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DESCRIPTION

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La Costa Rickford  
Operator's Signature

10/16/03  
Date

2003 HOUSE FINANCE AND TAXATION

HCR 3078

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Valista Rickford  
Operator's Signature

10/16/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3078

House Finance and Taxation Committee

☐ Conference Committee

Hearing Date March 24, 2003

Tape Number	Side A	Side B	Meter #
1	X		0.7
Committee Clerk Signature <i>Janice Stein</i>			

Minutes:

**REP. DAVID DROVDAL, VICE-CHAIR** Called the hearing to order.

**REP. DENNIS JOHNSON, DIST. 15, DEVILS LAKE** Introduced the resolution.

Gave a brief history of how the resolution came about. He stated the county commissioners requested this resolution but are already in the process of resolving it, therefore, they thought the resolution could be withdrawn, but since the hearing was already scheduled, the hearing was held in case people would come in to testify. The issue has been addressed, so he suggested the resolution be a do not pass.

**COMMITTEE ACTION**

**REP. KLEIN** Made a motion for a **DO NOT PASS**.

**REP. IVERSON** Second the motion. **MOTION CARRIED.**

12 YES      0 NO      2 ABSENT

**REP. HEADLAND** Was given the floor assignment.

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3078

House Finance and Taxation Committee

☐ Conference Committee

Hearing Date March 25, 2003

Tape Number	Side A	Side B	Meter #
1	X		0.6
Committee Clerk Signature <i>Janice Stein</i>			

Minutes:

**COMMITTEE ACTION**

**REP. HEADLAND** Made a motion to reconsider the action by which the resolution was passed out of committee.

**REP. IVERSON** Second the motion. Motion carried by voice vote.

**REP. DENNIS JOHNSON** Appeared before the committee to present amendments to the resolution, as the wrong resolution was drafted. The amendments will address three different issues in the Devils Lake area. This lake has grown from 40,000 acres to close to 130,000 acres. The lake not only covers homes and businesses, but agricultural land. He stated his grandfather has 1200 acres, which is under water and he is still paying taxes on it. He mentioned several people in the area that have thousands of acres under water. The amendments also address the drinking water for Devils Lake. He stated, for some time now, the Corps of Engineers has been

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*La Costa Rickford*  
Operator's Signature

*10/16/03*  
Date

Page 2

House Finance and Taxation Committee

Bill/Resolution Number HCR 3078

Hearing Date March 25, 2003

studying this project. He said they just finally got the approval of an outlet for Devils Lake, the only trouble is, the price tag has gone up to the point now where it would take approximately seventeen million dollars of local funds to match the cost.

**SEN. JACK TRAYNOR, DIST. 15, DEVILS LAKE** Testified in favor of the resolution.

He gave a brief history of the water problems in Devils Lake for the last several years. He stated the drinking water is in violation of government standards. They are in violation of the arsenic standards in the drinking water. He stated the cost will be approximately thirty million dollars which is above the capacity the city and residents can handle.

**REP. GENE NICHOLAS, CANDO** Testified in favor of the resolution. He stated the 180 million dollar price tag of federal outlet is probably priced it out of the market. He stated he respects what the Corps was trying to do with respect to the congressional delegation trying to move it along. As we reach this point of excessive amount of dollars, if we could get some participation from the federal government, as this resolution points out, for the state outlet, along with a host of other things that we are doing in the basin right now, such as irrigation in the upper basin, there is grant money coming from several areas to put this in place, if that works, it will take more than a foot of water off. The third hurdle is the city water problem for Devils Lake, thirty million dollars is a huge amount of money. Maybe that can be cut some, but if we can get some of these state and federal dollars routed into what we are speaking to in this resolution, it will be a huge savings to the taxpayers. That is what this resolution is all about.

**REP. WEILER** Made a motion to adopt the amendments as presented

**REP. IVERSON** Second the motion. Motion carried by voice vote.

Page 3  
House Finance and Taxation Committee  
Bill/Resolution Number HCR 3078  
Hearing Date March 25, 2003

**REP. KLEIN** Made a motion for a **DO PASS AS AMENDED.**

**REP. NICHOLAS** Second the motion. **MOTION CARRIED.**

13 YES    0 NO    1 ABSENT

**REP. NICHOLAS** Was given the floor assignment.

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Richard Costa  
Operator's Signature

10/6/03  
Date

Date: **3-24-03**  
Roll Call Vote #: **1**

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. **HCR 3078**

House FINANCE & TAXATION Committee

☐ Check here for Conference Committee

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

Action Taken

**Do Not Pass**

Motion Made By

**Rep. Klein**

Seconded By

**Rep. Iverson**

Representatives	Yes	No	Representatives	Yes	No
BELTER, CHAIRMAN					
DROVDAL, VICE-CHAIR	✓				
CLARK	✓				
FROELICH	✓				
GROSZ	✓				
HEADLAND	✓				
IVERSON	✓				
KELSH	✓				
KLEIN	✓				
NICHOLAS	✓				
SCHMIDT	✓				
WEILER	✓				
WIKENHEISER	✓				
WINRICH	✓				

Total (Yes)

**12**

No

**0**

Absent

**2**

Floor Assignment

**Rep. Headland**

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

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**Salvatore Riccardi**  
Operator's Signature

**10/16/03**  
Date

REPORT OF STANDING COMMITTEE (410)  
March 24, 2003 1:01 p.m.

