

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2223

2001 SENATE NATURAL RESOURCES

SB 2223

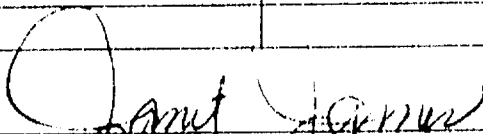
## 2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2223

Senate Natural Resources Committee

☐ Conference Committee

Hearing Date 1-26-01

Tape Number	Side A	Side B	Meter #
1	X		10.9 - 22.9
Committee Clerk Signature 			

Minutes:

SENATOR HERB URLACHER, of District 36, cosponsor of Bill 2223 stated the bill addresses a conservative attitude to propose the down sizing the board of directors of the Southwest Water Authority. At this time it would be better to down size the board from 27 members so that it function better and more economically.

DONALD FLYNN, Vice Chairman of the Southwest Water Authority testified in support of Bill 2223. (See attached testimony).

SENATOR CHRISTMANN: asked what was the consensus of the present 27 members of the board, if they agreed it was time to down size.

PINKIE EVANS CURRY reported the vote was 23 yays to 4 nays.

R.B. "CHIP" UNRUH, Director of the Southwest Water Authority testified in support of Bill 2223 (See attached testimony).

Page 2  
Senate Natural Resources Committee  
Bill/Resolution Number SB 2223  
Hearing Date 1-26-01

DAVE KOLAND, Executive Director of North Dakota Rural Water Systems Association, testified in support of the Bill and that board size is critical in governing a water system. He felt the optimal size is about 8 members.

JAMES LENNINGTON, Southwest Pipeline Project Manager, testified in support of the Bill and feel a reduced board size would be more efficient governing and interaction between the Water Commission and the Southwest Water Authority.

SENATOR FISCHER: closed the hearing on Bill 2223.

SENATOR CHRISTMANN made a motion for "DO PASS" of SB 2223.

SENATOR TRAYNOR second the motion.

SENATOR FISCHER called for a roll vote of the bill. The vote indicated 7 YAYS, 0 NAYS, 0 ABSENT OR NOT VOTING.

SENATOR CHRISTMANN will carry SB 2223.

Date:  
Roll Call Vote #:

**2001 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2223**

Senate NATURAL RESOURCES Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Christman Seconded By Traynor

Senators	Yes	No	Senators	Yes	No
Sen. Thomas Fischer, Chairman	✓		Sen. Michael A. Every	✓	
Sen. Ben Tollefson, Vice Chair.	✓		Sen. Jerome Kelsh	✓	
Sen. Randel Christmann	✓				
Sen. Layton Freborg	✓				
Sen. John T. Traynor	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Christman

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
January 26, 2001 11:57 a.m.

**Module No: SR-14-1702**  
**Carrier: Christmann**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2223: Natural Resources Committee (Sen. Fischer, Chairman) recommends DO PASS**  
(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2223 was placed on the  
Eleventh order on the calendar.

2001 HOUSE NATURAL RESOURCES

SB 2223

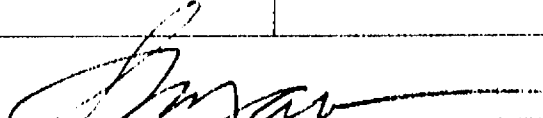
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2223

House Natural Resources Committee

☐ Conference Committee

Hearing Date March 15, 2001

Tape Number	Side A	Side B	Meter #
2		x	1 to 1958
Committee Clerk Signature 			

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Drovdal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich.

Chairman Rennerfeldt: I will call the committee back into order and open the hearing on SB 2223.

Sen. Urlacher - District 36: I consider this bill to be really straightforward. It reduces the numbers of people on the SW Authority, cutting it in half. One of the primary reasons is to save some dollars and to be more functional. When you have 27 people involved it is easy to have a large percentage of people absent at a meeting. When that happens there is always a reeducation process to bring people back up to speed. I think that is the primary reason to be doing this. If there are any questions I would be happy to answer them.



