

February 6, 1997

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1058

Page 1, line 1, remove "to create and enact a new section to chapter 23-01 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to the establishment of the environmental advisory board;"

Page 1, line 3, remove "23-25-02, 23-25-04, subsection 1 of section 54-07-01.2, and"

Page 1, line 4, remove "sections", after "61-28-02" insert "61-28-03,", and after the second "the" insert "powers, procedures, and composition of the"

Page 1, line 5, replace "; and to repeal section 61-28-03 of the North Dakota Century" with a period

Page 1, remove line 6

Page 1, line 15, remove the overstrike over "~~water pollution~~"

Page 1, line 16, remove the overstrike over "~~control board~~" and remove the first "department of health"

Page 2, remove lines 10 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 31

Page 5, remove lines 1 through 22

Page 5, line 28, remove the overstrike over "~~state water pollution control~~" and remove "environmental advisory"

Page 7, after line 2, insert:

**"SECTION 3. AMENDMENT.** Section 61-28-03 of the North Dakota Century Code is amended and reenacted as follows:

**61-28-03. State water pollution prevention agency - Board.**

1. ~~There is hereby created and established a~~ The state water pollution control board. ~~The board shall consist of ten~~ consists of thirteen persons. ~~It shall~~

~~The board must include the heads of the departments of state health officer, water conservation state engineer, director of the game and fish department, the state geologist, and six citizen nine other members appointed by the governor, three of whom must be representatives of production agriculture, two of whom must be representatives of manufacturing and processing, one of whom must be a representative of the solid fuels industry, one of whom must be a representative of the environmental sciences, and one of whom must be a representative of county or municipal government. Municipal, industrial, and wildlife interests shall each be represented by a citizen member. Agricultural interests shall be represented by three citizen members. The executive secretary of the board shall be the chief sanitary engineer of the department.~~

2. ~~Of the six nine~~ members appointed by the governor, each shall serve six-year terms, ~~except that of those four first appointed, two shall be appointed for three years, and two shall be for six years.~~ The governor may fill any vacancy in the appointed membership of the board, and may remove any appointed member for cause.
3. The board shall select its own chairman from among its members. The heads of departments on the board may, by official order filed with the executive secretary of the board, designate a representative of the person's department to perform the duties of the member making the designation. ~~Such That~~ person, if any, ~~designated pursuant to this section,~~ shall have the powers and be subject to the duties and responsibilities of the appointing office.
4. All members of the board shall serve without compensation for their duties, but ~~shall~~ must be reimbursed for necessary travel and other expenses incurred in the performance of their official duties. Reimbursement ~~shall~~ must be paid out of funds allocated to the department for water pollution control.
5. The department shall provide the board with copies of maps, plans, documents, studies, surveys, and all other necessary information in order that the board may be fully cognizant of the current status of water pollution and its control in the state and to enable the board to advise the department in development of programs for the prevention and control of pollution of waters in the state.
6. The board shall hold at least one regular meeting each year, and any additional meetings the chairman deems necessary, at a time and place to be determined by the chairman. Upon written request of any three members the chairman shall call a special meeting. Seven members constitute a quorum.
7. The board shall consider and make recommendations regarding any rules and standards relating to water quality or pollution, ground water protection, and safe drinking of water that are adopted by the department. The department may not take final action on any rules or standards without consulting the board. The board shall consider any other matters related to the purposes of this chapter and may make recommendations on its own initiative to the department concerning the administration of this chapter."

Page 8, remove lines 14 and 15

Renumber accordingly