

Introduced by

Representatives Iverson, Carlson, Ruby

Senators Brown, Freborg

1 A BILL for an Act to amend and reenact section 54-01.1-03 of the North Dakota Century Code,
2 relating to moving and related expenses as a result of projects undertaken by a state agency;
3 to provide an expiration date; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 54-01.1-03 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **54-01.1-03. Moving and related expenses.**

8 1. Whenever a program or project to be undertaken by a displacing agency will result
9 in the displacement of any person, the displacing agency shall provide for the
10 payment to the displaced person of:

11 a. Actual, reasonable expenses in moving the displaced person and the
12 displaced person's family, business, farm operation, or other personal
13 property;

14 b. Actual direct losses of tangible personal property as a result of moving or
15 discontinuing a business or farm operation, but not to exceed an amount
16 equal to the reasonable expenses that would have been required to relocate
17 such property, as determined by the state agency;

18 c. Actual, reasonable expenses in searching for a replacement business or
19 farm; and

20 d. Actual reasonable expenses necessary to reestablish a displaced farm,
21 nonprofit organization, or small business at its new site, ~~but not to exceed ten~~
22 ~~thousand dollars~~ as determined by criteria established by the state agency.

23 2. Any displaced person eligible for payments under subsection 1 who is displaced
24 from a dwelling and who elects to accept the payments authorized by this

1 subsection in lieu of the payments authorized by subsection 1 may receive a
2 moving expense allowance, determined according to a schedule established by
3 the state agency.

4 3. Any displaced person eligible for payments under subsection 1, who is displaced
5 from the person's place of business or farm operation and is eligible under criteria
6 established by the state agency, may elect to accept the payment authorized by
7 this subsection in lieu of the payment authorized by subsection 1. ~~Such~~ The
8 payment must consist of a fixed payment in an amount to be determined according
9 to criteria established by the state agency, ~~except that the payment may not be~~
10 ~~less than one thousand dollars, nor more than twenty thousand dollars.~~ A person
11 whose sole business at the displacement dwelling is the rental of the property to
12 others does not qualify for a payment under this subsection.

13 **SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 2007, and after
14 that date is ineffective.

15 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.