Don Flynn - Vice Chair SW Water Authority: I am in favor of this bill. (See written testimony).

Chairman Rennerfeldt: Any questions of the committee? Anyone else to testify in favor of this bill?

Chip Unruh: I am one of the 27 SW Water Authority board of directors. When we first got started we needed 27 members, however we don't need that many anymore. We can reach our goals with a smaller board and I ask that you do pass this bill.

James Lennington - SW Pipeline Project Manager: I am here in support of SB 2223.

Dave Koland - ND Water Resource Rural Water Systems Association: We are here in support of this bill. Reducing this board is a large step forward in running the water system. I have some amendments with the approval of the sponsors that address the subject relating to water, but not specifically the SW Water Authority. I put these amendments on a bill that passed the Senate and ran into considerable amount of trouble because the Senate killed that legislation. This is a simple housecleaning amendment. During this session we had the Legislative Council take a look at the reimbursement of travel expenses for water district directors and employees. Chapter 61 covers directors with reimbursements but doesn't cover the expenses of employees. It gives the board the authority to fix the compensation of employees and it doesn't cover the reimbursement of expenses. This amendment adds the words, "and reimbursements of expenses. To make it clear that the board is entitled to fix the compensation of employees and reimburse them for their expense. Also to furnish vehicles for travel.

Chairman Rennerfeldt: Any questions of the committee?

Andy Mork - Morton County Water Resource Board: We appear here today in support of SB 2223. We do have a question on the makeup of the board. They have 1 director for each county,

plus 2 more directors from the city of Dickinson. We are wondering what the reason is for this? I per county would probably do it. We do support this bill.

Chairman Rennerfeldt: Any questions? Anyone else here to testify in favor of this bill? Anyone opposed to this bill? If not I will close the hearing on SB 2223.

Vice Chair Nelson: I move the amendment that Mr. Koland brought with.

Rep. DeKrey: I second.

Chairman Rennerfeldt: Any further discussion on the amendment? All those in favor signify by saying Aye. Opposed? Motion carried by voice vote. Okay we have SB 2233 in front of us as amended.

Rep. Porter: I am not sure if anybody else would like to hear SW response, but I am sure they have a very good reason why they have more than one person from Dickinson. They might want to take a moment and answer that for us.

Don Flynn: The city of Dickinson was the first original user in 1991. The representation of the city of Dickinson has been set up as right now there are three out of there and two out of Stark County. Basically now it will be one from each county and two from the city of Dickinson because they are the largest user of the system.

Rep. Klein: Isn't it true that all the water in Dickinson is treated?

Flynn: Yes, it is. Dickinson made a suggestion that they go ahead with their water treatment plant and they have done some upgrades and it was a saving of 7.2 million dollars by going through their treatment plant. So right now, the treatment plant is treating for all of the system that is in service now, including the city. Now, as of April 1st we will have operated and maintained the treatment plant for about a year. SW Authority does not own anything.

Rep. Klein: I move a Do Pass.

Page 4

House Natural Resources Committee

Bill/Resolution Number SB 2223

Hearing Date March 15, 2001

Rep. Brekke: I second.

Rep. Porter: I am just a little uncomfortable doing this one before we do SB 2222. Just from an equity standpoint. If for some reason the expiration date is taken off I think the money that Morton County puts in their representation should be at least equal to that of Dickinson regardless of the users. I am not comfortable doing this bill before we do SB 2222.

Rep. Klein: The reason that Dickinson got two directors was that was negotiations that took place putting the city water chief under the SW Water Authority. Am I right on that?

Rep. Drovdal: I think we should hold off.

