

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1025

Page 1, line 3, after the semicolon insert "to provide for payments in lieu of taxes; to provide for retroactive application;"

Page 1, line 11, replace "7,702,494" with "7,632,843"

Page 1, line 17, replace "63,616,809" with "63,547,158"

Page 1, line 18, replace "56,558,176" with "56,488,525"

Page 2, after line 14, insert:

"SECTION 7. Payments in lieu of real estate taxes. For land acquired for the Devils Lake project, the state water commission shall make payments in lieu of real estate taxes to the counties in which the property is located in the same manner and according to the same conditions and procedures as provided in chapter 57-02.1 for payments in lieu of real estate taxes by the state game and fish department.

SECTION 8. Potential damage caused by construction of Devils Lake outlet. The state engineer shall establish a baseline of existing conditions and assess, verify, and quantify potential damage to downstream landowners and property caused by construction of an outlet from Devils Lake to the Sheyenne River. In doing so, the state engineer shall consider clearing and snagging operations, damage to basic infrastructure such as roads, culverts, and bridges caused by riverbank erosion and flooding, increased water treatment costs, and any other potential damage that may be of concern to downstream landowners. The sum of one hundred thousand dollars, or so much of the sum as may be necessary, from special and other funds that may be available to the state water commission, as provided in section 1 of this Act, may be used to defray the costs of this effort.

SECTION 9. LEGISLATIVE INTENT - RESOURCES TRUST FUND USES. It is the intent of the fifty-fifth legislative assembly that the amount of \$13,473,548 from the resources trust fund, as included in the estimated income line item in section 1 of this Act, be used for the following:

Project contracts entered into prior to July 1, 1997	\$ 2,000,000
General projects	1,182,663
Devils Lake	2,000,000
Nesson valley irrigation	1,000,000
Maple River flood control	2,000,000
Northwest area water supply	50,000
Southwest pipeline project	2,600,000
Agency operations	1,985,885
Hydrologic studies	<u>655,000</u>
Total	\$13,473,548 "

Page 4, after line 8, insert:

"SECTION 11. RETROACTIVE APPLICATION. Section 7 of this Act is retroactive in application to January 1, 1996."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 770 - STATE WATER COMMISSION

HOUSE - This amendment removes the authority for three FTE maintenance worker II positions which are vacant. The authority for these positions is included in the agency's 1997-99 FTE authority, but no funding for the positions is included in the executive recommendation.

This amendment also reduces special funds appropriation authority for salaries and wages for two positions which will not be filled at the beginning of the 1997-99 biennium. The funding is reduced by \$23,886 for an electrician III position which will not be filled until January 1, 1998. Funding is also reduced by \$45,765 for an engineering technician IV position which will not be filled until July 1, 1998.

This amendment requires the Water Commission to make in lieu of real estate taxes for land acquired for the Devils Lake project and allows the commission to use up to \$100,000 of its appropriation for the 1997-99 biennium for examining the condition of downstream property and assessing any potential damages that may result from construction of a Devils Lake outlet.

This amendment also provides legislative intent relating to the use of moneys in the resources trust fund.

	1997-99 EXECUTIVE RECOMMENDATION	DELETE UNFUNDED POSITIONS	REDUCED FUNDING FOR POSITIONS VACANT FOR A PORTION OF 1997-99	TOTAL CHANGES	HOUSE VERSION
Salaries and wages	\$ 7,702,494		\$ (69,651)	\$ (69,651)	\$ 7,632,843
Operating expenses	9,527,402				9,527,402
Equipment	152,250				152,250
Capital improvements	32,800,000				32,800,000
Grants	10,384,663				10,384,663
Cooperative research	<u>3,050,000</u>				<u>3,050,000</u>
Total	\$63,616,809	\$ 0	\$ (69,651)	\$ (69,651)	\$63,547,158
General fund	\$ 7,058,633				\$ 7,058,633
Other funds	<u>56,558,176</u>		<u>\$ (69,651)</u>	<u>\$ (69,651)</u>	<u>56,488,525</u>
Total	\$63,616,809	\$ 0	\$ (69,651)	\$ (69,651)	\$63,547,158
FTE	85.00	(3.00)		(3.00)	82.00