

Fifty-ninth  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE CONCURRENT  
RESOLUTION NO. 4037**

Introduced by

Senator Christmann

Representative Devlin

1 A concurrent resolution directing the Legislative Council to study the laws pertaining to fences  
2 located outside the corporate limits of the state's cities and the relevancy of those laws in the  
3 21st century.

4 **WHEREAS**, fences are a dominant feature of our lives and our history; and

5 **WHEREAS**, settlers have fenced millions of acres and countless rivals have seized  
6 post, rail, board, and wire to stake a claim for home and happiness; and

7 **WHEREAS**, the fences that skirt our properties define ownership and identity and allow  
8 neighbors and nations to divide and protect, as well as to offend and defend through the  
9 boundaries the fences build; and

10 **WHEREAS**, legislation regarding fences was first enacted in North Dakota in 1903 and  
11 remains substantially unchanged; and

12 **WHEREAS**, after more than 100 years, laws pertaining to fences, fence viewers, and  
13 attendant issues of liability should be reviewed to determine their relevancy in the 21st century;

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

16 That the Legislative Council study the laws pertaining to fences located outside the  
17 corporate limits of the state's cities and the relevancy of those laws in the 21st century; and

18 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and  
19 recommendations, together with any legislation required to implement the recommendations, to  
20 the Sixtieth Legislative Assembly.