

**FIRST ENGROSSMENT  
with Senate Amendments****ENGROSSED HOUSE BILL NO. 1396**

Introduced by

Representatives Metcalf, Froelich, D. Johnson, M. Klein, Pollert, Severson

1 A BILL for an Act to create and enact a new subsection to section 61-02-14 of the North Dakota  
2 Century Code, relating to the powers and duties of the state water commission; and to amend  
3 and reenact subsections 4 and 5 of section 61-01-26 and subsection 7 of section 61-35-12 of  
4 the North Dakota Century Code and section 10 of chapter 535 of the 1999 Session Laws,  
5 relating to the sharing of costs for water quality protection programs, reimbursement of water  
6 district employee expenses, and the statewide water development program.

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

8 **SECTION 1. AMENDMENT.** Subsections 4 and 5 of section 61-01-26 of the North  
9 Dakota Century Code are amended and reenacted as follows:

10 4. Accruing benefits from these resources can best be achieved for the people of the  
11 state through the development, execution, and periodic updating of  
12 comprehensive, coordinated, and well-balanced short-term and long-term plans  
13 and programs for the conservation and development of such resources by the  
14 departments and agencies of the state having responsibilities therefor. The plans  
15 and programs for the conservation and development of these resources may  
16 include implementation of a program to cost-share with local sponsors of water  
17 quality improvement projects.

18 5. Adequate implementation of such plans and programs shall be provided by the  
19 state through cost-sharing and cooperative participation with the appropriate  
20 federal and state departments and agencies and political subdivisions within the  
21 limitation of budgetary requirements and administrative capabilities, including  
22 consideration of cost-sharing for water quality improvement projects.

23 **SECTION 2.** A new subsection to section 61-02-14 of the North Dakota Century Code  
24 is created and enacted as follows:

1                   To consider cost-sharing for water quality improvement projects.

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

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

8                   **SECTION 4.** Section 10 of chapter 535 of the 1999 Session Laws is amended and  
9 reenacted as follows:

10                  **SECTION 10. STATEWIDE WATER DEVELOPMENT PROGRAM - LEGISLATIVE**

11 **INTENT.** The state water commission shall develop a new comprehensive statewide water  
12 development program with priorities based upon expected funds available from the water  
13 development trust fund for water development projects. This program may include water  
14 quality improvement projects. It is the intent of the legislative assembly that the state water  
15 commission consider the delivery of water for usable purposes a priority for water development  
16 projects after the projects authorized in section 3 of this Act are completed.