

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2317

Introduced by

Senators Fischer, Flakoll, Nelson

Representatives Hawken, Hofstad, Kaldor

1 A BILL for an Act to amend and reenact sections 61-24.7-01, 61-24.7-02, and 61-24.7-05 of the
2 North Dakota Century Code, relating to the funding plan for the Red River valley water supply
3 project.

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

5 **SECTION 1. AMENDMENT.** Section 61-24.7-01 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **61-24.7-01. Legislative findings and intent - Authority to issue bonds.**

8 1. The legislative assembly finds that the provision of water of sufficient quantity and
9 quality to supply homes, businesses, industries, wildlife, and recreation in the Red
10 River valley within this state is necessary for the protection of health, property, and
11 enterprises and for the promotion of prosperity and the general welfare of the
12 people of the Red River valley and that construction of the Red River valley water
13 supply project involves and requires the exercise of the sovereign powers of the
14 state and concerns a public purpose. Therefore, it is declared necessary and in
15 the public interest that the state by and through the state water commission ~~assist~~
16 ~~in financing~~ provide a one-third share of the cost of constructing the Red River
17 valley water supply project ~~through the issuance of bonds~~.

18 2. In furtherance of the public purpose set forth in subsection 1, the state water
19 commission may issue bonds under chapter 61-02 and the proceeds are
20 appropriated for construction of the Red River valley water supply project
21 authorized and funded in part by the federal government and designed to provide
22 reliable sources of water of sufficient quantity and quality to supply homes,
23 businesses, industries, wildlife, and recreation in the Red River valley within this
24 state.

3. This chapter does not affect the state water commission's authority to otherwise issue bonds pursuant to chapter 61-02 or section 61-24.3-01.

SECTION 2. AMENDMENT. Section 61-24.7-02 of the North Dakota Century Code is amended and reenacted as follows:

61-24.7-02. Funding - Red River valley water supply project - Bond issuance

amount. The state water commission may provide a portion of the ~~nonfederal~~ state share of funds necessary to construct the Red River valley water supply project by issuing bonds in an amount not to exceed forty million dollars plus the cost of issuance of the bonds, capitalized interest, and reasonably required reserves. The proceeds of any bonds issued under the authority provided in this section are appropriated to the state water commission for the purposes set forth in this chapter.

SECTION 3. AMENDMENT. Section 61-24.7-05 of the North Dakota Century Code is amended and reenacted as follows:

61-24.7-05. State funding plan.

1. ~~The remaining sixty million dollars to comprise a total of one hundred million dollars to meet the one hundred million dollar state share of phase one of the Red River valley water supply project is to be funded over three bienniums. The sixty million dollars is to be derived from thirty million dollars from the general fund and thirty million dollars from the resources trust fund.~~
2. ~~The state shall provide an additional one hundred million dollars of municipal, rural, and industrial water supply funds for phase two of the Red River valley water supply project, to meet the two hundred million dollar state share of the project. The legislative assembly declares its intent to provide state funding for one-third of the total cost of constructing the Red River valley water supply project.~~
2. The one-third share must be provided by funds from bonding as authorized in this chapter, and by appropriations from the resources trust fund or the general fund, as determined by the legislative assembly.
3. Any general funds appropriated for the construction of the Red River valley water supply project may be carried over to future bienniums.
4. State funding for the Red River valley water supply project may be appropriated at the time and in the manner determined by the legislative assembly, either

- 1 concurrently or separately from federal and local funding for the Red River valley
- 2 water supply project.