

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1072

Introduced by

Energy and Natural Resources Committee

(At the request of the Department of Water Resources)

1 A BILL for an Act to amend and reenact subsection 1 of section 61-04.1-04, section 61-04.1-06,
2 and subdivision h of subsection 2 of section 61-04.1-16 of North Dakota Century Code, relating
3 to the powers and duties of the department of water resources; and to repeal section
4 61-04.1-35 of the North Dakota Century Code, relating to the required bond, cash, or negotiable
5 securities required when bids are submitted to the atmospheric resources board.

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

7 **SECTION 1. AMENDMENT.** Subsection 1 of section 61-04.1-04 of the North Dakota
8 Century Code is amended and reenacted as follows:

- 9 1. The North Dakota atmospheric resource board is a division of the ~~state water~~
10 ~~commission~~department of water resources. The board is composed of the director of
11 the state aeronautics commission, a representative of the department of
12 environmental quality, the director of the department of water resources, and one
13 additional board member from each of seven districts established by section
14 61-04.1-05. The governor shall appoint one board member for each of the seven
15 districts from a list of three candidates given to the governor by weather modification
16 authorities in each district:
- 17 a. When the term of office of any board member from any district is about to expire.
18 b. When a vacancy has occurred, or is about to occur, in the term of office of a
19 board member from any district for any reason other than expiration of term of
20 office.

21 **SECTION 2. AMENDMENT.** Section 61-04.1-06 of the North Dakota Century Code is
22 amended and reenacted as follows:

1 **61-04.1-06. Direction and supervision by ~~state water commission~~department of water**
2 **resources - Independent functions retained by board.**

3 The powers, functions, and duties of the board shall be administered under the direction
4 and supervision of the ~~state water commission~~department of water resources. The board shall
5 retain the quasi-judicial, quasi-legislative, advisory, budgetary, rulemaking, and other functions
6 vested in it, which shall be exercised in accordance with policy and guidelines for weather
7 modification activities as established by the ~~commission~~department.

8 **SECTION 3. AMENDMENT.** Subdivision h of subsection 2 of section 61-04.1-16 of the
9 North Dakota Century Code is amended and reenacted as follows:

10 h. The applicant has furnished a bid bond ~~in accordance with section 61-04.1-35.~~

11 **SECTION 4. REPEAL.** Section 61-04.1-35 of the North Dakota Century Code is repealed.