(Some more discussion about withdrawing the motion or tabling the motion)

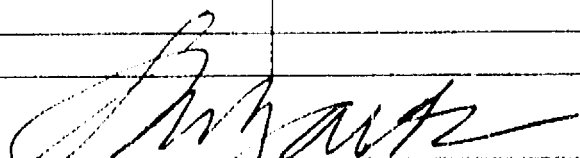
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2223

House Natural Resources Committee

☐ Conference Committee

Hearing Date March 22, 2001

Tape Number	Side A	Side B	Meter #
1		x	2115 to 3221
Committee Clerk Signature 			

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Drovdal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrich.

Chairman Rennerfeldt: Let's do SB 2223.

Rep. Porter: I will pass out this set of amendments for SB 2223. And move to adopt amendments.

Rep. DeKrey: I second.

(Discussion on amendments)

Vice Chair Nelson: I call for question.

Chairman Rennerfeldt: We have a motion for do pass on amendments. Call the roll.

**MOTION TO ADOPT AMENDMENTS**

Page 2

House Natural Resources Committee

Bill/Resolution Number SB 2223

Hearing Date March 22, 2001

YES, 6      NO, 9

**AMENDMENTS FAIL**

Rep. Droydal: I move a Do Pass as Amended on SB 2223.

Rep. Winrich: I second.

Chairman Rennerfeldt: Any further discussion. Call the roll.

**MOTION FOR A DO PASS AS AMENDED**

YES, 14      NO, 1

**CARRIED BY REP. DROVDAL**

March 22, 2001

VR  
3/22/01

~~HOUSE AMENDMENTS TO SB2223~~ ~~HOUSE NATURAL RESOURCES~~ 03/23/01  
Page 1, line 1, replace the second "and" with a comma and after "61-24.5-08" insert ", and  
subsection 7 of section 61-35-12"

Page 1, line 2, after "authority" insert "and the reimbursement of water district employee  
expenses"

Page 2, after line 25, insert:

**"SECTION 3. AMENDMENT.** Subsection 7 of section 61-35-12 of the North  
Dakota Century Code is amended and reenacted as follows:

7. Appoint and fix the compensation and reimbursement of expenses of such  
employees as the board deems necessary to conduct the business and  
affairs of the district and to procure the services of engineers and other  
technical experts, and to retain attorneys to assist, advise, and act for it in  
its proceedings."

Renumber accordingly

Date: 3/15/01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2223

House Natural Resources Committee

☐ Subcommittee on \_\_\_\_\_

or

☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Move Colareds Amnd

Motion Made By Rep Nelson Seconded By Rep DeKrey

Representatives	Yes	No	Representatives	Yes	No
Earl Rennerfeldt - Chairman			Lyle Hanson		
Jon O. Nelson - Vice Chairman			Scot Kelsh		
Curtis E. Brekke			Lonnie B. Winrich		
Duane DeKrey			Dorvan Solberg		
David Drovdal					
Pat Galvin					
George Keiser					
Frank Klein					
Darrell D. Nottestad					
Todd Porter					
Dave Weiler					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Roll call carried

Date: 3/15/01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2223

House Natural Resources Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO Pass As Amended

Motion Made By Rep. Klein Seconded By Rep. Brekke

Representatives	Yes	No	Representatives	Yes	No
Earl Rennerfeldt - Chairman			Lyle Hanson		
Jon O. Nelson - Vice Chairman			Scot Kelsh		
Curtis E. Brekke			Lonnie B. Winrich		
Duane DeKrey			Dorvan Solberg		
David Drovdal					
Pat Galvin					
George Keiser					
Frank Klein					
Darrell D. Nottestad					
Todd Porter					
Dave Weiler					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

With draw



*Amend  
Rolls*

Date:

*3/22/01*

Roll Call Vote #:

