

February 8, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1383

Page 1, line 1, replace "two new sections" with "a new section"

Page 1, line 3, remove "and an environmental impact"

Page 1, line 4, remove "advisory board"

Page 1, line 4, after "reenact" insert "subsection 1 of section 4.1-01-18,"

Page 1, line 6, after "to" insert "the federal environmental law impact review committee,"

Page 1, line 8, remove "and"

Page 1, line 8, after "appropriation" insert "; and to provide a continuing appropriation"

Page 1, after line 9, insert:

**"SECTION 1. AMENDMENT.** Subsection 1 of section 4.1-01-18 of the North Dakota Century Code is amended and reenacted as follows:

1. The federal environmental law impact review committee consists of:
  - a. The commissioner, who shall serve as the chairman;
  - b. The governor or the governor's designee;
  - c. The majority leader of the house of representatives, or the leader's designee;
  - d. The majority leader of the senate, or the leader's designee;
  - e. One member of the legislative assembly from the minority party, selected by the chairman of the legislative management;
  - f. One individual appointed by the lignite energy council;
  - g. One individual appointed by the North Dakota corn growers association;
  - h. One individual appointed by the North Dakota grain growers association;
  - i. One individual appointed by the North Dakota petroleum council;
  - j. One individual appointed by the North Dakota soybean growers association; ~~and~~
  - k. One individual appointed by the North Dakota stockmen's association;
  - l. One individual appointed by the North Dakota farm bureau;
  - m. One individual appointed by the North Dakota farmers union;
  - n. One representative of an investor-owned utility companies; and

- o. One representative from the North Dakota association of rural electric cooperatives."

Page 1, line 12, after "**fund**" insert "**- Report to budget section - Continuing appropriation**"

Page 2, line 11, replace "environmental impact advisory board" with "federal environmental law impact review committee"

Page 2, line 14, replace "environmental impact advisory board." with "federal environmental law impact review committee."

- 6. For purposes of this section, the federal environmental law impact review committee shall hold at least one regular meeting each year and additional meetings as the chairman determines necessary at a time and place set by the chairman. Upon written request of any four members, the presiding officer shall call a special meeting of the committee.
- 7. The federal environmental law impact review committee shall make determinations for the disbursement of grants in accordance with subsection 2 and provide those determinations to the commissioner.
- 8. The federal environmental law impact review committee shall provide a biennial report to the budget section of the legislative management.
- 9. All moneys in the environmental impact mitigation fund are appropriated to the commissioner on a continuing basis for the purposes set forth under subsection 2."

Page 2, remove lines 15 through 31

Page 3, remove lines 1 through 17

Page 5, line 1, remove the overstrike over "~~and indirect~~"

Page 5, line 17, remove "consider"

Page 5, line 18, remove "Adverse indirect environmental effects that cannot be avoided should the"

Page 5, replace line 19 with "Require payment for mitigation of any assessed adverse indirect impacts to wildlife or habitat;"

Page 5, line 20, replace "The" with "Require payment to a third-party nongovernmental organization for any assessed adverse direct or indirect impacts to wildlife or habitat; or"

- c. Consider"

Page 5, line 27, replace "The" with "Subject to subsection 3, the"

Page 5, after line 29, insert:

- 3. At the applicant's request, the agriculture commissioner may provide moneys directly to an organization approved by the federal environmental law impact review committee."

Page 7, line 1, remove the overstrike over "~~and indirect~~"

Page 7, line 17, remove "consider"

Page 7, line 18, remove "Adverse indirect environmental effects that cannot be avoided should the"

Page 7, replace line 19 with "Require payment for mitigation of any assessed adverse indirect impacts to wildlife or habitat;"

Page 7, line 20, replace "The" with "Require payment to a third-party nongovernmental organization for any assessed adverse direct or indirect impacts to wildlife or habitat; or

c. Consider"

Page 7, line 27, replace "The" with "Subject to subsection 3, the"

Page 7, after line 29, insert:

"3. At the applicant's request, the agriculture commissioner may provide moneys directly to an organization approved by the federal environmental law impact review committee."

Re-number accordingly