

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2023

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the state water
2 commission; and to provide for a study by the state engineer of the feasibility and desirability of
3 constructing dams and other impoundments in the Pembina River watershed.

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

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
6 funds as may be necessary, are hereby appropriated out of any moneys in the general fund in
7 the state treasury, not otherwise appropriated, and from special funds derived from federal
8 funds and other income, to the various divisions of the state water commission for the purpose
9 of defraying the expenses of the various divisions, for the biennium beginning July 1, 1999, and
10 ending June 30, 2001, as follows:

11 Salaries and wages	\$8,048,657
12 Operating expenses	6,050,687
13 Equipment	160,656
14 Capital improvements	23,624,024
15 Grants	13,785,245
16 Cooperative research	<u>3,050,000</u>
17 Total all funds	\$54,719,269
18 Less estimated income	<u>45,435,921</u>
19 Total general fund appropriation	\$9,283,348

20 **SECTION 2. RESOURCES TRUST FUND.** The amount of \$11,547,104, or so much of
21 the funds as may be necessary, included in the estimated income line item in subdivision 1 of
22 section 1 of this Act is from the resources trust fund for the biennium beginning July 1, 1999,
23 and ending June 30, 2001.

1 **SECTION 3. ALLOCATION OF GRANT FUNDS.** The funds appropriated in the grants
2 line item in section 1 of this Act must be disbursed by the state water commission in
3 accordance with section 61-02-64.1.

4 **SECTION 4. GRANTS.** Section 54-44.1-11 does not apply to appropriations made for
5 grants in this Act. However, this exclusion is only in effect for two years after June 30, 2001.
6 Any unexpended funds after that period has expired must be transferred to the resources trust
7 fund.

8 **SECTION 5. RESOURCES TRUST FUND APPROPRIATION - ADJUSTMENT.** If the
9 resources trust fund 1999-2001 revenues are in excess of \$11,547,104, any excess is hereby
10 appropriated, subject to emergency commission approval, from the resources trust fund to the
11 state water commission for the biennium beginning July 1, 1999, and ending June 30, 2001.

12 **SECTION 6. STATE ENGINEER TO STUDY FEASIBILITY AND DESIRABILITY OF**
13 **CONSTRUCTING DAMS AND OTHER IMPOUNDMENTS IN THE PEMBINA RIVER**

14 **WATERSHED.** The legislative assembly finds that floodwater in recent years has inundated
15 parts of the cities of Neche and Pembina, and thousands of acres of farmland along the
16 Pembina River in Pembina County. Construction of flood control dams and other
17 impoundments in the Pembina River watershed in the United States and Canada may reduce
18 flows on the Pembina River that may result in less severe flooding of the cities and farmland
19 along the lower reaches of the Pembina River. Therefore, within the limits of available funds,
20 the state engineer shall conduct a comprehensive study of the feasibility and desirability of
21 constructing dams and other impoundments in the Pembina River watershed for the purpose of
22 reducing flows in the lower reaches of the Pembina River. The state engineer shall submit a
23 report to an appropriate interim committee designated by the legislative council.