

Fifty-ninth  
Legislative Assembly  
of North Dakota

Introduced by

Legislative Council

(Natural Resources Committee)

1 A BILL for an Act to amend and reenact subdivisions a and b of subsection 1 of section  
2 38-14.1-17 of the North Dakota Century Code, relating to notice of release of surface coal  
3 mining performance bonds.

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

5 **SECTION 1. AMENDMENT.** Subdivisions a and b of subsection 1 of section  
6 38-14.1-17 of the North Dakota Century Code are amended and reenacted as follows:

- 7 a. Within thirty days after filing of the request, a copy of an advertisement placed  
8 at least once a week for four successive weeks in the official newspaper of  
9 each county ~~wherein~~ in which the surface coal mining operation is located  
10 ~~and in other daily newspapers of general circulation in the locality of the~~  
11 ~~surface coal mining operation. Such.~~ The advertisement must contain  
12 notification of all of the following:
- 13 (1) The precise location and the number of acres [hectares] of the land  
14 affected.
  - 15 (2) The permit and the date approved.
  - 16 (3) The amount of the bond filed and the portion sought to be released.
  - 17 (4) The type and approximate dates of reclamation work performed and a  
18 description of the results achieved as they relate to the permittee's  
19 approved reclamation plan.
  - 20 (5) The right to file written objections and to request a public hearing or an  
21 informal conference as specified in subsection 2.
- 22 b. Copies of letters which the permittee has sent to all owners of surface rights  
23 within the permit area proposed for bond release, ~~all owners of subsurface~~  
24 ~~rights within the permit area proposed for bond release,~~ adjoining property

1 owners, state agencies specified in subsection 2 of section 38-14.1-21, heads  
2 of local governmental bodies, including the county commissioners and mayors  
3 of municipalities, planning agencies, sewage and water treatment authorities,  
4 and water companies in the locality in which the surface coal mining and  
5 reclamation operations took place, notifying them of the permittee's intention  
6 to seek release from the bond. ~~Such~~ The letters must also contain notice of  
7 the right to file written objections and request an informal conference or a  
8 public hearing as specified in subsection 2.