

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1072
(Energy and Natural Resources Committee)
(At the request of the Department of Water Resources)

AN ACT to amend and reenact subsection 1 of section 61-04.1-04, section 61-04.1-06, and subdivision h of subsection 2 of section 61-04.1-16 of North Dakota Century Code, relating to the powers and duties of the department of water resources; and to repeal section 61-04.1-35 of the North Dakota Century Code, relating to the required bond, cash, or negotiable securities required when bids are submitted to the atmospheric resources board.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 61-04.1-04 of the North Dakota Century Code is amended and reenacted as follows:

1. The North Dakota atmospheric resource board is a division of the ~~state—water commission~~department of water resources. The board is composed of the director of the state aeronautics commission, a representative of the department of environmental quality, the director of the department of water resources, and one additional board member from each of seven districts established by section 61-04.1-05. The governor shall appoint one board member for each of the seven districts from a list of three candidates given to the governor by weather modification authorities in each district:
 - a. When the term of office of any board member from any district is about to expire.
 - b. When a vacancy has occurred, or is about to occur, in the term of office of a board member from any district for any reason other than expiration of term of office.

SECTION 2. AMENDMENT. Section 61-04.1-06 of the North Dakota Century Code is amended and reenacted as follows:

61-04.1-06. Direction and supervision by ~~state—water—commission~~department of water resources - Independent functions retained by board.

The powers, functions, and duties of the board shall be administered under the direction and supervision of the ~~state—water—commission~~department of water resources. The board shall retain the quasi-judicial, quasi-legislative, advisory, budgetary, rulemaking, and other functions vested in it, which shall be exercised in accordance with policy and guidelines for weather modification activities as established by the ~~commission~~department.

SECTION 3. AMENDMENT. Subdivision h of subsection 2 of section 61-04.1-16 of the North Dakota Century Code is amended and reenacted as follows:

- h. The applicant has furnished a bid bond ~~in accordance with section 61-04.1-35~~.

SECTION 4. REPEAL. Section 61-04.1-35 of the North Dakota Century Code is repealed.

Dennis E. Johnson
Speaker of the House

Tammy Miller
President of the Senate

Bruce J. Reek
Chief Clerk of the House

Sharon M. Moga
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1072.

House Vote: Yeas 93 Nays 0 Absent 1

Senate Vote: Yeas 46 Nays 0 Absent 1

Bruce J. Reek
Chief Clerk of the House

Received by the Governor at 9:43 AM. on March 15, 2023.

Approved at 7:12 PM. on March 15, 2023.

Doug Burgum
Governor

Filed in this office this 16th day of March, 2023,
at 10:50 o'clock A. M.

Michael Howe
Secretary of State