*1*

**2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.**

House Natural Resources

Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken *Move Amendment*

Motion Made By *Porter* Seconded By *DeRuy*

Representatives	Yes	No	Representatives	Yes	No
Earl Rennerfeldt - Chairman		<i>✓</i>	Lyle Hanson	<i>✓</i>	
Jon O. Nelson - Vice Chairman		<i>✓</i>	Scot Kelsh		<i>✓</i>
Curtis E. Brekke		<i>✓</i>	Lonnie B. Winrich		<i>✓</i>
Duane DeKrey	<i>✓</i>		Dorvan Solberg		<i>✓</i>
David Drovdal		<i>✓</i>			
Pat Galvin	<i>✓</i>				
George Keiser	<i>✓</i>				
Frank Klein		<i>✓</i>			
Darrell D. Nottestad		<i>✓</i>			
Todd Porter	<i>✓</i>				
Dave Weiler	<i>✓</i>				

Total (Yes) *6* No *9*

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*Board of directors chg.  
from Maudan* *Add 2 members*

Date: 3/22/01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2223

House Natural Resources Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO Pass as Amended

Motion Made By Rep. Drovda Seconded By Rep. Winrich

Representatives	Yes	No	Representatives	Yes	No
Earl Rennerfeldt - Chairman	✓		Lyle Hanson	✓	
Jon O. Nelson - Vice Chairman	✓		Scot Kelsh	✓	
Curtis E. Brekke	✓		Lonnie B. Winrich	✓	
Duane DeKrey	✓		Dorvan Solberg	✓	
David Drovda	✓				
Pat Galvin	✓				
George Keiser	✓				
Frank Klein	✓				
Darrell D. Nottestad	✓				
Todd Porter		✓			
Dave Weiler	✓				

Total (Yes) 14 No 1

Absent \_\_\_\_\_

Floor Assignment Rep. Drovda

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2223: Natural Resources Committee (Rep. Rennerfeldt, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2223 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the second "and" with a comma and after "61-24.5-08" insert ", and subsection 7 of section 61-35-12"

Page 1, line 2, after "authority" insert "and the reimbursement of water district employee expenses"

Page 2, after line 25, insert:

**"SECTION 3. AMENDMENT.** Subsection 7 of section 61-35-12 of the North Dakota Century Code is amended and reenacted as follows:

