

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1023

Page 1, line 7, replace the first "section" with "sections" and after "54-27-25" insert "and 61-01-26.1"

Page 1, line 9, after "fund" insert ", supplementing the water resources of eastern North Dakota," and after the semicolon insert "to provide an exemption from payment of fees; and"

Page 1, line 18, replace "8,966,759" with "9,066,759"

Page 1, line 19, replace "6,477,485" with "6,503,485"

Page 1, line 20, replace "514,833" with "499,833"

Page 1, line 22, replace "22,625,067" with "22,475,067"

Page 2, line 2, replace "93,917,341" with "93,878,341"

Page 6, after line 8, insert:

**"SECTION 10. AMENDMENT.** Section 61-01-26.1 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**61-01-26.1. Findings and declaration of policy - Water to eastern North Dakota a critical priority - Water supplementation study - Employment of staff.**

The legislative assembly finds that many areas and localities in eastern North Dakota do not enjoy safe drinking water, ~~and that the water in these areas and localities contains iron, sulfates, alkali, salt, nitrates, fluoride, and other hazardous and discoloring substances.~~ It is also found that other areas and localities in eastern North Dakota do not have sufficient quantities of water to ensure a dependable, long-term water supply. The legislative assembly further finds that supplementation of the water resources of eastern North Dakota ~~with water supplies from other available sources, including the Missouri River,~~ may be the only alternative to provide eastern North Dakota with a dependable source of safe, good quality water and an adequate quantity of water.

It is further declared that effective development and utilization of the land and water resources of this state; the opportunity for greater economic security; the protection of health, property, enterprise, and the preservation of the benefits from the land and water resources of this state; and the promotion of the prosperity and general welfare of all of the people of North Dakota involve, necessitate, and require the exercise of the sovereign powers of the state and concern a public purpose. Therefore, in order to accomplish this public purpose, it is declared necessary that a means to supply and distribute water to the people of eastern North Dakota for all beneficial purposes ~~including domestic, rural water, municipal, livestock, light industrial, mining, agriculture, and other uses~~ must be developed. In furtherance of this public purpose, the supply and delivery of water to eastern North Dakota is established as a critical priority and the state water commission shall ~~continue to cooperate,~~ in cooperation with

the Garrison diversion conservancy district in addressing and the communities and rural water systems in eastern North Dakota, address this critical priority by developing a plan and estimate of the costs for supplementing the water resources of eastern North Dakota with water supplies from other available resources, including the Missouri River.

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

Page 6, line 19, replace "thirty" with "thirty-six"

Page 6, line 20, replace "eight" with "three"

Page 6, line 21, after the underscored period insert "The commission may utilize up to five million five hundred thousand dollars from the water development trust fund, the resources trust fund, or from bond proceeds to provide cost share for a flood control channel and levy project designed to provide protection from overland flooding to a city with a population in excess of eighty thousand as of the 2000 federal decennial census. The amount provided may not exceed fifty percent of the city's share of the cost to construct the project."

Page 6, line 24, replace "purpose of funding the 2001-03 priorities" with "purposes set forth in this section"

Page 7, line 19, after "**INTENT**" insert "**- STATEWIDE WATER PROJECT FUNDING LIMIT**"

Page 7, line 21, replace "\$30,800,000" with "\$36,300,000" and replace "10" with "11"

Page 7, line 22, replace "sixty-two" with "sixty-seven"

Page 7, line 23, replace "three" with "eight"

Page 8, line 3, replace "13" with "14"

Page 8, after line 3, insert:

**"SECTION 16. EXEMPTION FROM PAYMENT OF FEES.** For purposes of charging fees or requiring payment for services pursuant to sections 54-10-01, 54-12-08, and 52-21-25, the state auditor, attorney general, and the director of the office of management and budget shall consider the funds appropriated to the state water commission from the water development trust fund in the same manner as if the funds were appropriated from the general fund for the 2001-03 biennium."

Renumber accordingly

## **STATEMENT OF PURPOSE OF AMENDMENT:**

### **House Bill No. 1023 - Water Commission - House Action**

	EXECUTIVE BUDGET	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$8,966,759	\$100,000	\$9,066,759
Operating expenses	6,477,485	26,000	6,503,485
Equipment	514,833	(15,000)	499,833
Capital improvements	23,710,864		23,710,864
Grants	22,625,067	(150,000)	22,475,067

Cooperative research	3,050,000		3,050,000
Statewide water development projects	62,300,000	5,500,000	67,800,000
Total all funds	\$127,645,008	\$5,461,000	\$133,106,008
Less estimated income	<u>127,645,008</u>	<u>5,461,000</u>	<u>133,106,008</u>
General fund	\$0	\$0	\$0
FTE	83.00	1.00	84.00

#### Dept. 770 - Water Commission - Detail of House Changes

	PROVIDES FUNDING FOR FARGO FLOOD CONTROL PROJECT	REDUCE FUNDING FOR OPERATING EXPENSES	REDUCE FUNDING FOR EQUIPMENT	WATER TO EASTERN NORTH DAKOTA STUDY 1	TOTAL HOUSE CHANGES
Salaries and wages				\$100,000	\$100,000
Operating expenses		(\$19,000)		45,000	26,000
Equipment			(\$20,000)	5,000	(15,000)
Capital improvements					
Grants				(150,000)	(150,000)
Cooperative research					
Statewide water development projects	\$5,500,000				5,500,000
Total all funds	\$5,500,000	(\$19,000)	(\$20,000)	\$0	\$5,461,000
Less estimated income	<u>5,500,000</u>	<u>(19,000)</u>	<u>(20,000)</u>		<u>5,461,000</u>
General fund	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	1.00	1.00

<sup>1</sup> Provides for line item transfers and one additional FTE for a study of supplementing the water resources of eastern North Dakota.

The amendment makes the following changes:

- Authorizes up to \$5.5 million from the water development trust fund for flood control projects in Fargo which increases total authorization for state water projects to \$67,800,000.
- Amends North Dakota Century Code Section 61-01-26.1 relating to a study of the water resources of eastern North Dakota contained in House Bill No. 1171, the provisions of which are amended into House Bill No. 1023.
- Exempts the State Water Commission from the requirement to pay for certain services generally charged non-general fund agencies.