fourth avenue until its intersection with the centerline of seventeenth street, then south on seventeenth street until its intersection with the centerline of thirteenth avenue east, then west on thirteenth avenue until its intersection with the centerline of ninth street, then south on ninth street until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 until its intersection with the centerline of sheyenne street, then south on sheyenne street until its intersection with the centerline of an extended straight line from twenty-first avenue west, then west on that line and twenty-first avenue until its intersection with the east boundary of Mapleton Township, then south on the east boundary of Mapleton Township until its intersection with the centerline of thirty-second avenue, then east on thirty-second avenue until its intersection with the centerline of one hundred seventieth avenue southeast, also identified as sheyenne street, then south on one hundred seventieth avenue until its intersection with the centerline of fortieth avenue east, then east on fortieth avenue until its intersection with the centerline of veterans boulevard, then north on veterans boulevard until its intersection with the centerline of thirty-second avenue, then east on thirty-second avenue until its intersection with the centerline of forty-fifth street, then north on forty-fifth street until its intersection with the centerline of thirteenth avenue south, then east on thirteenth avenue until its intersection with the centerline of forty-second street, then north on forty-second street to the point of beginning.
17. District 17 consists of all of Brenna Township in Grand Forks County; and that part of Grand Forks Township and that part of the city of Grand Forks in Grand Forks County bound by a line commencing at the intersection of an extended straight line of the centerline of lanark avenue and the centerline of the Red River, then southwest on lanark avenue until its intersection with the centerline of lincoln drive, then west on lincoln drive and eighth avenue south until the intersection of the centerline of eighth avenue south and the centerline of

belmont road, then south on belmont road until its intersection with the centerline of tenth avenue south, then west on tenth avenue until its intersection with the centerline of cottonwood street, then south on cottonwood street until its intersection with the centerline of fifteenth avenue south, then west on fifteenth avenue until its intersection with the centerline of cherry street, then south on cherry street until its intersection with the centerline of fifteenth avenue south, then west on fifteenth avenue until its intersection with the centerline of washington street, then south on washington street until its intersection with the centerline of thirty-second avenue south, then west on thirty-second avenue until its intersection with the centerline of forty-second street, then north on forty-second street until its intersection with the centerline of the burlington northern santa fe railway right of way, then west on the burlington northern santa fe railway right of way until its intersection with the centerline of fifty-fifth street, then north on fifty-fifth street until its intersection with the centerline of gateway drive, then west on gateway drive and United States highway 2 until its intersection with the northwest corner of Brenna Township, then south on the west boundary of Brenna Township to the southwest corner of Brenna Township, then east on the south boundary of Brenna Township and the south boundary of Grand Forks Township to the centerline of the Red River, then north on the Red River to the point of beginning.

18. District 18 consists of Blooming, Falconer, and Rye Townships in Grand Forks County; and that part of the city of Grand Forks and Mekinock Township in Grand Forks County bound by a line commencing at the intersection of an extended straight line of the centerline of lanark avenue and the centerline of the Red River, then southwest on lanark avenue until its intersection with the centerline of lincoln drive, then west on lincoln drive and eighth avenue south until the intersection of the centerline of eighth avenue south and the centerline of belmont road, then south on belmont road until its intersection with the centerline of tenth avenue south, then west on tenth avenue until its intersection with the centerline of cottonwood street, then south on cottonwood street until its intersection with the centerline of fifteenth avenue south, then west on fifteenth avenue until its intersection with the centerline of cherry street, then south on cherry street until its intersection with the centerline of fifteenth avenue south, then west on fifteenth avenue until its intersection with the centerline of washington street, then south on washington street until its intersection with the centerline of library circle, then west and northwest on library circle until its intersection with the centerline of twentieth avenue south, then west on twentieth avenue until its intersection with the centerline of twentieth street, then north on twentieth street and an extended straight line until its intersection with the centerline of the burlington northern santa fe railway right of way, then east on the centerline of the burlington northern santa fe railway right of way until its intersection with the centerline of sixteenth street, then north on sixteenth street until its intersection with the centerline of sixth avenue north, then west on sixth avenue until its intersection with the centerline of twentieth street, then north on twentieth street until its intersection with the centerline of gateway drive, then west on gateway drive and United States highway 2 until its intersection with the south entrance of the Grand Forks air force base, known as eielson street, then north on eielson street until its intersection with the centerline of seventh avenue, then east on seventh avenue until its intersection with the centerline of j street, then south on j street until its intersection with the centerline of juniper avenue, then east on juniper avenue until its extended centerline intersects the west boundary of Blooming Township, then north on the west

boundary of Blooming Township to the northwest corner of Blooming Township, then east on the north boundary of Blooming Township, Rye Township, and Falconer Township to the centerline of the Red River, then south on the Red River to the point of beginning.

