

Sixty-third  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2048**

Introduced by

Legislative Management

(Water-Related Topics Overview Committee)

1 A BILL ~~for an Act to create and enact a new section to chapter 61-02 of the North Dakota~~  
2 ~~Century Code, relating to allocation of funds from the resources trust fund by the state water~~  
3 ~~commission~~ for an act to amend and reenact subsection 3 of section 57-51.1-07.1 of the North  
4 Dakota Century Code, relating to the resources trust fund.

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

6 **~~SECTION 1.~~** ~~A new section to chapter 61-02 of the North Dakota Century Code is created~~  
7 ~~and enacted as follows:~~  
8 ~~— **Allocation of funds from the resources trust fund.**~~  
9 ~~— The state water commission shall develop policies to maximize long-term funding for water~~  
10 ~~development and water management through the resources trust fund. In furtherance of these~~  
11 ~~policies, the state water commission shall:~~  
12 ~~— 1. Consider factors such as revenues, water rates, operation and maintenance costs,~~  
13 ~~local assessments and contributions, and other local commitments.~~  
14 ~~— 2. Allocate funds from the resources trust fund in the form of loans if an entity is~~  
15 ~~determined to have the ability to repay the funds allocated.~~  
16 ~~— 3. Set the terms of loans for entities that have the ability to repay funds allocated,~~  
17 ~~including length of repayment, interest rates, and other terms.~~  
18 ~~If the commission determines an entity does not have the ability to repay the funds allocated,~~  
19 ~~the commission may allocate funds in the form of grants up to the amount the entity has an~~  
20 ~~inability to repay the funds allocated.~~

21 **SECTION 1. AMENDMENT.** Subsection 3 of section 57-51.1-07.1 of the North Dakota  
22 Century Code is amended and reenacted as follows:

23 3. The state water commission shall adopt rules for governing the review and  
24 recommendation of proposed water projects for which financial assistance by

1 legislative appropriation from the resources trust fund is being sought under this  
2 section. The rules must consider project revenues, local cost sharing, and ability to  
3 pay. The rules may provide for repayment of a portion of funds allocated from the  
4 resources trust fund.