

23.1091.04000

Sixty-eighth
Legislative Assembly
of North Dakota

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2364**

Introduced by

Senators Klein, Luick, Sorvaag

Representatives Nelson, Weisz

1 A BILL for an Act to create and enact a new section to chapter 61-24 of the North Dakota
2 Century Code, relating to the Garrison Diversion Conservancy District and permanent
3 easements.

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

5 **SECTION 1.** A new section to chapter 61-24 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Permanent easements - Limitations.**

8 The district's use of the permanent easement property is restricted solely to the
9 construction, operation, and maintenance of facilities authorized by ^{Law.} ~~this chapter or the Dakota~~
10 Water Resources Act of 2000 [Pub. L. 106-554, Sec. 1(a)(4) [div. B, title VII]; 114 Stat. 2763,
11 ~~27931A-281~~] as amended. The district may not rent, sell, or assign the rights to a permanent
12 easement, except may reserve the right to assign the permanent easement to the state of North
13 Dakota if necessary for the operation and maintenance of a public water pipeline. If the district
14 ceases operation, all permanent easements must be transferred to the public water system
15 receiving a beneficial use from the water pipelines and other facilities. If no public water system
16 exists, all permanent easements must transfer to the state. The state or public water system
17 shall assume full responsibility for all easement activities and responsibilities, including any
18 environmental remediation obligations.