19. District 19 consists of Glenwood, Farmington, Martin, St. Andrews, Fertile, Grafton, Oakwood, Acton, Vernon, Rushford, Prairie Centre, Walsh Centre, Harriston, Pulaski, Medford, Eden, Ops, Forest River, Ardoch, and Walshville Townships in Walsh County; and Elkmount, Inkster, Strabane, Johnstown, Levant, Turtle River, Plymouth, Agnes, Wheatfield, Gilby, Lakeville, Manvel, Niagara, Elm Grove, Hegton, Moraine, Larimore, Arvilla, Logan Center, Grace, Avon, Loretta, Lind, and Northwood Townships in Grand Forks County.
20. District 20 consists of all of Traill County; all of Grand Forks County except those portions contained in Districts 17, 18, 19, 42, and 43; and Dows, Hunter, Bell, Kinyon, and Noble Townships in Cass County.
21. District 21 consists of that part of the city of Fargo in Cass County bound by a line commencing at the intersection of an extended line from the centerline of thirteenth avenue south and the centerline of the Red River, then west on thirteenth avenue until its intersection with the centerline of tenth street, then north on tenth street until its intersection with the centerline of ninth avenue south, then west on ninth avenue south until its intersection with the centerline of twenty-fifth street, then north on twenty-fifth street until its intersection with the centerline of business interstate highway 94, also identified as main avenue, then west on business interstate highway 94 until its intersection with the centerline of interstate highway 29, then north on interstate highway 29 until its intersection with the centerline of twelfth avenue north, then east on twelfth avenue until its intersection with the centerline of United States highway 81, also identified as university drive, then south on United States highway 81 until its intersection with the centerline of seventh avenue north, then east on seventh avenue until its intersection with the centerline of tenth street, then south on tenth street until its intersection with the centerline of sixth avenue north, then east on sixth avenue until its intersection with the centerline of Broadway drive, then south on Broadway drive until its intersection with the centerline of the Burlington Northern Santa Fe railway right of way, then east on the Burlington Northern Santa Fe railway right of way until its intersection with the centerline of the Red River, then south on the Red River to the point of beginning.
22. District 22 consists of all of Cass County except those portions contained in Districts 11, 13, 16, 20, 21, 24, 25, 27, 41, 44, 45, and 46.
23. District 23 consists of all of Eddy County, Griggs County, Nelson County, and Steele County; and all of Benson County except that portion contained in District 14.
24. District 24 consists of all of Barnes County; Hill, Clifton, Eldred, Walburg, Pontiac, Highland, and Watson Townships in Cass County; all of Tower Township in Cass County, except for that portion included within the city of Buffalo; and Northland, Preston, Moore, Liberty, Greene, Coburn, Fort Ransom, Springer, Tuller, Hanson, Elliott, and Isley Townships in Ransom County.

25. District 25 consists of Walcott, Eagle, Abercrombie, Ibsen, Dwight, Mooreton, Center, Brandenburg, Summit, Waldo, Devillo, Fairmount, Greendale, and LaMars Townships in Richland County; the city of Hankinson in Richland County; and Normanna and Pleasant Townships in Cass County.
26. District 26 consists of all of Sargent County; all of Richland County except that portion contained in District 25; all of Ransom County except those portions contained in Districts 24 and 29; and Porter, Wright, James River Valley, Divide, Maple, Yorktown, Clement, Bear Creek, Kentner, Kent, Hudson, Riverdale, Van Meter, Ada, Port Emma, and Lovell Townships in Dickey County.
27. District 27 consists of all of the cities of Frontier and Briarwood in Cass County; and that part of Stanley Township and the cities of Fargo and Horace in Cass County bound by a line commencing at the intersection of an extended straight line of the centerline of sixty-fourth avenue south and the centerline of the Red River, then west on sixty-fourth avenue until its intersection with the centerline of Cass County drain number fifty-three, then north on Cass County drain number fifty-three until its intersection with the centerline of fifty-second avenue south, then west on fifty-second avenue until its intersection with the centerline of interstate highway 29, then north on interstate highway 29 until its intersection with the centerline of business interstate highway 94, also identified as main avenue, then west on business interstate highway 94 until its intersection with the centerline of forty-second street, then south on forty-second street until its intersection with the centerline of thirteenth avenue, then west on thirteenth avenue until its intersection with the centerline of forty-fifth street, then south on forty-fifth street until its intersection with the centerline of thirty-second avenue, then west on thirty-second avenue until its intersection with the centerline of veterans boulevard, then south on veterans boulevard and fifty-seventh street until its intersection with the centerline of one hundred twenty-fourth avenue south, then east on one hundred twenty-fourth avenue and an extended straight line until its intersection with the centerline of the Red River, then north on the Red River to the point of beginning.
28. District 28 consists of all of Emmons County, Logan County, and McIntosh County; all of Dickey County except that portion contained in District 26; all of Burleigh County except those portions contained in Districts 7, 8, 30, 32, 35, and 47; and Swede, Ray, Nora, Norden, Pomona View, and Golden Glen Townships in LaMoure County.
29. District 29 consists of all of Foster County; all of Stutsman County except that portion contained in District 12; and all of LaMoure County except that portion contained in District 28.
30. District 30 consists of that part of the city of Bismarck and Lincoln-Fort Rice unorganized township in Burleigh County bound by a line commencing at the centerline of east rosser avenue and the centerline of ninth street, then east on rosser avenue until its intersection with the centerline of eleventh street, then south on eleventh street until its intersection with the centerline of thayer avenue, then east on thayer avenue until its intersection with the centerline of sixteenth street, then north on sixteenth street until its intersection with the centerline of rosser avenue, then east on rosser avenue until its intersection with the centerline of seventeenth street, then south on seventeenth street until its intersection with the centerline of thayer avenue, then east on thayer

