

Introduced by

Representatives Porter, Hofstad

Senators Armstrong, Schaible, Wardner

1 A BILL ~~for an Act to create and enact an new section to chapter 38-08 of the North Dakota~~  
2 ~~Century Code, relating to decisions of the industrial commission.~~for an Act to amend and  
3 reenact subsection 5 of section 38-08-04 of the North Dakota Century Code, relating to  
4 decisions of the industrial commission.

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

6 ~~— **SECTION 1.** A new section to chapter 38-08 of the North Dakota Century Code is created~~  
7 ~~and enacted as follows:~~

8 ~~— **Decision within regulatory jurisdiction.**~~

9 ~~— In any decision relating to oil and gas development in this state, including making a rule,~~  
10 ~~issuing an order, or creating a policy, the industrial commission shall exclude as a basis or~~  
11 ~~finding for that decision any information relating to a location within this state that is not within~~  
12 ~~the regulatory jurisdiction of the industrial commission.~~

13 **SECTION 1. AMENDMENT.** Subsection 5 of section 38-08-04 of the North Dakota Century  
14 Code is amended and reenacted as follows:

15 5. To adopt and to enforce rules and orders to effectuate the purposes and the intent of  
16 this chapter and the commission's responsibilities under chapter 57-51.1. When  
17 adopting a rule, issuing an order, or creating a policy, the commission shall give due  
18 consideration to the effect of including locations within this state which may also be  
19 under the jurisdiction of the federal government or a tribal government. When reporting  
20 information resulting from adopting a rule, issuing an order, or creating a policy that  
21 affects locations within this state which may also be under the jurisdiction of the  
22 federal government or a tribal government, the commission shall provide sufficient  
23 information to indicate the effect of including locations that may also be under the  
24 regulatory jurisdiction of the federal government or a tribal government.