

**HOUSE BILL NO. 1147**

Introduced by

Natural Resources Committee

(At the request of the State Water Commission)

1 A BILL for an Act to amend and reenact sections 61-02-76 and 61-03-22 of the North Dakota  
2 Century Code, relating to appeals from decisions of the water commission and state engineer.

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

4 **SECTION 1. AMENDMENT.** Section 61-02-76 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **61-02-76. Hearing - Appeals from decision of commission.** Except as more  
7 specifically provided in this title, any person aggrieved ~~because of any action or~~ by a decision of  
8 the commission under ~~the provisions of~~ this title has the right to a hearing by the commission if  
9 no hearing on the matter resulting in the action or decision has been held. A request for a  
10 hearing must be made in writing within thirty days of the decision by the commission. The  
11 request must state with particularity how the person is aggrieved by the decision and the issues  
12 and facts to be presented at the hearing. If a hearing has been held, the person aggrieved has  
13 the right to petition for reconsideration and to appeal, all in accordance with the provisions of  
14 chapter 28-32.

15 **SECTION 2. AMENDMENT.** Section 61-03-22 of the North Dakota Century Code is  
16 amended and reenacted as follows:

17 **61-03-22. Hearing - Appeals from decision of state engineer.** Except as more  
18 specifically provided in this title, any person aggrieved ~~because of any action or~~ by a decision of  
19 the state engineer under the provisions of this title has the right to a hearing by the state  
20 engineer if no hearing on the matter resulting in the action or decision has been held. A  
21 request for a hearing must be made in writing within thirty days of the decision by the state  
22 engineer. The request must state with particularity how the person is aggrieved by the decision  
23 and the issues and facts to be presented at the hearing. If a hearing has been held, the person

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Legislative Assembly

- 1 aggrieved has the right to petition for reconsideration and to appeal, all in accordance with the
- 2 provisions of chapter 28-32.