avenue until its intersection with the centerline of nineteenth street, then south on nineteenth street until its intersection with the centerline of Broadway avenue, then east on Broadway avenue until its intersection with the centerline of airport road, then south on airport road until its intersection with the centerline of university drive, then west on university drive until its intersection with the centerline of twelfth street, then south on twelfth street until its intersection with the centerline of Burleigh avenue, then west on Burleigh avenue until its intersection with the centerline of Washington street, then north on Washington street until its intersection with the southeast corner of the northeast quarter of section 8 of Township 138-80, then west on a straight line following the quarter section line to the southwest corner of the northeast quarter of section 8 of Township 138-80, then north on a straight line following the quarter section line until its intersection with the centerline of Bismarck expressway, then west on Bismarck expressway until its intersection with the centerline of the Missouri River, then south on the Missouri River until its intersection with an extended line from the centerline of desert road, then north on a straight line extended from desert road and on desert road until its intersection with the centerline of forty-first street southeast, then northeast on forty-first street until its intersection with the centerline of state highway 1804, also identified as eighty-ninth avenue southeast, then east on state highway 1804 and eighty-ninth avenue until its intersection with the centerline of fifty-second street, then north on fifty-second street and an extended straight line until its intersection with the Lincoln city limit north of Lincoln road, then west, north, and east on the Lincoln city limit until its intersection with a straight line extended from the centerline of fifty-second street, then north on the straight line extended from fifty-second street until its intersection with old highway 10, also identified as Apple Creek road, then west on old highway 10 until its intersection with fifty-second street, then north on fifty-second street until its intersection with the centerline of county highway 10, then west on county highway 10 until its intersection with the centerline of Bismarck expressway, then north on Bismarck expressway until its intersection with the centerline of divide avenue, then west and southwest on divide avenue until its intersection with the centerline of channel drive, then south on channel drive until its intersection with the centerline of divide avenue, then west on divide avenue until its intersection with the centerline of twenty-sixth street, then south on twenty-sixth street until its intersection with the centerline of boulevard avenue, then west and south on boulevard avenue until its intersection with the centerline of nineteenth street, then south on an extended straight line from nineteenth street until its intersection with the centerline of avenue e, then west on avenue e until its intersection with the centerline of ninth street, then south on ninth street to the point of beginning.

31. District 31 consists of all of Grant County and Sioux County; all of Hettinger County except that portion contained in District 36; and that part of the city of Mandan and Morton County bound by a line commencing at the intersection of the east boundary of Township 139-84 and the centerline of interstate highway 94, then east on interstate highway 94 until its intersection with the centerline of an extended straight line from twenty-fifth avenue in Mandan unorganized township, then north on twenty-fifth avenue until its intersection with the centerline of thirty-seventh street, then east on thirty-seventh street until its intersection with the centerline of highland road, then south on highland road until its intersection with the Mandan city limit, then south and east on the city limit until its intersection with the centerline of the Missouri River, then south on the Missouri River until its intersection with the centerline of business interstate highway 94, then north and west on business interstate

highway 94 until its intersection with the centerline of main street, then east on main street until its intersection with the centerline of the burlington northern santa fe railway right of way, then north on the burlington northern santa fe railway right of way until its intersection with the extended centerline of fourth street, then west on the extended centerline of fourth street until its intersection with the centerline of Mandan avenue, then north and west on Mandan avenue until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 until its intersection with the centerline of collins avenue, then south on collins avenue until its intersection with the centerline of fourteenth street northwest, then west on fourteenth street until its intersection with the centerline of sunset drive, then south on sunset drive until its intersection with the centerline of division street, then west on division street and an extended straight line following the north boundary of section 28 of Township 139-81 until the west boundary of section 28, then south on the west boundary of section 28 until the midpoint of the west boundary of section 28, then east from the midpoint of the west boundary of section 28 to the midpoint of section 28, then south along the midpoint of section 28 until its intersection with the centerline of business interstate highway 94, then west on business interstate highway 94 until its intersection with the centerline of fifteenth avenue southwest, then south on fifteenth avenue until its intersection with the centerline of sunny road, then west on sunny road to the west boundary of the youth correctional center, then south on the west boundary of the youth correctional center to the south boundary of the youth correctional center, then east on the south boundary of the youth correctional center until its intersection with the Mandan city limit, then following the city limit south and east until the city limit intersects the centerline of tenth avenue southeast, then south on tenth avenue until its intersection with the centerline of buckskin road, then south on buckskin road until its intersection with the centerline of percheron drive, then north on percheron drive until its intersection with the centerline of fourteenth avenue, then north on fourteenth avenue until its intersection with the Mandan city limit, then east, south, east, north, and west on the Mandan city limit until its intersection with the centerline of nineteenth street, then east on nineteenth street until its intersection with the centerline of Fort McKeen road, then south on Fort McKeen road and state highway 1806 until its intersection with the centerline of forty-seventh street, also identified as county highway 138A, then east on county highway 138A and an extended line until its intersection with the centerline of the Missouri River, then south on the Missouri River to the south boundary of Morton County, then following the Morton County line west, south, and north until its intersection with the southwest corner of section 33 of Township 137-84, then east along the south boundaries of sections 33 and 34, then north along the east boundaries of sections 34 and 27, then east along the south boundaries of sections 23 and 24, then north along the east boundaries of Townships 137-84, 138-84, and 139-84 to the point of beginning.

32. District 32 consists of that part of the city of Bismarck and Lincoln-Fort Rice unorganized township in Burleigh County bound by a line commencing at the centerline of rosser avenue and the centerline of ninth street, then west on rosser avenue until its intersection with the centerline of eleventh street, then south on eleventh street until its intersection with the centerline of thayer avenue, then east on thayer avenue until its intersection with the centerline of sixteenth street, then north on sixteenth street until its intersection with the centerline of rosser avenue, then east on rosser avenue until its intersection with the centerline of seventeenth street, then south on seventeenth street

