

**Fifty-sixth Legislative Assembly, State of North Dakota, begun in the  
Capitol in the City of Bismarck, on Tuesday, the fifth day of January,  
one thousand nine hundred and ninety-nine**

SENATE BILL NO. 2023  
(Appropriations Committee)  
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the state water commission; to provide an appropriation to the public service commission; to provide for a study by the state engineer of the feasibility and desirability of constructing dams and other impoundments in the Pembina River watershed; and to declare an emergency.

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

**SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, and from special funds derived from federal funds and other income, to the various divisions of the state water commission for the purpose of defraying the expenses of the various divisions, for the biennium beginning July 1, 1999, and ending June 30, 2001, as follows:

|                                  |                   |
|----------------------------------|-------------------|
| Salaries and wages               | \$8,013,657       |
| Operating expenses               | 6,010,687         |
| Equipment                        | 160,656           |
| Capital improvements             | 23,624,024        |
| Grants                           | 13,785,245        |
| Cooperative research             | <u>3,050,000</u>  |
| Total all funds                  | \$54,644,269      |
| Less estimated income            | <u>45,435,921</u> |
| Total general fund appropriation | \$9,208,348       |

**SECTION 2. APPROPRIATION - PUBLIC SERVICE COMMISSION.** There is hereby appropriated from federal funds, the sum of \$25,000, or so much of the sum as may be necessary, to the public service commission for the purpose of promoting the "one-call" call-before-you-dig program for the period beginning with the effective date of this Act and ending June 30, 1999.

**SECTION 3. RESOURCES TRUST FUND.** The amount of \$11,547,104, or so much of the funds as may be necessary, included in the estimated income line item in subdivision 1 of section 1 of this Act is from the resources trust fund for the biennium beginning July 1, 1999, and ending June 30, 2001.

**SECTION 4. ALLOCATION OF GRANT FUNDS.** The funds appropriated in the grants line item in section 1 of this Act must be disbursed by the state water commission in accordance with section 61-02-64.1.

**SECTION 5. GRANTS.** Section 54-44.1-11 does not apply to appropriations made for grants in this Act. However, this exclusion is only in effect for two years after June 30, 2001. Any unexpended funds after that period has expired must be transferred to the resources trust fund.

**SECTION 6. RESOURCES TRUST FUND APPROPRIATION - ADJUSTMENT.** If the resources trust fund 1999-2001 revenues are in excess of \$11,547,104, any excess is hereby appropriated, subject to emergency commission approval, from the resources trust fund to the state water commission for the biennium beginning July 1, 1999, and ending June 30, 2001.

**SECTION 7. STATE ENGINEER TO STUDY FEASIBILITY AND DESIRABILITY OF CONSTRUCTING DAMS AND OTHER IMPOUNDMENTS IN THE PEMBINA RIVER WATERSHED.**

The legislative assembly finds that floodwater in recent years has inundated parts of the cities of Neche and Pembina, and thousands of acres of farmland along the Pembina River in Pembina County. Construction of flood control dams and other impoundments in the Pembina River watershed in the United States and Canada may reduce flows on the Pembina River that may result in less severe flooding of the cities and farmland along the lower reaches of the Pembina River. Therefore, within the limits of available funds, the state engineer shall conduct a comprehensive study of the feasibility and desirability of constructing dams and other impoundments in the Pembina River watershed for the purpose of reducing flows in the lower reaches of the Pembina River. The state engineer shall submit a report to an appropriate interim committee designated by the legislative council.

**SECTION 8. EMERGENCY.** Section 2 of this Act is declared to be an emergency measure.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2023 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote:      Yeas        45            Nays        0            Absent      4

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote:      Yeas        89            Nays        6            Absent      3

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 1999.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 1999.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 1999,

at \_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State