

Sixty-fourth  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE BILL NO. 2356**

Introduced by

Senators Miller, Rust, Warner

Representatives Damschen, M. Nelson, Zubke

1 A BILL for an Act to provide for legislative management studies of oil and gas and abandoned  
2 gravel pit reclamation practices and standards.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - RECLAMATION PRACTICES.**

5 During the 2015-16 interim, the legislative management shall consider studying abandoned  
6 gravel pit reclamation practices. The study may include the consideration of feasibility and  
7 desirability of utilizing state funds for the reclamation of abandoned gravel pits and financially  
8 difficult reclamation projects on state and county lands for the purpose of restoring land for  
9 farming, ranching, or other economic enterprises. The study may emphasize consideration of  
10 the potential economic benefit of restored land. The study may include consideration of current  
11 reclamation practices and standards for all North Dakota industries; use of the North Dakota  
12 outdoor heritage fund or other funds for financing; and input from departments, organizations,  
13 and associations with interest in reclamation practices. The legislative management shall report  
14 its findings and recommendations, together with any legislation required to implement the  
15 recommendations, to the sixty-fifth legislative assembly.

16 **SECTION 2. LEGISLATIVE MANAGEMENT STUDY - RECLAMATION STANDARDS.**

17 During the 2015-16 interim, the legislative management shall consider studying whether  
18 reclamation standards related to oil and gas development can be improved to ensure the  
19 successful reclamation of agricultural lands in this state, and to ensure that productivity of these  
20 agricultural lands following reclamation is as near as possible to the land's productivity before  
21 being used for oil and gas production. The study may include the consideration of whether  
22 performance standards found in North Dakota Administrative Code chapter 69-05.2 and used  
23 by the North Dakota public service commission for reclamation of surface coal-mined lands  
24 should be utilized by the North Dakota industrial commission for reclamation of lands used for

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1 oil and gas development. The study may examine whether additional and more detailed  
2 reclamation standards should be included in state law and administrative rule, what standards  
3 should be included, and in what manner such standards should be included. The study may  
4 consider input from representatives from the department of mineral resources, the school of  
5 natural resource sciences' department of soil science at North Dakota state university, the  
6 department of trust lands, the public service commission, the state department of health,  
7 landowner groups, and professional soil classifiers regulated by the state board of registration  
8 for professional soil classifiers. The legislative management shall report its findings and  
9 recommendations, together with any legislation required to implement the recommendations, to  
10 the sixty-fifth legislative assembly.