

**FIRST ENGROSSMENT
with Conference Committee Amendments****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; to provide an appropriation to the public service commission; to provide for a
3 study by the state engineer of the feasibility and desirability of constructing dams and other
4 impoundments in the Pembina River watershed; and to declare an emergency.

5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

12 Salaries and wages	\$8,013,657
13 Operating expenses	6,010,687
14 Equipment	160,656
15 Capital improvements	23,624,024
16 Grants	13,785,245
17 Cooperative research	<u>3,050,000</u>
18 Total all funds	\$54,644,269
19 Less estimated income	<u>45,435,921</u>
20 Total general fund appropriation	\$9,208,348

21 **SECTION 2. APPROPRIATION - PUBLIC SERVICE COMMISSION.** There is hereby
22 appropriated from federal funds, the sum of \$25,000, or so much of the sum as may be
23 necessary, to the public service commission for the purpose of promoting the "one-call"

1 call-before-you-dig program for the period beginning with the effective date of this Act and
2 ending June 30, 1999.

3 **SECTION 3. RESOURCES TRUST FUND.** The amount of \$11,547,104, or so much of
4 the funds as may be necessary, included in the estimated income line item in subdivision 1 of
5 section 1 of this Act is from the resources trust fund for the biennium beginning July 1, 1999,
6 and ending June 30, 2001.

7 **SECTION 4. ALLOCATION OF GRANT FUNDS.** The funds appropriated in the grants
8 line item in section 1 of this Act must be disbursed by the state water commission in
9 accordance with section 61-02-64.1.

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

14 **SECTION 6. RESOURCES TRUST FUND APPROPRIATION - ADJUSTMENT.** If the
15 resources trust fund 1999-2001 revenues are in excess of \$11,547,104, any excess is hereby
16 appropriated, subject to emergency commission approval, from the resources trust fund to the
17 state water commission for the biennium beginning July 1, 1999, and ending June 30, 2001.

18 **SECTION 7. STATE ENGINEER TO STUDY FEASIBILITY AND DESIRABILITY OF**
19 **CONSTRUCTING DAMS AND OTHER IMPOUNDMENTS IN THE PEMBINA RIVER**
20 **WATERSHED.** The legislative assembly finds that floodwater in recent years has inundated
21 parts of the cities of Neche and Pembina, and thousands of acres of farmland along the
22 Pembina River in Pembina County. Construction of flood control dams and other
23 impoundments in the Pembina River watershed in the United States and Canada may reduce
24 flows on the Pembina River that may result in less severe flooding of the cities and farmland
25 along the lower reaches of the Pembina River. Therefore, within the limits of available funds,
26 the state engineer shall conduct a comprehensive study of the feasibility and desirability of
27 constructing dams and other impoundments in the Pembina River watershed for the purpose of
28 reducing flows in the lower reaches of the Pembina River. The state engineer shall submit a
29 report to an appropriate interim committee designated by the legislative council.

30 **SECTION 8. EMERGENCY.** Section 2 of this Act is declared to be an emergency
31 measure.