

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2382

Introduced by

Senators Cook, Dever, Nelson

Representatives Kaldor, Wrangham

1 A BILL for an Act to amend and reenact subsection 2 of section 23-29-07 of the North Dakota
2 Century Code, relating to siting of solid waste landfills.

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

4 **SECTION 1. AMENDMENT.** Subsection 2 of section 23-29-07 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 2. For ~~any~~ a permit application completed after ~~July 1, 1994~~ July 31, 2009, the
7 department shall notify the ~~board of county commissioners of a county governing~~
8 body of the political subdivision in which a new solid waste management facility will
9 be located of the department's intention to issue a permit for the facility. The ~~board~~
10 ~~of county commissioners governing body of the political subdivision~~ may call a
11 special election to be held within sixty days after receiving notice from the
12 department to allow the qualified electors of the ~~county~~ political subdivision to vote
13 to approve or disapprove of the facility based on public interest and impact on the
14 environment. If a majority of the qualified electors voting on the question in the
15 election vote to disapprove of the facility, the department may not issue the permit
16 and the facility may not be located in that ~~county~~ political subdivision. As used in
17 this subsection, political subdivision means city, county, or township.