

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2369

Introduced by

Senator Heitkamp

Representative Gulleason

1 A BILL for an Act to amend and reenact subsection 2 of section 12.1-06.1-01 of the North
2 Dakota Century Code, relating to the illegal transportation or disposal of radioactive waste
3 material or hazardous waste; and to provide a penalty.

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

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 12.1-06.1-01 of the 1995
6 Supplement to the North Dakota Century Code is amended and reenacted as follows:

7 2. For the purposes of sections 12.1-06.1-03 through 12.1-06.1-07, unless the context
8 otherwise requires:

9 a. "Control" means the possession of a sufficient interest to permit substantial
10 direction over the affairs of an enterprise.

11 b. "Enterprise" means any corporation, limited liability company, association,
12 labor union, or other legal entity or any group of persons associated in fact
13 although not a legal entity.

14 c. "Financial institution" means any bank, trust company, savings and loan
15 association, credit union, or money lender under the jurisdiction of the state
16 department of banking and financial institutions or its commissioner, or the
17 state banking board, or the state credit union board.

18 d. "Illegal transportation or disposal of radioactive waste material or hazardous
19 waste" means the transportation or disposal of radioactive waste material or
20 hazardous waste in violation of section 23-20.2-09 or chapter 23-20.3 or the
21 rules implementing those statutes.

22 e. "Pattern of racketeering activity" requires at least two acts of racketeering
23 activity, one of which occurred after July 8, 1987, and the last of which

occurred within ten years, excluding any period of imprisonment, after the commission of a prior act of racketeering activity.

~~e.~~ f. "Racketeering" means any act including any criminal attempt, facilitation, solicitation, or conspiracy, committed for financial gain, which is chargeable or indictable under the laws of the state in which the act occurred and, if the act occurred in a state other than this state, would be chargeable or indictable under the laws of this state had the act occurred in this state and punishable by imprisonment for more than one year, regardless of whether such act is charged or indicted, involving:

(1) Homicide.

(2) Robbery.

(3) Kidnapping.

(4) Forgery.

(5) Theft.

(6) Bribery.

(7) Gambling.

(8) Usury.

(9) Extortion.

(10) Unlawful delivery of controlled substances.

(11) Trafficking in explosives, weapons, or stolen property.

(12) Leading a criminal association.

(13) Obstructing or hindering criminal investigations or prosecutions.

(14) Asserting false claims including, but not limited to, false claims asserted through fraud or arson.

(15) Fraud.

(16) Sale of unregistered securities or real property securities and transactions involving such securities by unregistered dealers or salesmen.

(17) Obscenity.

(18) Child pornography.

(19) Prostitution.

- 1 (20) Willful and illegal transportation or disposal of radioactive waste
2 material or hazardous waste.
3 f. g. "Records" means any book, paper, writing, record, computer program, or
4 other material.