2025 HOUSE ENERGY AND NATURAL RESOURCES

HB 1042

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau AB Room, State Capitol

HB 1042
1/16/2025

Relating to extending time for the application of water to a beneficial use.

9:57 a.m. Chairman Porter called the hearing to order.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chair Novak, Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, Ruby, Conmy, Foss

Discussion Topics:

- Clarification of language

9:57 a.m. Kimberly Fischer, Ground Water Section Manager, DWR, testified in favor. #29155

9:59 a.m. Chairman Porter closed the hearing.

Leah Kuball, Committee Clerk

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Testimony in Support of
HB 1042
House Energy and Natural Resources
January 16, 2025

TESTIMONY OF
Kimberly Fischer, Ground Water Section Manager, Water Appropriation Division

Chairman Porter, and members of the House Energy and Natural Resources Committee, I am Kimberly Fischer, the Groundwater Section Manager of the Water Appropriation Division of the Department of Water Resources. I'm here today to provide testimony in support of HB 1042.

North Dakota Century Code (N.D.C.C.) § 61-04-14 was updated in 2019 to its current language. During that update, there was a drafting oversight which resulted in this section referring to both a "portion of the application" (line 10) and a "portion of the permit" (line 14). HB 1042 corrects the wording to make it clear that the section applies to water permits, and not water permit applications. The proposed change is consistent with existing language and will not affect the intent of the law or how it's applied—it just makes the wording more clear and consistent.

Thank you for the opportunity to testify, and I'm happy to answer any questions.

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Coteau AB Room, State Capitol

HB 1042
1/16/2025

Relating to extending time for the application of water to a beneficial use.

11:15 a.m. Chairman Porter opened meeting.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chair Novak, Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, Ruby, Conmy, Foss

Discussion Topics:

- Committee Action

11:15 a.m. Representative Heinert moved a Do Pass.

11:15 a.m. Representative Novak seconded the motion.

Representatives	Vote
Chairman Todd Porter	Y
Vice Chairman Dick Anderson	Y
Vice Chairwoman Anna Novak	Y
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Austin Foss	Y
Representative Jared Hagert	Y
Representative Craig Headland	Y
Representative Pat Heinert	Y
Representative Jorin Johnson	Y
Representative Andrew Marschall	Y
Representative Jeremy Olson	Y
Representative Matthew Ruby	Y

11:16 a.m. Motion passed 13-0-0.

11:16 a.m. Representative Novak will carry the bill.

11:16 a.m. Chairman Porter closed the meeting.

Janae Pinks, Committee Clerk for Leah Kuball, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1042 (25.8007.01000)

Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1042 was placed on the Eleventh order on the calendar.

2025 SENATE ENERGY AND NATURAL RESOURCES

HB 1042

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee
Peace Garden Room, State Capitol

HB 1042
2/20/2025

Relating to extending time for the application of water to a beneficial use.

9:15 a.m. Chairman Patten opened the hearing.

Members present:
Chairman Patten, Vice Chairman Kessel, Senators: Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

- Water appropriation regulations
- Legislative drafting oversight
- Clarification of water permit terminology

9:16 a.m. Andrew Nygren, Division Director Water Appropriation, Department of Water Resources, testified in favor and submitted testimony #38138.

9:17 a.m. Chairman Patten closed the hearing.

9:17 a.m. Senator Kessel moved a Do Pass.

9:17 a.m. Senator Enget seconded the motion.

Senators	Vote
Senator Dale Patten	Y
Senator Greg Kessel	Y
Senator Todd Beard	Y
Senator Keith Boehm	Y
Senator Mark Enget	Y
Senator Justin Gerhardt	Y
Senator Desiree Van Oosting	Y

Motion Passed 7-0-0.

9:17 a.m. Senator Enget will carry the bill.

9:17 a.m. Chairman Patten closed the hearing.

Kendra McCann, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1042 (25.8007.01000)

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1042 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

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Testimony in Support of
HB 1042
Senate Energy and Natural Resources
February 20, 2025

TESTIMONY OF
Andrew Nygren, Division Director, Water Appropriation Division

Chairman Patten, and members of the Senate Energy and Natural Resources Committee, I am Andrew Nygren, Division Director of the Water Appropriation Division for the Department of Water Resources. I'm here today to provide testimony in support of HB 1042.

North Dakota Century Code (N.D.C.C.) § 61-04-14 was updated in 2019 to its current language. During that update, there was a drafting oversight which resulted in this section referring to both a "portion of the application" (line 10) and a "portion of the permit" (line 14). HB 1042 corrects the wording to make it clear that the section applies to water permits, and not water permit applications. The proposed change is consistent with existing language and will not affect the intent of the law or how it's applied—it just makes the wording more clear and consistent.

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