

**SENATE BILL NO. 2111
with House Amendments**

Fifty-eighth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2111

Introduced by

Industry, Business and Labor Committee

(At the request of the Agriculture Commissioner)

1 A BILL for an Act to amend and reenact section 19-20.2-03 of the North Dakota Century Code,
2 relating to licensing of anhydrous ammonia facilities.

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

4 **SECTION 1. AMENDMENT.** Section 19-20.2-03 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **19-20.2-03. License required - ~~Construction of anhydrous~~ Anhydrous ammonia**
7 **facilities constructed after June 30, 1985.** No anhydrous ammonia storage facility may be
8 ~~constructed or~~ operated without a license issued by the commissioner of agriculture and the
9 board of county commissioners of the county in which the facility is ~~to be~~ constructed. An
10 application for a license to site and operate an anhydrous ammonia storage facility must be
11 made to the commissioner of agriculture and to the board of county commissioners. The
12 commissioner or the board may deny a license for failure to remit the proper fee to the
13 commissioner of agriculture, for failure to comply with the siting requirements of this chapter
14 and rules adopted pursuant to this chapter if constructed after June 30, 1985, or for failure to
15 comply with local siting requirements. The commissioner of agriculture also may deny a
16 license if the chief boiler inspector does not certify that the facility meets the initial inspection
17 standards required by this chapter and by any rules adopted pursuant to this chapter. In order
18 to obtain a license, an individual shall submit two sets of drawings or photographs and signed
19 affidavits stating and showing the facility has been measured and meets the siting requirements
20 along with the application for license. The drawings or photographs must show the proposed
21 location of the tank, the locations, and the surroundings in all directions. One set of drawings
22 or photographs is for the commissioner of agriculture and the other is for the board of county
23 commissioners.