

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1171

Introduced by

Natural Resources Committee

(At the request of the State Water Commission)

1 A BILL for an Act to amend and reenact section 61-01-26.1 of the North Dakota Century Code,
2 relating to supplementing the water resources of eastern North Dakota.

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

4 **SECTION 1. AMENDMENT.** Section 61-01-26.1 of the 1999 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **61-01-26.1. Findings and declaration of policy - Water to eastern North Dakota a**
7 **critical priority - Water supplementation study - Employment of staff.** The legislative
8 assembly finds that many areas and localities in eastern North Dakota do not enjoy safe
9 drinking water, ~~and that the water in these areas and localities contains iron, sulfates, alkali,~~
10 ~~salt, nitrates, fluoride, and other hazardous and discoloring substances.~~ It is also found that
11 other areas and localities in eastern North Dakota do not have sufficient quantities of water to
12 ensure a dependable, long-term water supply. The legislative assembly further finds that
13 supplementation of the water resources of eastern North Dakota ~~with water supplies from other~~
14 available sources, including the Missouri River, may be the only alternative to provide eastern
15 North Dakota with a dependable source of safe, good quality water and an adequate quantity of
16 water.

17 It is further declared that effective development and utilization of the land and water
18 resources of this state; the opportunity for greater economic security; the protection of health,
19 property, enterprise, and the preservation of the benefits from the land and water resources of
20 this state; and the promotion of the prosperity and general welfare of all of the people of North
21 Dakota involve, necessitate, and require the exercise of the sovereign powers of the state and
22 concern a public purpose. Therefore, in order to accomplish this public purpose, it is declared
23 necessary that a means to supply and distribute water to the people of eastern North Dakota
24 for all beneficial purposes ~~including domestic, rural water, municipal, livestock, light industrial,~~

1 ~~mining, agriculture, and other uses~~ must be developed. In furtherance of this public purpose,
2 the supply and delivery of water to eastern North Dakota is established as a critical priority and
3 the state water commission shall ~~continue to cooperate~~, in cooperation with the Garrison
4 diversion conservancy district ~~in addressing~~ and the communities and rural water systems in
5 eastern North Dakota, address this critical priority by developing a plan and estimate of the
6 costs for supplementing the water resources of eastern North Dakota with water supplies from
7 other available resources, including the Missouri River.

8 The state water commission may employ full-time personnel and may employ such
9 other personnel as are necessary for the administration of this section as appropriated funds
10 permit. Notwithstanding section 61-02-64.1, funds disbursed from the contract fund or
11 appropriated for purposes of administering this section may be used for salaries and expenses
12 of persons employed pursuant to this section.