

Sixty-third  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1063**

Introduced by

Energy and Natural Resources Committee

(At the request of the State Engineer)

1 A BILL for an Act to amend and reenact section 61-02-01 of the North Dakota Century Code,  
2 relating to the term nonnavigable; and to repeal sections 61-15-01, 61-15-02, and 61-15-08 of  
3 the North Dakota Century Code, relating to water conservation.

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

5 **SECTION 1. AMENDMENT.** Section 61-02-01 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **61-02-01. Water conservation, flood control, management, and development declared**  
8 **a public purpose.**

9 It is hereby declared that the general welfare and the protection of the lives, health,  
10 property, and the rights of all the people of this state require that the conservation,  
11 management, development, and control of waters in this state, public or private, navigable or  
12 ~~unnavigable~~nonnavigable, surface or subsurface, the control of floods, and the management of  
13 the atmospheric resources, involve and necessitate the exercise of the sovereign powers of this  
14 state and are affected with and concern a public purpose. It is declared further that any and all  
15 exercise of sovereign powers of this state in investigating, constructing, maintaining, regulating,  
16 supervising, and controlling any system of works involving such subject matter embraces and  
17 concerns a single object, and that the state water commission in the exercise of its powers, and  
18 in the performance of all its official duties, shall be considered and construed to be performing a  
19 governmental function for the benefit, welfare, and prosperity of all the people of this state.

20 **SECTION 2. REPEAL.** Sections 61-15-01, 61-15-02, and 61-15-08 of the North Dakota  
21 Century Code are repealed.