

March 6, 2009

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2141

Page 1, line 3, after "exploration" insert "; to provide for a legislative council study; and to provide for a penalty"

Page 2, line 13, replace "articles in the North Dakota Administrative Code which are" with "laws and regulations relating to air, water, and land management"

Page 2, line 15, after "**operations**" insert "**- Penalties**"

Page 2, line 18, after the underscored period insert "Service of the notice of drilling operations must conform to personal service provisions in rule 4 of the North Dakota Rules of Civil Procedure. If the mineral developer fails to provide the proper notice, the surface owner may petition the industrial commission to fix a date for a hearing and give notice. Following the notice and hearing, the commission, as provided for in sections 38-08-16 and 38-08-17, may conduct investigations, restrain from further violation, and impose civil and criminal penalties."

Page 3, line 29, replace "reasonable" with "double"

Page 5, after line 19, insert:

"SECTION 2. LEGISLATIVE COUNCIL STUDY - ALTERNATIVES TO SETTLEMENTS WHEN REJECTED. During the 2009-10 interim, the legislative council shall consider studying alternatives to damage and disruption payment settlement if the person seeking compensation rejects the offer of the mineral developer. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-second legislative assembly."

Re-number accordingly