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Sixty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2216

Introduced by

Senators Luick, Klein, Lemm, Myrdal

Representatives D. Johnson, Trottier

A BILL for an Act to amend and reenact subdivision d of subsection 1 of section 58-03-11.1 of the North Dakota Century Code, relating to the definition of location for animal feeding operations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subdivision d of subsection 1 of section 58-03-11.1 of the North Dakota Century Code is amended and reenacted as follows:

d. "Location" means the setback distance between a structure, fence, or other boundary enclosing an animal feeding operation, including its animal waste collection system, and the nearest occupied residence, the nearest buildings used for nonfarm or nonranch purposes, or the nearest land zoned ~~for~~as a residential, recreational, or commercial ~~purposes~~zoning district. The term does not include the setback distance for the application of manure or for the application of other recycled agricultural material under a nutrient management plan approved by the department of environmental quality.