

January 24, 2013

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1061

Page 1, line 1, replace "section" with "sections"

Page 1, line 1, after "61-03-23" insert "and 61-04-30"

Page 1, line 2, after the semicolon insert "to provide a penalty;"

Page 1, line 9, overstrike "knowingly"

Page 1, line 10, replace "fifteen" with "twenty-five"

Page 1, after line 21, insert:

"SECTION 2. AMENDMENT. Section 61-04-30 of the North Dakota Century Code is amended and reenacted as follows:

61-04-30. Penalty.

A person who constructs works for an appropriation, or diverts, impounds, withdraws, or uses a significant amount of water from any source without a permit specifically authorizing such action, except as otherwise provided in section 61-04-02; who violates an order of the state engineer; who fails or refuses to install meters, gauges, or other measuring devices or to control works; who violates an order establishing corrective controls for an area or for a source of water; who violates the terms of the permit; or who knowingly makes a false or misleading statement in a declaration of existing rights is guilty of a class A misdemeanor. As used in this section, "significant amount of water" means any amount of water in excess of that allowed in a valid water permit, or any amount of water in excess of the needs for domestic and livestock purposes where no permit has been issued. The state engineer shall inform the tax commissioner of violations of industrial use permits."

Re-number accordingly