until its intersection with the centerline of thayer avenue, then east on thayer avenue until its intersection with the centerline of nineteenth street, then south on nineteenth street until its intersection with the centerline of Broadway avenue, then east on Broadway avenue until its intersection with the centerline of airport road, then south on airport road until its intersection with the centerline of university drive, then west on university drive until its intersection with the centerline of twelfth street, then south on twelfth street until its intersection with the centerline of burleigh avenue, then west on burleigh avenue until its intersection with the centerline of Washington street, then north on Washington street until its intersection with the southeast corner of the northeast quarter of section 8 of Township 138-80, then west on a straight line following the quarter section line to the southwest corner of the northeast quarter of section 8 of Township 138-80, then north on a straight line following the quarter section line until its intersection with the centerline of Bismarck expressway, then west on Bismarck expressway until its intersection with the centerline of the Missouri River, then north on the Missouri River until its intersection with the centerline of main avenue, then east on main avenue until its intersection with the centerline of Rosser avenue, then east on Rosser avenue until its intersection with the centerline of bell street, then north on bell street until its intersection with the centerline of avenue c, then east on avenue c until its intersection with the centerline of griffin street, then north on griffin street and an extended straight line until its intersection with the centerline of the Bismarck park district bike trail, then east on the Bismarck park district bike trail and an extended straight line until its intersection with the centerline of Washington street, then south on Washington street until its intersection with the centerline of avenue c, then east on avenue c until its intersection with the centerline of first street, then south on first street until its intersection with the centerline of Broadway avenue, then east on Broadway avenue until its intersection with the centerline of ninth street, then north on ninth street to the point of beginning.

33. District 33 consists of all of Oliver County; all of Mercer County except that portion contained in District 4; and all of Morton County except that portion contained in Districts 31, 34, and 36.
34. District 34 consists of that part of the city of Mandan and that part of Mandan unorganized township bound by a line commencing at the intersection of the centerline of business interstate highway 94 and the centerline of fifteenth avenue southwest, then south on fifteenth avenue until its intersection with the centerline of sunny road, then west on sunny road to the west boundary of the youth correctional center, then south on the west boundary of the youth correctional center to the south boundary of the youth correctional center, then east on the south boundary of the youth correctional center until its intersection with the Mandan city limit, then following the city limit south and east until the city limit intersects the centerline of tenth avenue southeast, then south on tenth avenue until its intersection with the centerline of buckskin road, then south on buckskin road until its intersection with the centerline of percheron drive, then north on percheron drive until its intersection with the centerline of fourteenth avenue, then north on fourteenth avenue until its intersection with the Mandan city limit, then east, south, east, north, and west on the Mandan city limit until its intersection with the centerline of nineteenth street, then east on nineteenth street until its intersection with the centerline of Fort McKeen road, then south on Fort McKeen road and state highway 1806 until its intersection with the centerline of forty-seventh street, also identified as county highway 138A, then east on county highway 138A and an extended

line until its intersection with the centerline of the Missouri River, then north on the Missouri River until its intersection with the centerline of business interstate highway 94, then north and west on business interstate highway 94 until its intersection with the centerline of main street, then east on main street until its intersection with the centerline of the burlington northern santa fe railway right of way, then north on the burlington northern santa fe railway right of way until its intersection with the centerline of fourth street, then west on the extended centerline of fourth street until its intersection with the centerline of mandan avenue, then north and west on mandan avenue until its intersection with the centerline of interstate highway 94, then west on interstate highway 94 until its intersection with the centerline of collins avenue, then south on collins avenue until its intersection with the centerline of fourteenth street northwest, then west on fourteenth street until its intersection with the centerline of sunset drive, then south on sunset drive until its intersection with the centerline of division street, then west on division street and an extended straight line following the north boundary of section 28 of Township 139-81 until the west boundary of section 28, then south on the west boundary of section 28 until the midpoint of the west boundary of section 28, then east along the midpoint of the west boundary of section 28 to the midpoint of section 28, then south along the midpoint of section 28 until its intersection with the centerline of business interstate highway 94, then west on business interstate highway 94 to the point of beginning.

35. District 35 consists of that part of the city of Bismarck and that part of Hay Creek Township in Burleigh County bound by a line commencing at the intersection of the centerline of Broadway Avenue and the centerline of Ninth Street, then west on Broadway Avenue until its intersection with the centerline of First Street, then north on First Street until its intersection with the centerline of Avenue C, then west on Avenue C until its intersection with the centerline of Washington Street, then north on Washington Street until its intersection with the extended centerline of the Bismarck Park District Bike Trail, then west on the Bismarck Park District Bike Trail until its intersection with the extended centerline of Griffin Street, then south on Griffin Street until its intersection with the centerline of Avenue C, then west on Avenue C until its intersection with the centerline of Bell Street, then south on Bell Street until its intersection with the centerline of Rosser Avenue, then west on Rosser Avenue until its intersection with the centerline of Main Avenue, then west on Main Avenue until its intersection with the centerline of the Missouri River, then north on the Missouri River until its intersection with the centerline of Interstate Highway 94, then east on Interstate Highway 94 until its intersection with the centerline of Divide Avenue, then south and east on Divide Avenue until its intersection with the centerline of Washington Street, then north on Washington Street until its intersection with the centerline of Interstate Highway 94, then east on Interstate Highway 94 until its intersection with the centerline of Bismarck Expressway, then south on Bismarck Expressway until its intersection with the centerline of Divide Avenue, then west and southwest on Divide Avenue until its intersection with the centerline of Channel Drive, then south on Channel Drive until its intersection with the centerline of Divide Avenue, then west on Divide Avenue until its intersection with the centerline of Twenty-Sixth Street, then south on Twenty-Sixth Street until its intersection with the centerline of Boulevard Avenue, then west and south on Boulevard Avenue until its intersection with the centerline of Nineteenth Street, then south on an extended straight line from Nineteenth Street until its intersection with the centerline of Avenue E, then west on Avenue E until its intersection with the centerline of Ninth Street, then south on Ninth Street to the point of beginning.

