

**SENATE CONCURRENT RESOLUTION NO. 4037**

Introduced by

Senator Christmann

Representative Devlin

1 A concurrent resolution directing the Legislative Council to study the laws pertaining to fences  
2 and their relevancy in the 21st century.

3 **WHEREAS**, fences are a dominant feature of our lives and our history; and

4 **WHEREAS**, settlers have fenced millions of acres and countless rivals have seized  
5 post, rail, board, and wire to stake a claim for home and happiness; and

6 **WHEREAS**, the fences that skirt our properties define ownership and identity and allow  
7 neighbors and nations to divide and protect, as well as to offend and defend through the  
8 boundaries the fences build; and

9 **WHEREAS**, legislation regarding fences was first enacted in North Dakota in 1903 and  
10 remains substantially unchanged; and

11 **WHEREAS**, after more than 100 years, laws pertaining to fences, fence viewers, and  
12 attendant issues of liability should be reviewed to determine their relevancy in the 21st century;

13 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**  
14 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

15 That the Legislative Council study the laws pertaining to fences and their relevancy in  
16 the 21st century; and

17 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and  
18 recommendations, together with any legislation required to implement the recommendations, to  
19 the Sixtieth Legislative Assembly.