

March 24, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1451

Page 1, line 3, after "49-21-01" insert "and subdivision g of subsection 3 of section 49-23-04"

Page 1, line 4, after "definitions" insert "and time periods under the one-call excavation notice system"

Page 5, line 26, replace "Notwithstanding any other provision of law or home rule charter" with "Unless the governing body of a political subdivision has submitted to the qualified electors of that political subdivision the question of whether to impose a fee other than a fee for management costs and a majority of the voters approved the fee"

Page 5, line 27, replace "recover" with "impose after December 31, 1998," and after "fee" insert "to recover"

Page 5, line 29, after the underscored comma insert "in order to accomplish a necessary public improvement on the right of way,"

Page 5, line 30, replace "the company's" with "no cost to the political subdivision. Necessary public improvements are limited to construction and maintenance activities directly related to improved transportation and safety"

Page 5, line 31, remove "sole cost and expense"

Page 7, after line 26, insert:

**"SECTION 7. AMENDMENT.** Subdivision g of subsection 3 of section 49-23-04 of the 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

- g. An excavator may not use a location more than ~~seventy-two hours~~ ten days, or any extension of that period, after the planned excavation date unless the excavator has made previous arrangements with the operators affected."

Page 7, line 27, remove "**OF ACT**", replace "This" with "Sections 1 through 6 of this", and replace "applies" with "apply"

Re-number accordingly