

**Sixty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1072  
(Energy and Natural Resources Committee)  
(At the request of the Department of Water Resources)

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

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

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

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

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

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

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

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

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

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

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Speaker of the House

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President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1072.

House Vote:    Yeas 93            Nays 0            Absent 1

Senate Vote:    Yeas 46            Nays 0            Absent 1

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2023.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2023,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State