36. District 36 consists of all of Stark County except that portion contained in District 37; all of Dunn County except those portions contained in Districts 4 and 39; Kunze, Clark, Rifle, Madison, Campbell, New England, Havelock, Black Butte, St. Croix, Acme, Strehlow, Tepee Butte, Alden, Kennedy, and Wagendorf Townships and Indian Creek Township, except for the city of Regent, in Hettinger County; and that part of Morton County bound by a line commencing at the centerline of state highway 49 and the north boundary of Morton County, then west on the Morton County line to the west boundary of Morton County, then south on the west boundary of Morton County to the south boundary of Morton County, then east on the south boundary of Morton County and continuing east on an extended centerline of forty-eighth street until its intersection with the centerline of county road 87, then north on county road 87 until its intersection with the southwest corner of section 8 of Township 138-87, then east along the south boundary of section 8 of Township 138-87 to the southeast corner of section 8, then north along the east boundaries of sections 8 and 5 of Township 138-87 to the southwest corner of section 33 of Township 139-87, then east along the south boundaries of sections 33 and 34 to the southwest corner of section 35 of Township 139-87, then south along the west boundary of section 2 of Township 138-87 to the southwest corner of section 2, then east along the south boundary of section 2 to the midpoint of that section, then north through the center of section 2 to the midpoint of the north boundary of section 2, then east along the north boundary of section 2 to the northeast corner of section 2, then north along the west boundaries of sections 36, 25, and 24 of Township 139-87 to the northwest corner of section 24, then east along the north boundary of section 24 to the northeast corner of section 24, then north along the east boundary of section 13 of Township 139-87 to the centerline of interstate highway 94, then east on interstate highway 94 to its intersection with the centerline of county highway 86, then north on county highway 86 to the north boundary of Morton County, then west along the north boundary of Morton County to the point of beginning.
37. District 37 consists of that part of the city of Dickinson and adjacent unorganized territory in Stark County bound by a line commencing at the intersection of the centerline of Broadway and the centerline of state avenue, then north on state avenue until its intersection with the centerline of business interstate highway 94, then west on business interstate highway 94 until its intersection with the centerline of twenty-third avenue, then north on twenty-third avenue until its intersection with the centerline of tenth street, also identified as empire road, then east on tenth street until its intersection with the centerline of state avenue, then north on state avenue until its intersection with the centerline of thirty-fourth street, then east on thirty-fourth street until its intersection with the centerline of tenth avenue east, then south on tenth avenue until its intersection with the centerline of interstate highway 94, then east on interstate highway 94 until its intersection with the centerline of twenty-fifth avenue, then south on twenty-fifth avenue until its intersection with the centerline of Villard street, then west on Villard street until its intersection with the centerline of tenth avenue east, then south on tenth avenue until its intersection with the centerline of the Burlington Northern Santa Fe railway right of way, then west on the Burlington Northern Santa Fe railway right of way until its intersection with the centerline of Broadway, then south and west on Broadway to the point of beginning.
38. District 38 consists of all of St. Marys, Foxholm, Kirkelie, Des Lacs, Burlington, Rolling Green, Burt, and Afton Townships in Ward County; and those parts of

Eureka, Harrison, and Waterford Townships and that part of the city of Minot not contained in Districts 3, 5, and 40.

39. District 39 consists of all of Adams County, Billings County, Bowman County, Golden Valley County, and Slope County; that part of Dunn County bound by a line commencing at the intersection of the Fort Berthold reservation boundary and the north boundary of Dunn County, then south on the reservation boundary until its intersection with the centerline of the Little Missouri River, then south and east on the centerline of the Little Missouri River until its intersection with the west boundary of Township 147-94, then south on the west boundary of Townships 147-94, 146-94, and 145-94 until the intersection of the west boundary of Township 145-94 and the centerline of state highway 200, then west on state highway 200 until its intersection with the Dunn County boundary, then north and east to the point of beginning; and all of McKenzie County except that portion contained in District 4.
40. District 40 consists of all of Margaret, Maryland, McKinley, and Tatman Townships in Ward County; that part of Waterford Township and the Minot air force base bound by a line commencing at the intersection of the east boundary of Waterford Township and the centerline of bomber boulevard, then northwest on bomber boulevard until its intersection with the centerline of peacekeeper place, then northeast on peacekeeper place until its intersection with the east boundary of Waterford Township, and then south on the east boundary of Waterford Township to the point of beginning; and those parts of Eureka, Harrison, and Nedrose Townships, and that part of the city of Minot bound by a line commencing at the intersection of the centerline of the canadian pacific railway right of way and the centerline of sixth street, then north on sixth street until its intersection with the centerline of central avenue, then west on central avenue until its intersection with the centerline of eighth street, then north on eighth street until its intersection with the centerline of first avenue, then west on first avenue until its intersection with the centerline of tenth street, then north on tenth street until its intersection with the centerline of fourth avenue, then west on fourth avenue until its intersection with the centerline of sixteenth street, then north on sixteenth street until its intersection with the centerline of twenty-first avenue, then west on twenty-first avenue and an extended straight line until its intersection with the centerline of thirtieth street in Harrison Township, then north on thirtieth street continuing through Eureka Township to the north boundary of Eureka Township, also identified as one hundred twenty-eighth avenue, then east and south on the boundary of Eureka Township until its intersection with the northwest corner of Nedrose Township, then east on the north boundary of Nedrose Township until its intersection with the centerline of twenty-seventh street, then south on twenty-seventh street until its intersection with an extended line from the centerline of nineteenth avenue, then west on nineteenth avenue until its intersection with the centerline of third street, then south on third street until its intersection with the centerline of eleventh avenue northeast, then west on eleventh avenue until its intersection with the centerline of broadway, then south on broadway until its intersection with the centerline of the burlington northern santa fe railway right of way, then south and west on the burlington northern santa fe railway right of way until its intersection with the centerline of the canadian pacific railway right of way, then west on the canadian pacific railway right of way to the point of beginning.
41. District 41 consists of the city of Prairie Rose and that part of the city of Fargo in Cass County bound by a line commencing at the intersection of the

centerline of interstate highway 29 and the centerline of fifty-second avenue south, then east on fifty-second avenue until its intersection with the centerline of twenty-fifth street, then north on twenty-fifth street until its intersection with the centerline of thirty-second avenue south, then east on thirty-second avenue until its intersection with the centerline of twenty-second street, then north on twenty-second street until its intersection with the centerline of thirtieth avenue south, then east on thirtieth avenue until its intersection with the centerline of eighteenth street, then north and northwest on eighteenth street until its intersection with the centerline of twenty-fifth street, then north on twenty-fifth street until its intersection with the centerline of seventeenth avenue south, then west on seventeenth avenue until its intersection with the centerline of interstate highway 29, then south on interstate highway 29 to the point of beginning.

