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Sarkwick

House Natural Resources Committee Coteau AB

Chairman Todd Porter

3/16/23-9:00

Chairman Porter and committee, attempts have been made in the past to get a better handle on water management and water projects in the state. ~~Water~~ County Water Resource Boards have been at odds with one another, County Boards have been at odds with the State Water Resource Board, Landowners have been fighting amongst themselves, the county boards, and, some with the courts and the State water resource board.

I would like to explain why <sup>some</sup> of this is happening and how we can help stop some of ~~the~~ the fighting. In the 2021 session it was determined that (2) different chapters in Century Code were being used to lay out the processes for how legal drains were being assessed, voted on, engineered, how patrons were being notified of proposed projects, and the hearing processes of disputes. There could be (2) different legal drains within a county and each drain was processed differently. We were ready to fix this problem last session but because of the angst with fixing it, I was asked to hold it and work with others through the interim ~~to~~ in the Interim Drainage Committee (which I chaired) to

make positively sure that we had it the way all parties would agree to. The language from SB 2208 from last session was put into SB 2036 for this session and passed the Senate 47-0. This was the first of (3) water bills this session that would really help with water management and project ease going forward. The second bill that came through the interim Water Drainage Committee was SB 2037. This one was a little troubling for some and I feel <sup>that</sup> being unfortunate as it was, maybe in the future, there will be a little better understanding of how "beneficial" that process of 2037's economic analysis could be. The third water bill that <sup>will</sup> really help calm some of the fighting is SB 2372. This state today in code has language that lays out how two adjoining counties that maybe share a water shed area or a legal drain can voluntarily form a joint water board between them. Many counties have done this and I have been told that they are working very well. Some counties however, don't quite share cordially with one another the same respects. SB 2372 requires these remaining counties that share water sheds or legal drains to form that joint board so there can be

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mutual authority, maintenance, oversight, construction, and assessment of the drain and/or watershed areas. As I have stated many counties already have these formed joint boards that are formed from their own county resource boards, (so there isn't new people needed). In the past when there has been "watershed" boards proposed, it was to form <sup>brand</sup> new boards. This bill does not require that. Members from the counties' already set-up boards are used to form the joint boards. I worked with many different parties to <sup>get</sup> the language right and agreed upon by <sup>these</sup> representatives of the concerned parties. We had many meetings on both 2036, and this bill 2372. This also passed the Senate unanimously 47-0.

Chairman Porter, and Committee, I ask for your favorable passage of <sup>SB</sup> 2372 to help resolve some of the problems in the world of water, and I stand for any questions you may have.

Senator Lary Lueck District 25