

**Fifty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2005**

SENATE CONCURRENT RESOLUTION NO. 4037
(Senator Christmann)
(Representative Devlin)

A concurrent resolution directing the Legislative Council to study the laws pertaining to fences located outside the corporate limits of the state's cities and the relevancy of those laws in the 21st century.

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

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

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

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

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

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

That the Legislative Council study the laws pertaining to fences located outside the corporate limits of the state's cities and the relevancy of those laws in the 21st century; and

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

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

Filed in this office this _____ day of _____, 2005,
at _____ o'clock _____ M.

Secretary of State