

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1170

Introduced by

Representatives Wald, Jacobs, Kempenich

Senators Goetz, Krauter, Urlacher

1 A BILL for an Act to amend and reenact sections 61-24.3-01 and 61-24.3-18 of the North
2 Dakota Century Code, relating to issuing and repaying bonds for the southwest pipeline project;
3 to provide a continuing appropriation; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 61-24.3-01 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **61-24.3-01. Legislative findings and intent.** The legislative assembly finds that
8 adequate water supplies for municipal, domestic, livestock, rural, irrigation, industrial, and other
9 uses are essential for the social stability and economic security of the people of the state of
10 North Dakota. It is further found that the development and utilization of the water resources of
11 this state are necessary for the protection of health, property, and enterprise, and for the
12 promotion of prosperity and general welfare of the people of the state of North Dakota, and that
13 such development and utilization of water resources in this state involves, necessitates, and
14 requires the exercise of the sovereign powers of the state and concern a public purpose.
15 Therefore, it is hereby declared necessary that the southwest pipeline project, as authorized
16 and approved pursuant to this chapter, be established and constructed, to provide for the
17 supplementation of the water resources of a portion of the area of North Dakota south and west
18 of the Missouri River with water supplies from the Missouri River for multiple purposes,
19 including domestic, rural, and municipal uses. In furtherance of this public purpose, the state
20 water commission may provide for the issuance of bonds in accordance with chapter 61-02 to
21 finance the cost of the project. The provisions of this chapter ~~shall~~ may not be construed to, in
22 any manner, abrogate or limit the rights, powers, duties, ~~and~~ or functions of the state water
23 commission or the state engineer, but ~~shall be~~ are supplementary thereto. Nor ~~shall~~ may this
24 chapter be construed as limiting or in any way affecting the laws of this state relating to the

1 organization or operation of irrigation districts, water resource districts, or other political
2 subdivisions.

3 **SECTION 2. AMENDMENT.** Section 61-24.3-18 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **61-24.3-18. Water rates for capital costs - Continuing appropriation - Deposit.**

6 Money derived and received from water user entities for capital costs of the southwest pipeline
7 project ~~shall~~ is hereby appropriated to the commission for the purpose of pledging such money
8 for the repayment of bonds issued for the construction of the southwest pipeline project. Any
9 money not pledged must be deposited by the commission in the resources trust fund,
10 established pursuant to section 57-51.1-07, and ~~shall~~ may be expended only pursuant to
11 legislative appropriation for the purposes specified in subsection 1 of section 57-51.1-07.

12 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.