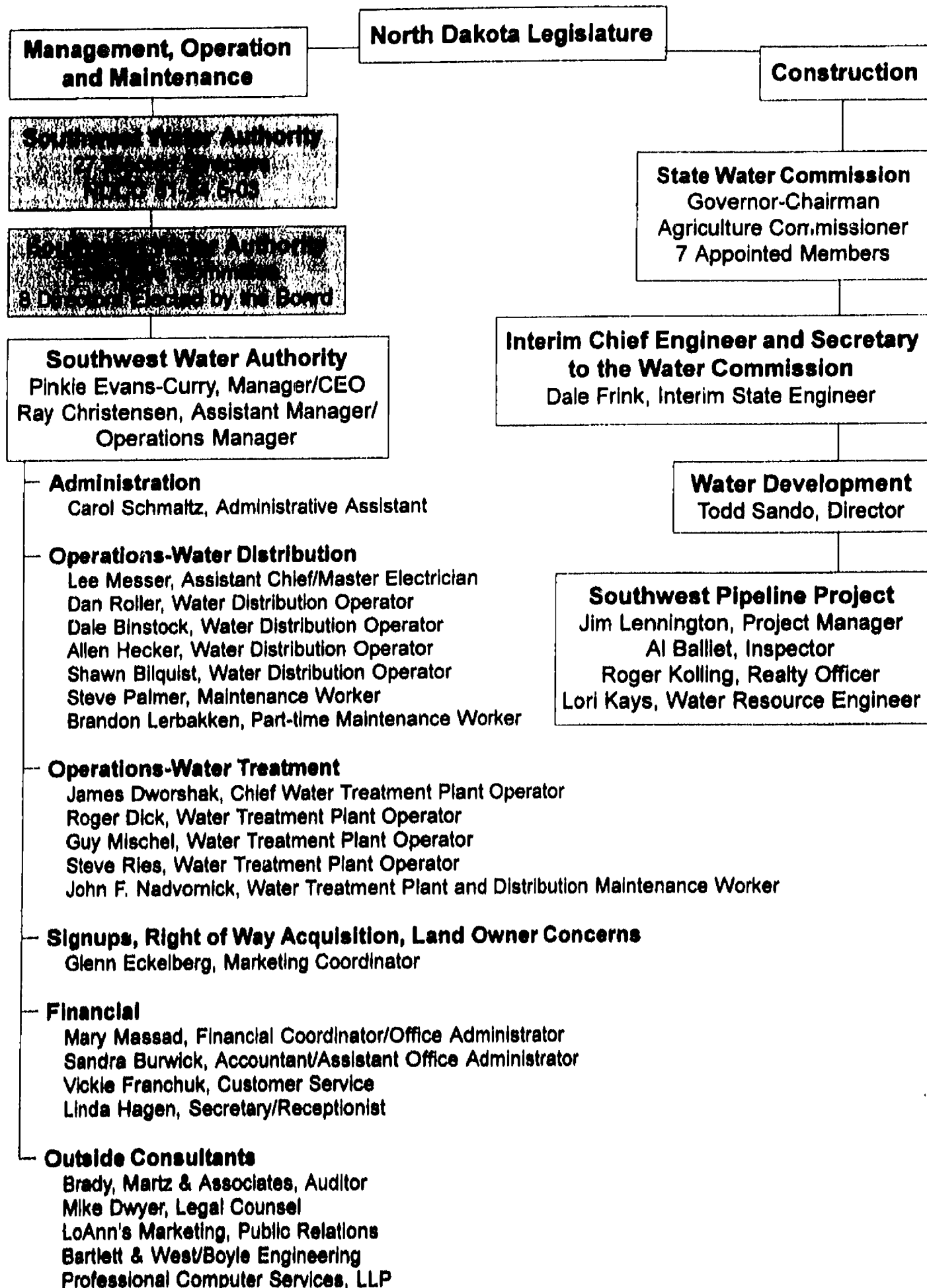
7. Appoint and fix the compensation and reimbursement of expenses of such employees as the board deems necessary to conduct the business and affairs of the district and to procure the services of engineers and other technical experts, and to retain attorneys to assist, advise, and act for it in its proceedings."

