

Introduced by

1 A BILL for an Act to create and enact a new section to chapter 61-04.1 of the North Dakota  
2 Century Code, relating to a western North Dakota hail suppression pilot program by the  
3 atmospheric resource board; to amend and reenact section 61-04.1-12 of the North Dakota  
4 Century Code, relating to hail suppression license and permit requirements; to provide an  
5 appropriation; and to provide an expiration date.

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

7 **SECTION 1. AMENDMENT.** Section 61-04.1-12 of the North Dakota Century Code is  
8 amended and reenacted as follows:

9 **61-04.1-12. Exemptions.**

- 10 1. The board may provide by rule for exemption of the following activities from the  
11 license and permit requirements of section 61-04.1-11:
- 12 ~~4.~~ a. Research and development conducted by the state, political subdivisions of  
13 the state, colleges and universities of the state, agencies of the federal  
14 government, or bona fide research corporations.
- 15 ~~2.~~ b. Weather modification operations of an emergency nature taken against fire,  
16 frost, or fog.
- 17 c. Hail suppression operations under section 2 of this Act.
- 18 2. Exempted activities ~~shall~~ must be conducted so as not to unduly interfere with  
19 weather modification operations conducted under a permit issued in accordance  
20 with this chapter.

21 **SECTION 2.** A new section to chapter 61-04.1 of the North Dakota Century Code is  
22 created and enacted as follows:

23 **Hail suppression pilot program.** The board shall implement a hail suppression pilot  
24 program that provides urban and rural hail suppression services to the following counties:

1 Adams, Billings, Bowman, Burke, Divide, Dunn, Golden Valley, Grant, Hettinger, McKenzie,  
2 Mercer, Morton, Mountrail, Oliver, Renville, Sioux, Slope, Stark, Ward, and Williams. The board  
3 shall conduct a planning phase, which may not exceed twelve months, and during this phase  
4 study the impact on the environment, provide public education, create a hypothesis assessment  
5 committee, and formulate an operations plan. The operation plan must include a process in  
6 which local delegates are designated and are provided a forum for stating local concerns.  
7 Immediately after the planning phase, the board shall implement the pilot program, and  
8 continue the program through June 30, 2005, subject to legislative appropriation. The board  
9 shall adopt rules concerning the hail suppression pilot program. Hail suppression services must  
10 be provided in a manner that does not allocate resources based on population density and must  
11 be provided to the entire pilot program area. Hail suppression operation decisionmaking under  
12 this section must consider local concerns of local delegates; public health, safety, and welfare  
13 concerns; and environmental concerns. This section does not prohibit any county from  
14 participating in weather modification operations under this chapter.

15       **SECTION 3. APPROPRIATION.** There is hereby appropriated out of any moneys in  
16 the general fund in the state treasury, not otherwise appropriated, the sum of \$\_\_\_\_\_, or  
17 so much of the sum as may be necessary, to the state water commission for the purpose of  
18 implementing the hail suppression pilot program, for the biennium beginning July 1, 1999, and  
19 ending June 30, 2001.

20       **SECTION 4. EXPIRATION DATE.** This Act is effective through June 30, 2005, and  
21 after that date is ineffective.

**NOTE:** This bill draft contains a blank that must be completed before introduction.