Sixty-sixth Legislative Assembly of North Dakota

SENATE BILL NO. 2261

Introduced by

Senators Unruh, Cook, Wardner

Representatives Keiser, Lefor, Schmidt

- 1 A BILL for an Act to create and enact a new section to chapter 49-22 and a new section to
- 2 chapter 49-22.1 of the North Dakota Century Code, relating to mitigating adverse direct and
- 3 indirect environmental impacts.

4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

5 SECTION 1. A new section to chapter 49-22 of the North Dakota Century Code is created
6 and enacted as follows:

Mitigating adverse direct and indirect environmental impacts.

8 <u>1.</u> The commission or any state agency with jurisdiction over any aspect of a proposed site,

9 <u>corridor, route, or facility, may not require an applicant to provide payment to any person for the</u>

10 mitigation of any assessed adverse direct or indirect environmental or wildlife impact of a

- 11 proposed site, corridor, route, or facility.
- <u>An applicant may not provide payment to any person for the mitigation of any</u>
 <u>assessed adverse indirect environmental or wildlife impact of a proposed site, corridor,</u>
 route, or facility.
- 15 <u>3. Any payment made by an applicant for mitigation of any assessed adverse direct</u>
 16 <u>environmental or wildlife impact of a proposed site, corridor, route, or facility must be</u>
 17 <u>deposited in the outdoor heritage fund unless directed otherwise by the applicant.</u>
- 18 SECTION 2. A new section to chapter 49-22.1 of the North Dakota Century Code is created19 and enacted as follows:
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Mitigating adverse direct and indirect environmental impacts.

21 <u>1. The commission or any state agency with jurisdiction over any aspect of a proposed site.</u>

22 <u>corridor, route, or facility, may not require an applicant to provide payment to any person for the</u>

- 23 <u>mitigation of any assessed adverse direct or indirect environmental or wildlife impact of a</u>
- 24 proposed site, corridor, route, or facility.

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2		assessed adverse indirect environmental or wildlife impact of a proposed site, corridor,
3		route, or facility.
4	<u> <u> </u></u>	Any payment made by an applicant for mitigation of any assessed adverse direct
5		environmental or wildlife impact of a proposed site, corridor, route, or facility must be
6		deposited in the outdoor heritage fund unless directed otherwise by the applicant.