

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:

7 **Mitigating adverse ~~direct and indirect~~ environmental impacts.**

8 ~~1.~~ The commission or any state agency with jurisdiction over any aspect of a proposed site,
9 corridor, route, or facility, may not require an applicant to provide payment to any person for the
10 mitigation of any assessed adverse direct or indirect environmental or wildlife impact of a
11 proposed site, corridor, route, or facility.

12 ~~2.~~ An applicant may not provide payment to any person for the mitigation of any
13 assessed adverse indirect environmental or wildlife impact of a proposed site, corridor,
14 route, or facility.

15 ~~3.~~ Any payment made by an applicant for mitigation of any assessed adverse direct
16 environmental or wildlife impact of a proposed site, corridor, route, or facility must be
17 deposited in the outdoor heritage fund unless directed otherwise by the applicant.

18 **SECTION 2.** A new section to chapter 49-22.1 of the North Dakota Century Code is created
19 and enacted as follows:

20 **Mitigating adverse ~~direct and indirect~~ environmental impacts.**

21 ~~1.~~ The commission or any state agency with jurisdiction over any aspect of a proposed site,
22 corridor, route, or facility, may not require an applicant to provide payment to any person for the
23 mitigation of any assessed adverse direct or indirect environmental or wildlife impact of a
24 proposed site, corridor, route, or facility.

- 1 ~~2. An applicant may not provide payment to any person for the mitigation of any~~
2 ~~assessed adverse indirect environmental or wildlife impact of a proposed site, corridor,~~
3 ~~route, or facility.~~
- 4 ~~3. 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.~~