42. District 42 consists of that part of the city of Grand Forks in Grand Forks County bound by a line commencing at the intersection of the centerline of gateway drive and the centerline of fifty-fifth street, then east on gateway drive until its intersection with the centerline of twentieth street, then south on twentieth street until its intersection with the centerline of sixth avenue north, then east on sixth avenue until its intersection with the centerline of sixteenth street, then south on sixteenth street until its intersection with the centerline of the burlington northern santa fe railway right of way, then west on the burlington northern santa fe railway right of way until its intersection with the centerline of fifty-fifth street, then north on fifty-fifth street to the point of beginning.
43. District 43 consists of that part of Grand Forks Township and that part of the city of Grand Forks in Grand Forks County bound by a line commencing at the intersection of the centerline of washington street and the centerline of thirty-second avenue south, then west on thirty-second avenue until its intersection with the centerline of forty-second street, then north on forty-second street until its intersection with the centerline of the burlington northern santa fe railway right of way, then east on the burlington northern santa fe railway right of way until its intersection with an extended line from the centerline of twentieth street, then south on twentieth street until its intersection with the centerline of twentieth avenue south, then east on twentieth avenue until its intersection with the centerline of library circle, then south and east on library circle until its intersection with the centerline of washington street, then south on washington street to the point of beginning.
44. District 44 consists of that part of the city of Fargo in Cass County bound by a line commencing at the intersection of the extended centerline of thirty-second avenue north and the centerline of the Red River, then west on thirty-second avenue until its intersection with the centerline of eighth street, then south on eighth street until its intersection with the centerline of twenty-eighth avenue north, then west on twenty-eighth avenue until its intersection with the centerline of ninth street, then south on ninth street until its intersection with the centerline of nineteenth avenue north, then west on nineteenth avenue until its intersection with the centerline of tenth street, then south on tenth street until its intersection with the centerline of seventeenth avenue north, then east on seventeenth avenue until its intersection with the centerline of ninth street, then south on ninth street until its intersection with the centerline of thirteenth avenue north, then west on thirteenth avenue until its intersection with the centerline of United States highway 81, also identified as university drive, then south on United States highway 81 until its intersection with the

centerline of seventh avenue north, then east on seventh avenue until its intersection with the centerline of tenth street, then south on tenth street until its intersection with the centerline of sixth avenue north, then east on sixth avenue until its intersection with the centerline of broadway drive, then south on broadway drive until its intersection with the centerline of the burlington northern santa fe railway right of way, then east on the burlington northern santa fe railway right of way until its intersection with the centerline of the Red River, then north on the Red River to the point of beginning.

45. District 45 consists of Berlin, Gardner, Harwood, and Wiser Townships and that part of the cities of Fargo and West Fargo and Reed Township in Cass County bound by a line commencing at the intersection of the extended centerline of thirty-second avenue north and the centerline of the Red River, then west on thirty-second avenue north until its intersection with the centerline of eighth street, then south on eighth street until its intersection with the centerline of twenty-eighth avenue north, then west on twenty-eighth avenue until its intersection with the centerline of ninth street, then south on ninth street until its intersection with the centerline of nineteenth avenue north, then west on nineteenth avenue until its intersection with the centerline of tenth street, then south on tenth street until its intersection with the centerline of seventeenth avenue north, then east on seventeenth avenue until its intersection with the centerline of ninth street, then south on ninth street until its intersection with the centerline of thirteenth avenue north, then west on thirteenth avenue until its intersection with the centerline of United States highway 81, also identified as university drive, then south on United States highway 81 until its intersection with the centerline of twelfth avenue north, then west on twelfth avenue until its intersection with the centerline of interstate highway 29, then south on interstate highway 29 until its intersection with the centerline of business interstate highway 94, also identified as main avenue, then west on business interstate highway 94 until its intersection with the centerline of the Sheyenne River, then north on the Sheyenne River until its intersection with the centerline of twelfth avenue northwest, then west on twelfth avenue until its intersection with the west boundary of Reed Township, also identified as fourteenth street, then north on the west boundary of Reed Township to the north boundary of Reed Township, also identified as seventy-sixth avenue and Cass County highway 22, then east on the north boundary of Reed Township until its intersection with the centerline of the Red River, then south on the Red River to the point of beginning.

46. District 46 consists of that part of the city of Fargo and Stanley Township in Cass County bound by a line commencing at the intersection of the extended centerline of sixty-fourth avenue south and the centerline of the Red River, then west on sixty-fourth avenue until its intersection with the centerline of Cass County drain number fifty-three, then north on Cass County drain number fifty-three until its intersection with the centerline of fifty-second avenue south, then east on fifty-second avenue until its intersection with the centerline of twenty-fifth street, then north on twenty-fifth street until its intersection with the centerline of thirty-second avenue south, then east on thirty-second avenue until its intersection with the centerline of twenty-second street, then north on twenty-second street until its intersection with the centerline of thirtieth avenue south, then east on thirtieth avenue until its intersection with the centerline of eighteenth street, then north on eighteenth street until its intersection with the centerline of twenty-fifth avenue south, then east on twenty-fifth avenue until its intersection with the centerline of United States highway 81, also identified as university drive, then north on United

States highway 81 until its intersection with the centerline of interstate highway 94, then east on interstate highway 94 to the centerline of the Red River, then south on the Red River to the point of beginning.

