

January 21, 2021

PROPOSED AMENDMENTS TO SENATE BILL NO. 2208

Page 1, line 3, after "sections" insert "61-01-23,"

Page 2, after line 9, insert:

**"SECTION 2. AMENDMENT.** Section 61-01-23 of the North Dakota Century Code is amended and reenacted as follows:

**61-01-23. Investigation or removal of obstructions in channel.**

~~In order to investigate or remove obstructions from the channel or bed of any watercourse and thus prevent ice from gorging therein and to prevent flooding or pollution of such watercourse~~

1. Upon a request from a landowner affected by an obstruction to a watercourse, the state water commission, any water resource district, any municipality, any board of county commissioners, and any federal agency authorized to construct works for prevention of to prevent damage by floods or for abatement of abate stream pollution, may shall notify, and upon the entity's own volition, may notify, the owner of lands lying adjacent to the obstructed watercourse of the entity's authority under this section as follows:

- a. The owner of adjacent lands shall remove the obstruction within thirty days of receiving the notice; and
- b. If the obstruction is not removed within the thirty days, the entity that sent the notice may enter upon the owner's lands lying adjacent to such the watercourse to investigate or remove, or cause to be removed from the bed, channel, or banks of such the watercourse obstructions which prevent or hinder hindering the free flow of water or passage of ice therein in the watercourse, at the owner's expense. However, such entry

2. Entry upon adjacent lands under this section must be by the most accessible route and the entering agency entity is responsible to the landowner for any damage."

Renumber accordingly

~ 5 member board -

Discretionary funding of C/B on projects.

- Include in study -

Appeals Board

Merging of water chapters  
changing from water boards to water sheds  
assessment practices  
Uniformity between boards/watersheds