

January 29, 2021

PROPOSED AMENDMENTS TO SENATE BILL NO. 2070

Page 1, line 4, after the first comma insert "23.1-10-02,"

Page 1, line 5, remove "and"

Page 1, line 7, after "properties" insert "; to provide a continuing appropriation; and to provide for retroactive application"

Page 2, after line 2, insert:

**"SECTION 2. AMENDMENT.** Section 23.1-10-02 of the North Dakota Century Code is amended and reenacted as follows:

**23.1-10-02. Environmental quality restoration fund - Continuing appropriation.**

There is established an environmental quality restoration fund into which the funds recovered in this chapter may be deposited. The fund is to be administered by the department of environmental quality and may be used by the department for costs of environmental assessment, removal, corrective action, or monitoring as determined on a case-by-case basis. All moneys placed in the fund under this section and section 23.1-10-05 are appropriated to the department on a continuing basis."

Page 4, line 30, remove "regulated substance response"

Page 5, line 23, remove "and had"

Page 5, line 24, remove "no reason to know"

Page 5, line 25, after "property" insert "; or is the owner of the surface estate and the regulated substance was released as a result of oil or gas drilling and production operations, or other operation authorized by chapter 38-08, and the owner of the surface estate is not and has never been an operator of oil and gas wells permitted under chapter 38-08"

Page 6, line 3, replace "contamination" with "regulated substances"

Page 6, line 4, replace "contamination" with "regulated substances"

Page 8, line 6, replace "constitutes" with "may constitute"

Page 8, line 22, remove "regulated substance response"

Page 8, line 27, remove "response"

Page 13, after line 26, insert:

**"SECTION 20. RETROACTIVE APPLICATION.** This Act is retroactive in application."

Re-number accordingly