Renumber accordingly

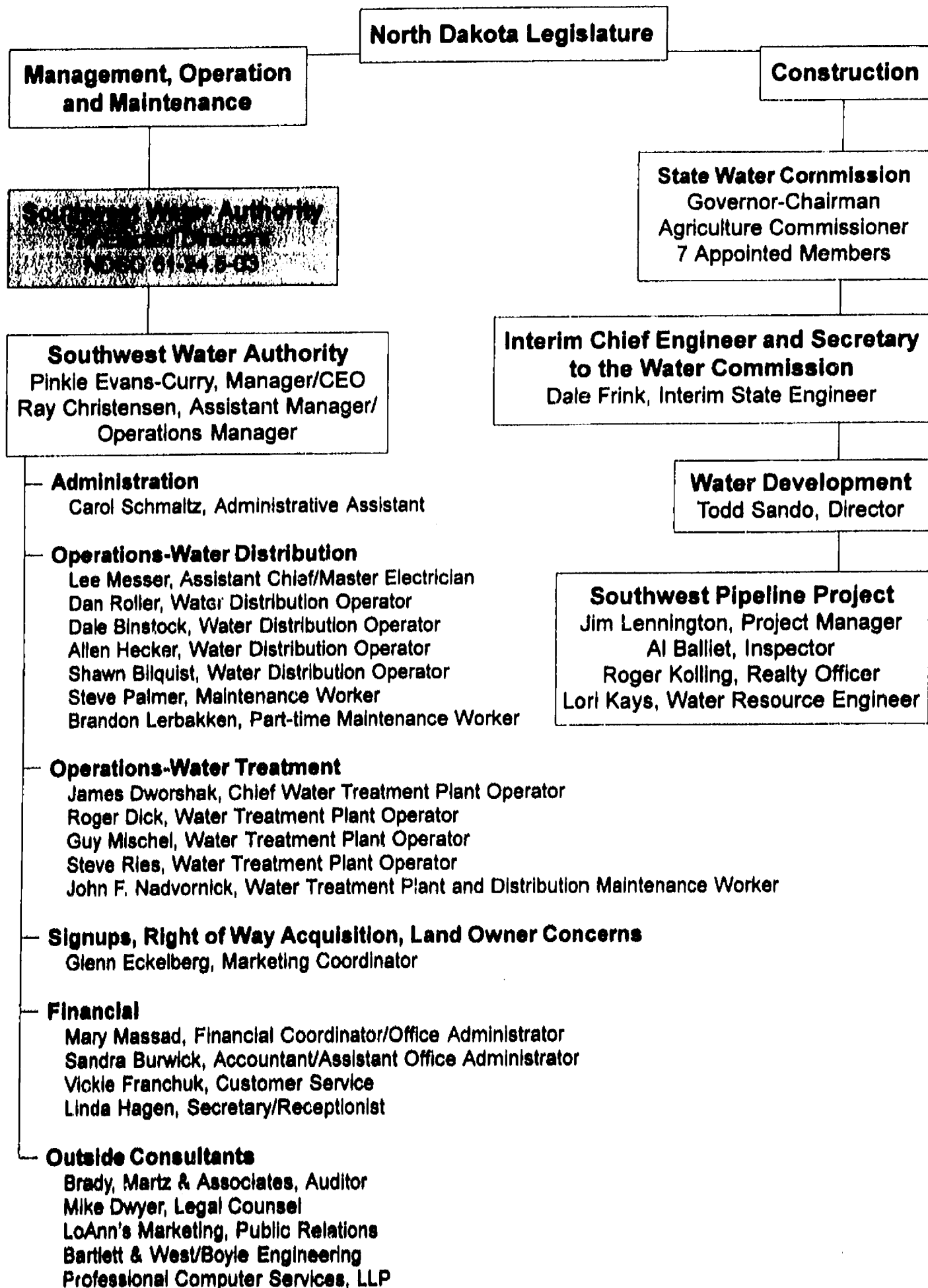
2001 TESTIMONY

SB 2223

# SOUTHWEST PIPELINE PROJECT ORGANIZATIONAL CHART (CURRENT)



# SOUTHWEST PIPELINE PROJECT PROPOSED ORGANIZATIONAL CHART



VERBAL TESTIMONY

OF

R.B. "CHIP" UNRUH  
DIRECTOR  
SOUTHWEST WATER AUTHORITY

SUBMITTED TO  
NORTH DAKOTA SENATE NATURAL RESOURCES COMMITTEE

ON  
SENATE BILL 2223 - SOUTHWEST WATER AUTHORITY - BOARD OF  
DIRECTORS

JANUARY 26, 2001

BISMARCK, NORTH DAKOTA

Good Morning. I am Chip Unruh, I zipped out of Zap. I am here to support Senate Bill 2223.

I am one of 27 directors on the Southwest Water Authority Board of Directors, representing Mercer County the past four years.

When this board was initially formed about nine years ago, we believed its size was appropriate considering the enormous task at hand covering such a large area.

Much has been accomplished since its inception. Presently we are furnishing a billion, yes I said a billion, gallons of quality water to 22 cities and 4500 patrons with 1869 hookups to farms and ranches.

While we have not yet reached our goal, a lot of potential and work still remains in Mercer, Oliver and North Dunn Counties. The Intake facility is located in Mercer County, yet we serve only the city of Golden Valley.

We voted to downsize our board and feel assured that we can reach our goal and reduce expenses with a smaller board as we have excellent leadership and staff.

We urge you to support this bill giving it a "DO PASS" designation.

Thank you.



