

Introduced by

1 A BILL for an Act to create and enact a new section to chapter 61-04.1 of the North Dakota
2 Century Code, relating to a western and central North Dakota hail suppression pilot program by
3 the atmospheric resource board; to amend and reenact section 61-04.1-12 of the North Dakota
4 Century Code, relating to hail suppression license and permit requirements; to provide an
5 appropriation; and to provide an expiration date.

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

7 **SECTION 1. AMENDMENT.** Section 61-04.1-12 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **61-04.1-12. Exemptions.**

- 10 1. The board may provide by rule for exemption of the following activities from the
11 license and permit requirements of section 61-04.1-11:
- 12 ~~4-~~ a. Research and development conducted by the state, political subdivisions of
13 the state, colleges and universities of the state, agencies of the federal
14 government, or bona fide research corporations.
- 15 ~~2-~~ b. Weather modification operations of an emergency nature taken against fire,
16 frost, or fog.
- 17 c. Hail suppression operations under section 2 of this Act.
- 18 2. Exempted activities ~~shall~~ must be conducted so as not to unduly interfere with
19 weather modification operations conducted under a permit issued in accordance
20 with this chapter.

21 **SECTION 2.** A new section to chapter 61-04.1 of the North Dakota Century Code is
22 created and enacted as follows:

23 **Hail suppression pilot program.** The board shall implement a hail suppression pilot
24 program that provides urban and rural hail suppression services to the following counties:

1 Adams, Benson, Billings, Bottineau, Bowman, Burke, Burleigh, Divide, Dunn, Eddy, Emmons,
2 Foster, Golden Valley, Grant, Hettinger, Kidder, Logan, McHenry, McIntosh, McKenzie,
3 McLean, Mercer, Morton, Mountrail, Oliver, Pierce, Renville, Sheridan, Sioux, Slope, Stark,
4 Stutsman, Towner, Ward, Wells, and Williams. The board shall conduct a planning phase,
5 which may not exceed twelve months, and during this phase study the impact on the
6 environment, provide public education, create a hypothesis assessment committee, and
7 formulate an operations plan. The operations plan must include a process in which local
8 delegates are designated and are provided a forum for stating local concerns. Immediately
9 after the planning phase, the board shall implement the pilot program and continue the program
10 through June 30, 2005, subject to legislative appropriation. The board shall adopt rules
11 concerning the hail suppression pilot program. Hail suppression services must be provided in a
12 manner that does not allocate resources based on population density and must be provided to
13 the entire pilot program area. Hail suppression operation decisionmaking under this section
14 must consider local concerns of local delegates; public health, safety, and welfare concerns;
15 and environmental concerns. This section does not prohibit any county from participating in
16 weather modification operations under this chapter.

17 **SECTION 3. APPROPRIATION.** There is hereby appropriated out of any moneys in
18 the general fund in the state treasury, not otherwise appropriated, the sum of \$_____, or
19 so much of the sum as may be necessary, to the state water commission for the purpose of
20 implementing the hail suppression pilot program, for the biennium beginning July 1, 1999, and
21 ending June 30, 2001.

22 **SECTION 4. EXPIRATION DATE.** This Act is effective through June 30, 2005, and
23 after that date is ineffective.

NOTE: This bill draft contains a blank that must be completed before introduction.