47. District 47 consists of that part of the city of Bismarck and that part of Hay Creek Township in Burleigh County bound by a line commencing at the intersection of the centerline of state highway 1804, also identified as river road, and the centerline of interstate highway 94, then east on interstate highway 94 until its intersection with the centerline of divide avenue, then south and east on divide avenue until its intersection with the centerline of washington street, then north on washington street until its intersection with the centerline of interstate highway 94, then east on interstate highway 94 until its intersection with the centerline of United States highway 83, then north on United States highway 83 until its intersection with the centerline of forty-third avenue, then west on forty-third avenue until its intersection with the centerline of washington street, also identified as third street northwest, then north on washington street until its intersection with the centerline of fifty-seventh avenue north, then west on fifty-seventh avenue and an extended straight line until its intersection with the centerline of state highway 1804, then south on state highway 1804 until the point of beginning.

SECTION 2. A new section to chapter 54-03 of the North Dakota Century Code is created and enacted as follows:

Staggering of terms of members of the legislative assembly.

1. A senator and two representatives must be elected from each even-numbered district in 2012 for a term of four years.
2. A senator and two representatives must be elected from each odd-numbered district in 2014 for a term of four years. However, a senator and two representatives from district seven must be elected in 2012 for a term of two years.
3. Except as provided in subsection 4, the term of office of a member of the legislative assembly elected in an odd-numbered district in 2010 for a term of four years and who as a result of legislative redistricting is placed in an even-numbered district terminates December 1, 2012.
4. A member of the legislative assembly who was elected from an odd-numbered district in 2010 for a term of four years and who as a result of legislative redistricting is placed in an even-numbered district may continue to serve the remainder of the term for which the member was elected beyond December 1, 2012, if the member changes the member's place of residence to a location in the odd-numbered district which is within the geographic area of the odd-numbered district from which the member was elected by March 15, 2012, and certifies in writing to the secretary of state and the chairman of the legislative management that the member has established a new residence in that district as determined by section 54-01-26. If the member does not establish residency within the district from which the member was elected by March 15, 2012, the term of office of that member terminates on December 1, 2012.
5. The term of office of a member of the legislative assembly in an odd-numbered district with new geographic area that was not in that member's district for the 2010 election and which new geographic area has a 2010

population that is more than twenty-five percent of the ideal district population terminates on December 1, 2012.

6. Notwithstanding section 16.1-13-10, a vacancy caused in an odd-numbered district as a result of legislative redistricting must be filled at the 2012 general election by electing a member to a two-year term of office.

SECTION 3. REPEAL. Sections 54-03-01.8 and 54-03-01.10 of the North Dakota Century Code are repealed.

SECTION 4. SECRETARY OF STATE TO MODIFY ELECTION DEADLINES AND PROCEDURES. If, as a result of a delay in implementation of this Act, it becomes necessary to modify election deadlines and procedures for the conduct of the 2012 primary election, the secretary of state, in consultation with city and county election officials, shall adopt modified election deadlines and procedures to allow the conduct of the 2012 primary election as scheduled. The modified deadlines and procedures may address filing and publishing deadlines and any other matters necessary to accommodate the conduct of the primary election.

SECTION 5. LEGISLATIVE INTENT - BOUNDARIES. It is the intent of the legislative assembly that although this Act is effective on November 25, 2011, the members of the legislative assembly elected under the redistricting plan effective on November 24, 2011, shall continue to serve until implementation of this Act. Any reference in the legislative district descriptions to a city limit or the Fort Berthold reservation boundary as a boundary line refers to the limit or boundary as it existed on January 1, 2010, as shown on the 2010 census maps. A legislative district boundary using the Fort Berthold reservation or city limit lines does not migrate as the Fort Berthold reservation boundary or city limits migrate. For purposes of legislative district descriptions, unless cities are otherwise specifically named, townships encompass all the territory within their outer boundaries.

SECTION 6. EFFECTIVE DATE. This Act becomes effective on November 25, 2011.

Approved November 9, 2011

Filed November 9, 2011

HOUSE CONCURRENT RESOLUTIONS

CHAPTER 583

HOUSE CONCURRENT RESOLUTION NO. 3053

(Representatives Kasper, Bellew, Drovdal, Rust)
(Senators Andrist, Nodland)
(Approved by the Delayed Bills Committee)

A concurrent resolution urging Congress to clearly limit United States Environmental Protection Agency regulation of hydraulic fracturing under the Safe Drinking Water Act to well stimulation treatments that use diesel fuel as the primary constituent--more than 50 percent diesel fuel by volume--of hydraulic fracturing fluid.