**Good morning. I am Don Flynn from Scranton, North Dakota**

**I am the Vice-Chairman of the Southwest Water Authority (Authority).  
I come today to speak in favor of Senate Bill 2223 that will reduce the size of  
the Authority Board of Directors from 27 members to 14 members.**

**When the Legislature created the Authority in 1991, the Authority  
combined the interests of three rural water systems and some of the work of  
the West River Joint Board. This saved duplication of efforts, but 27  
directors was a reasonable number of people to represent the water interests  
of 12 counties and the city of Dickinson since there was no staff at that time.**

**Today, as shown on the charts accompanying this statement, the  
Authority has a very capable staff to meet the needs of the Authority,  
including meeting with county and city commissions and other groups as  
needed. Downsizing will again save duplication of efforts by having one group  
meet each month as the Board of Directors to discuss and approve all  
necessary business. Currently, the Executive Committee discusses some issues  
one month and these same issues must then be brought before the full Board  
the following month before action can be taken.**

**Situations change and the Southwest Water Authority is now in a  
position to downsize its Board and still meet the needs of southwest North**

**Dakota. This Board of Directors will still work to complete the Southwest Pipeline Project, to continue to provide excellent operation and maintenance of the system on behalf of the people of North Dakota, and to continue to take an active role in water development throughout the state.**

**We request favorable consideration for Senate Bill 2223.**

*Rep. Porter*

PROPOSED AMENDMENT SB 2223

**Section 1. AMENDMENT.** Section 61-24.5-04 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

**61-24.5-04. Board of directors – Officers – Meetings – Compensation.** Two directors must be elected in the city of Mandan. The director from Morton County may not be a resident of the city of Mandan.

## PROPOSED AMENDMENTS TO SENATE BILL 2223

Page 1, line 1, after "61-24.5-08" insert "and subsection 7 of section 61-35-12.

Page 1, line 2, after "authority" insert ", reimbursement of water district employee expenses."

Page 2, after line 27, insert:

**"SECTION 4. AMENDMENT.** Subsection 7 of section 61-35-12 of the North Dakota Century Code is amended and reenacted as follows:

7. Appoint and fix the compensation and reimbursement of expenses of such employees as the board deems necessary to conduct the business and affairs of the district and to procure the services of engineers and other technical experts, and to retain attorneys to assist, advise, and act for it in its proceedings."

Renumber accordingly

**VERBAL TESTIMONY  
OF**

**DON FLYNN  
VICE CHAIRMAN  
SOUTHWEST WATER AUTHORITY  
SCRANTON, ND**

**SUBMITTED TO  
NORTH DAKOTA HOUSE NATURAL RESOURCES COMMITTEE  
SENATE BILL 2223**

**MARCH 15, 2001**

**BISMARCK, ND**

**Good morning. I am Don Flynn from Scranton, North Dakota**

**I am the Vice-Chairman of the Southwest Water Authority (Authority).  
I come today to speak in favor of Senate Bill 2223 that will reduce the size of  
the Authority Board of Directors from 27 members to 14 members.**

**When the Legislature created the Authority in 1991, the Authority  
combined the interests of three rural water systems and some of the work of  
the West River Joint Board. This saved duplication of efforts, but 27  
directors was a reasonable number of people to represent the water interests  
of 12 counties and the city of Dickinson since there was no staff at that time.**

**Today, as shown on the charts accompanying this statement, the  
Authority has a very capable staff to meet the needs of the Authority,  
including meeting with county and city commissions and other groups as  
needed. Downsizing will again save duplication of efforts by having one group  
meet each month as the Board of Directors to discuss and approve all  
necessary business. Currently, the Executive Committee discusses some issues  
one month and these same issues must then be brought before the full Board  
the following month before action can be taken.**

**Situations change and the Southwest Water Authority is now in a  
position to downsize its Board and still meet the needs of southwest North**

**Dakota. This Board of Directors will still work to complete the Southwest Pipeline Project, to continue to provide excellent operation and maintenance of the system on behalf of the people of North Dakota, and to continue to take an active role in water development throughout the state.**

**We request favorable consideration for Senate Bill 2223.**