

Fifty-ninth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1274

Introduced by

Representatives Wald, Haas, Kerzman

Senators Urlacher, Wardner

1 A BILL for an Act to amend and reenact section 61-24.3-07 of the North Dakota Century Code,
2 relating to southwest pipeline water delivery rates and charges for large industrial users; and to
3 declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 61-24.3-07 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **61-24.3-07. Capacity for industrial use.** Upon receipt of a commitment from any
8 large industrial user through the execution of a water service contract for the purchase of water
9 from the southwest pipeline project, or other appropriate contract, as required by the
10 commission, the commission shall have the authority to include in the southwest pipeline
11 project sufficient capacity to provide water to such large industrial user, and to determine the
12 rates and charges for delivery of water to the industrial user. ~~Any large industrial user shall~~
13 ~~pay, in the manner determined by the commission, at least the proportionate costs of the~~
14 ~~project based on the large industrial user's proportionate capacity of the southwest pipeline~~
15 ~~project. In this section, large industrial user means an industrial user which uses seven~~
16 ~~hundred twenty four acre feet [893039 cubic meters] of water or more each year for industrial~~
17 ~~purposes, including, but not limited to, electrical generation or energy conversion facilities.~~

18 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.