

23.1091.02002

Sixty-eighth
Legislative Assembly
of North Dakota

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 water pipelines. The district may not rent, sell, or
10 assign the rights to a permanent easement, except may reserve the right to assign the
11 permanent easement to the state of North Dakota if necessary for the operation and
12 maintenance of a public water pipeline. If the district ceases operation, all permanent
13 easements must be transferred to the public water system receiving a beneficial use from the
14 water pipelines and other facilities. If no public water system exists, all permanent easements
15 must transfer to the state. The state or public water system shall assume full responsibility for all
16 easement activities and responsibilities including any environmental remediation obligations.

February 8, 2023

PROPOSED AMENDMENTS TO SENATE BILL NO. 2364

Page 1, line 12, after the underscored period insert "If the district ceases operation, all permanent easements must be transferred to the public water system receiving a beneficial use from the water pipelines and other facilities. If no public water system exists, all permanent easements must transfer to the state. The state or public water system shall assume full responsibility for all easement activities and responsibilities including any environmental remediation obligations."

Re-number accordingly