2023 HOUSE ENERGY AND NATURAL RESOURCES

HB 1074

2023 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau AB Room, State Capitol

HB 1074
1/12/2023

Relating to informational hearings for water permit applications

2:38 Chairman Porter opened the hearing, roll call was taken and the bill was read.

Members present: Chairman Porter, Vice Chairman D. Anderson, Representatives Bosch, Conmy, Dockter, Hagert, Heinert, Ista, Marschall, Novak, Roers Jones, and Ruby.
Absent: Representatives Kasper and J. Olson

Discussion Topics:

- Title changes

Chris Bader, Director, Water Apportion Division, Department of Water Resources, Testimony # 12994
Dani Quissell, North Dakota Irrigation Association, Testimony # 13010

Chairman Porter closed the hearing for HB 1074

Representative Roers Jones moved a Do Pass**,** Representative Conmy seconded the motion.

Roll Call vote:

Representatives	Vote
Representative Todd Porter	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Jared Hagert	Y
Representative Pat D. Heinert	Y
Representative Zachary Ista	Y
Representative Jim Kasper	AB
Representative Andrew Marschall	Y
Representative Anna S. Novak	Y
Representative Jeremy Olson	AB
Representative Shannon Roers Jones	Y
Representative Matthew Ruby	Y

12-0-2 Motion carried. Representative Novak is carrier.

2:44 Chairman Porter closed the meeting for HB 1074.

Kathleen Davis, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1074: Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1074 was placed on the Eleventh order on the calendar.

2023 SENATE ENERGY AND NATURAL RESOURCES

HB 1074

2023 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Peace Garden Room, State Capitol

HB 1074
3/2/2023

A bill relating to informational hearings for water permit applications.

9:59 AM Chairman Patten opened the meeting.

Chairman Patten and Senators Kessel, Beard, Boehm and Magrum are present. Senator Kanniannen is absent.

Discussion Topics:

- Public hearing
- Clarity

10:21 AM Chris Bader, Director of Water Resources Division, North Dakota Department of Water Resources introduced the bill and provided written testimony #21740.

10:02 AM Dani Quissel, Executive Director of the North Dakota Irrigation Association, testified in favor of the bill and proved written testimony #21529.

10:03 AM Chairman Patten closed the public hearing.

10:03 AM Senator Beard moved to Do Pass the bill. Senator Kessel seconded the motion.

10:03 AM Roll call vote is taken.

Senators	Vote
Senator Dale Patten	Y
Senator Jeffery J. Magrum	Y
Senator Todd Beard	Y
Senator Keith Boehm	Y
Senator Jordan L. Kannianen	
Senator Greg Kessel	Y

Chairman Patten left the vote open for Senator Kannianen to cast his vote when he is present.

Senator Beard will carry the bill.

This bill does not affect workforce development.

10:04 AM Chairman Patten closed the meeting.

Rick Schuchard, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Peace Garden Room, State Capitol

HB 1074
3/2/2023

A bill relating to informational hearings for water permit applications.

1:21 PM Chairman Patten opened the meeting.

Chairman Patten and Senators Kannianen, Kessel, Beard, and Boehm are present. Senator Magrum is absent.

Discussion Topics:

- Committee action

1:21 PM Chairman Patten had held the vote open on this bill for Senator Kannianen to vote. Roll call vote was taken for Senator Kannianen only at this meeting. Senators Patten, Kessel, Beard, Boehm and Magrum previously voted yes on the Do Pass motion.

Senators	Vote
Senator Dale Patten	Y
Senator Jeffery J. Magrum	Y
Senator Todd Beard	Y
Senator Keith Boehm	Y
Senator Jordan L. Kannianen	Y
Senator Greg Kessel	Y

Motion passed 6-0-0.

Senator Beard was previously selected as the bill carrier.

This bill does not affect workforce development.

1:22 Chairman Patten closed the meeting.

Rick Schuchard, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1074: Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1074 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

TESTIMONY

HB 1074

Testimony
HB 1074—Department of Water Resources
House Energy and Natural Resources
Representative Todd Porter, Chairman
January 12, 2023

Mr. Chairman and members of the House Energy and Natural Resources Committee, my name is Chris Bader. I am the Director of the Water Appropriation Division of the Department of Water Resources. I am here in support of HB 1074.

This bill will amend and reenact sections 61-04-01.1, 61-04-05, and 61-04-05.1 of the North Dakota Century Code, as it relates to informational hearings for water permit applications. This bill changes 'informational hearing' to 'public hearing' to clarify the purpose of the hearing as an opportunity for the public to submit additional comments on a water permit application.

The current language creates confusion regarding the purpose of the hearing. Historically these hearings have consisted of the Department collecting information from the public to be considered for a water permit application. Today, based upon the current language, people that may attend the informational hearing may be expecting to be provided with additional information pertaining to the specified water permit application from the department. Changing the title to public hearing will clarify the purpose of the hearing as an opportunity for the public to provide additional comments and information for consideration in the evaluation of a water permit application.

Thank you for the opportunity to comment, and I would be happy to answer any questions you might have.

North Dakota
Irrigation Association

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Bismarck, ND 58502
701-223-4615
701-223-4645 (fax)

Dedicated to strengthening and expanding irrigation to build and diversify our economy

January 12, 2023
House Energy and Natural Resources Committee
Testimony on HB 1074
Dani Quissell, North Dakota Irrigation Association

Good afternoon, Chairman Porter and members of the House Energy and Natural Resources Committee. Thank you for the opportunity to testify on HB 1074. I am Dani Quissell, the Executive Director of the North Dakota Irrigation Association. The Association is made up of irrigators, irrigation equipment dealers, businesses and others interested in supporting irrigation and irrigation development.

The Irrigation Association is supportive of the clean up in HB 1074. It is important that processes for issuing, altering, and cancelling water permits are clear and transparent for all involved. This change will help clarify current confusion regarding the process.

Thank you for the opportunity to provide testimony. I'd be happy to stand for any questions.

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Dedicated to strengthening and expanding irrigation to build and diversify our economy

March 2, 2023
Senate Energy and Natural Resources Committee
Testimony on HB 1074
Dani Quissell, North Dakota Irrigation Association

Good morning, Chairman Patten and members of the Senate Energy and Natural Resources Committee. Thank you for the opportunity to testify on HB 1074. I am Dani Quissell, the Executive Director of the North Dakota Irrigation Association. The Association is made up of irrigators, irrigation equipment dealers, businesses and others interested in supporting irrigation and irrigation development.

The Irrigation Association is supportive of the clean up in HB 1074. It is important that processes for issuing, altering, and cancelling water permits are clear and transparent for all involved. This change will help clarify current confusion regarding the process.

Thank you for the opportunity to provide testimony. I'd be happy to stand for any questions.

Testimony
HB 1074—Department of Water Resources
Senate Energy and Natural Resources
Senator Dale Patten, Chairman
March 2, 2023

Mr. Chairman and members of the House Energy and Natural Resources Committee, my name is Chris Bader. I am the Director of the Water Appropriation Division of the Department of Water Resources. I am here in support of HB 1074.

This bill will amend and reenact sections 61-04-01.1, 61-04-05, and 61-04-05.1 of the North Dakota Century Code, as it relates to informational hearings for water permit applications. This bill changes 'informational hearing' to 'public hearing' to clarify the purpose of the hearing as an opportunity for the public to submit additional comments on a water permit application.

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Thank you for the opportunity to comment, and I would be happy to answer any questions you might have.