WHEREAS, hydraulic fracturing, a mechanical method of increasing the permeability of rock, thus increasing the amount of oil or gas produced from the rock, has greatly enhanced oil and gas production in this state; and

WHEREAS, oil and gas production increases in this state have led to growth in employment and economic development as well as promotion of energy independence for the United States; and

WHEREAS, the Energy Policy Act of 2005 uses the term "diesel fuel" more than 40 times and defines "diesel fuel" according to the American Society for Testing and Materials standard specifications for fuel oils; and

WHEREAS, the Environmental Protection Agency is being urged to define "diesel fuel" in Section 322 of the Energy Policy Act of 2005 in a different and broader manner than the definition of "diesel fuel" used elsewhere in the Act; and

WHEREAS, Section 322 of the Energy Policy Act of 2005 was never intended to subject injection of hydraulic fracturing fluids that contain minute amounts of diesel fuel, typically less than one-tenth of 1 percent by volume, to Safe Drinking Water Act regulation;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Sixty-second Legislative Assembly urges the Congress of the United States to clearly limit Environmental Protection Agency regulation of hydraulic fracturing under the Safe Drinking Water Act to well stimulation treatments that use diesel fuel as the primary constituent--more than 50 percent by volume--of the hydraulic fracturing fluid; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the administrator of the Environmental Protection Agency and to each member of the North Dakota Congressional Delegation.

Filed November 10, 2011

CHAPTER 584

HOUSE CONCURRENT RESOLUTION NO. 3054

(Representatives Kasper, Delzer, Dosch, Wrangham)

(Senators Cook, Dever)

(Approved by the Delayed Bills Committee)

A concurrent resolution urging the United States Environmental Protection Agency to approve North Dakota's plan for addressing regional haze and urging Congress to clearly delegate responsibility for the regulation of regional haze and minor source air permitting to the states.

WHEREAS, in Section 101 of the Clean Air Act, Congress determined that preventing and controlling air pollution "is the primary responsibility of States and local governments" and the Act is designed to prevent the federal government from substituting its inflexible judgment for a state's superior knowledge of local conditions and needs; and

WHEREAS, in *American Corn Growers Association v. E.P.A.*, 291 F.3d 1, 2 (D.C. Cir. 2002), the United States Court of Appeals for the District of Columbia Circuit held that the Clean Air Act "calls for states to play the lead role in designing and implementing regional haze programs"; and

WHEREAS, the North Dakota State Department of Health developed a reasonable plan for addressing regional haze and this state's air is among the nation's cleanest in the nation with the 2010 American Lung Association ranking Mercer County, home to several coal-based power plants, as one of the 25 cleanest counties in the United States and ranking Billings County, home to Theodore Roosevelt National Park and significant oil and gas development, as the third cleanest; and

WHEREAS, the United States Environmental Protection Agency has noticed its intention in the Federal Register to disapprove a portion of this state's plan for addressing regional haze and impose a federal plan in its place that mandates an inappropriate technology, selective catalytic reduction, that is not proven on boilers using this state's high-sodium lignite and which when tested through a pilot study, the technology failed after two months; and

WHEREAS, when one compares the United States Environmental Protection Agency's plan to this state's plan there is no significant improvement in visibility under the United States Environmental Protection Agency's plan, so much so that the visibility improvements the United States Environmental Protection Agency claims would result from its plan are not even humanly perceptible; and

WHEREAS, the North Dakota State Department of Health found that international and out-of-state sources are the most significant cause of impaired visibility in the state's national parks and wilderness areas, and that even if every coal plant and oil drilling rig in the state were shut down, the Environmental Protection Agency's visibility goals could not be met because the problem is caused by sources outside this state; and

WHEREAS, this state has crafted an implementation plan that takes into account the various technology options available to oil and gas operators to reduce emissions of volatile organic compounds; and

WHEREAS, this state's natural gas gathering and processing industry has committed more than \$3 billion to build infrastructure that will capture and market flared gas; and

WHEREAS, the United States Environmental Protection Agency is ignoring this state's authority and local knowledge and the Environmental Protection Agency's proposed action would unnecessarily jeopardize this state's sovereignty and economic well-being;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Sixty-second Legislative Assembly urges the United States Environmental Protection Agency to approve North Dakota's plan for addressing regional haze and urges Congress to clearly delegate responsibility for the regulation of regional haze and minor source air permitting to the states; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the administrator of the United States Environmental Protection Agency and to each member of the North Dakota Congressional Delegation.

Filed November 10, 2011

SENATE CONCURRENT MEMORIAL RESOLUTION

CHAPTER 585

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 8002

(Senators Flakoll, Christmann, Klein, O'Connell, Wardner, Carlisle)
(Representatives Carlson, Delmore, Nathe, Weiler)
(Approved by the Delayed Bills Committee)

A Senate concurrent memorial resolution for Senator Bob Stenehjem.

WHEREAS, Bob Stenehjem was first elected to the North Dakota Senate in 1992 and was chosen to serve as its majority leader in 2001, a position he held without interruption until his untimely death in 2011; and

WHEREAS, Senator Stenehjem was a rare person who could see the big picture and take the many small steps that are necessary to get the job done, could build the kind of constructive compromise that moved important legislation, and used his leadership and statesmanship to produce legacy legislation that will improve the quality of life for North Dakotans for generations to come; and

WHEREAS, Senator Stenehjem earned the respect and friendship of colleagues on both sides of the aisle and people throughout the State Capitol, the nation, and the world; and

WHEREAS, during his distinguished career, Senator Stenehjem was a national leader in tribal relations and transportation issues; and

WHEREAS, Senator Stenehjem treasured time with family, friends, and colleagues and exhibited a great zest for life and was passionate about politics and the great outdoors; and

WHEREAS, on July 18, 2011, we lost a very special friend when Senator Stenehjem tragically passed away; and

WHEREAS, Senator Stenehjem will be deeply missed by the many friends and colleagues he left behind, his wife Kathy, four children, and three grandchildren;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That we express our sorrow on the passing of Senator Bob Stenehjem and express our deepest sympathy to his family, friends, and colleagues; and

BE IT FURTHER RESOLVED, that for the perpetuation of his memory this token of respect and sympathy by his successors in trust be printed in the Journal of the Senate and the Journal of the House and that the Secretary of State present enrolled copies of this resolution to the surviving family.

Filed November 10, 2011