

**Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013**

HOUSE BILL NO. 1352
(Representatives Hunskor, Drovdal, Monson, Trottier)
(Senators Andrist, Hogue, Laffen, O'Connell)

AN ACT to create and enact a new section to chapter 38-11.1 and a new section to chapter 47-16 of the North Dakota Century Code, relating to mediation of mineral developer and surface owner disputes and resolution of title disputes.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 38-11.1 of the North Dakota Century Code is created and enacted as follows:

Mediation of disputes.

Within one year after a compensation offer made under section 38-11.1-08 is rejected, either the mineral developer or surface owner may involve the North Dakota mediation service or other civil mediator. Involvement of a mediator may comply with Rule 8.8 of the North Dakota Rules of Court for purposes of alternative dispute resolution compliance. The cost of the mediator must be mediated between the parties. If the parties are unable to reach an agreement regarding the cost of the mediator through mediation, each party shall pay an equal portion of the mediator's compensation. If the mediation is provided by the North Dakota mediation service, compensation of the mediator must be the actual cost of the mediator to the North Dakota mediation service.

SECTION 2. A new section to chapter 47-16 of the North Dakota Century Code is created and enacted as follows:

Resolution of title disputes.

If the mineral owner and mineral developer disagree over the mineral owner's ownership interest in a spacing unit, the mineral developer shall furnish the mineral owner with a description of the conflict and the proposed resolution or with that portion of the title opinion that concerns the disputed interest.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1352.

House Vote: Yeas 93 Nays 0 Absent 1

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2013.

Approved at _____ M. on _____, 2013.

Governor

Filed in this office this _____ day of _____, 2013,

at _____ o'clock _____ M.

Secretary of State