Module No: HR-52-5545  
Carrier: Headland  
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE  
HCR 3078: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO NOT PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3078 was placed on the Tenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-52-5545

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Salvatore Riccio  
Operator's Signature

10/16/03  
Date



Date: 3-25-03  
Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HCR 3078

House FINANCE & TAXATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 33 122. 0101

Action Taken Do Pass as amended

Motion Made By Rep. Klein Seconded By Rep. Nicholas

Representatives	Yes	No	Representatives	Yes	No
BELTER, CHAIRMAN	<input checked="" type="checkbox"/>				
DROVDAL, VICE-CHAIR	<input checked="" type="checkbox"/>				
CLARK	<input checked="" type="checkbox"/>				
FROELICH	<input checked="" type="checkbox"/>				
GROSZ	<input checked="" type="checkbox"/>				
HEADLAND	<input checked="" type="checkbox"/>				
IVERSON	<input checked="" type="checkbox"/>				
KELSH	<input checked="" type="checkbox"/>				
KLEIN	<input checked="" type="checkbox"/>				
NICHOLAS	<input checked="" type="checkbox"/>				
SCHMIDT	<input checked="" type="checkbox"/>				
WEILER	<input checked="" type="checkbox"/>				
WIKENHEISER	<input checked="" type="checkbox"/>				
WINRICH	<input checked="" type="checkbox"/>				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Rep. Nicholas

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

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La Costa Richard  
Operator's Signature

10/16/03  
Date

REPORT OF STANDING COMMITTEE (410)  
March 26, 2003 10:04 a.m.

Module No: HR-54-5779  
Carrier: Nicholas  
Insert LC: 33122.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**HCR 3078: Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3078 was placed on the Sixth order on the calendar.

Page 1, line 1, after "resolution" replace the remainder of the resolution with "urging Congress to appropriate sufficient funds to reimburse property owners for land inundated by Devils Lake, reimburse the city of Devils Lake for municipal water lines inundated by Devils Lake, and to provide funding for a state outlet from Devils Lake.

**WHEREAS**, business owners and homeowners adversely impacted by the rising flood waters of Devils Lake were able to use flood insurance proceeds and Federal Emergency Management Agency funds to relocate their homes and businesses; and

**WHEREAS**, property owners, including farmers and ranchers, that have been adversely impacted by the rising flood waters of Devils Lake have not received funds to reimburse them for their losses; and

**WHEREAS**, at least seven miles of a pipeline that supplies municipal drinking water to the city of Devils Lake has been inundated by the rising flood waters of Devils Lake making it impossible to service the pipeline which jeopardizes the drinking water supply for the city of Devils Lake; and

**WHEREAS**, the city of Devils Lake is being challenged to meet stricter drinking water standards for arsenic; and

**WHEREAS**, obtaining a new and reliable source of drinking water for the city of Devils Lake may cost as much as \$30 million; and

**WHEREAS**, the United States Army Corp of Engineers has released its plans for a federal outlet to Devils Lake but the cost of constructing the federal outlet has increased dramatically; and

**WHEREAS**, it would be more economically feasible for the federal government to fund the state outlet;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Fifty-eighth Legislative Assembly urges Congress to appropriate sufficient funds to reimburse property owners for land inundated by Devils Lake, reimburse the city of Devils Lake for municipal water lines inundated by Devils Lake, and to provide funding for a state outlet from Devils Lake; and

**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution to each member of the North Dakota Congressional Delegation."

Renumber accordingly

2003 SENATE NATURAL RESOURCES

HCR 3078

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Richard Costa  
Operator's Signature

10/16/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3078

Senate Natural Resources Committee

☐ Conference Committee

Hearing Date 4-10-03

Tape Number	Side A	Side B	Meter #
1	X		0.0 - 7.5
Committee Clerk Signature <i>Jane James</i>			

Minutes:

**Senator Thomas Fischer**, Chairman of the Senate Natural Resources Committee opened the hearing HCR 3078 urging the Congress to appropriate sufficient funds to reimburse property owners for land inundated by Devils Lake, reimburse the city of Devils Lake for municipal water lines inundated by Devils Lake, and to provide funding for a state outlet from Devils Lake.

All members of the committee were present except **Senator Michael Every** and **Senator Layton Freborg**.

**Representative Dennis Johnson** of District 15 cosponsor of HCR 3078 testified stating this resolution addresses the long on going water issues in Devils Lake. He explained the three parts of the resolution. The first part deals with getting help for the inundated land of farmers, home owners, businesses and landowners. Over \$400 million has been interjected in the Devils Lake community but nothing has been done about the farm land that has been flooded. Many still continue to pay land taxes on flooded property in fear of losing their land if the water level

Page 2

Senate Natural Resources Committee

Bill/Resolution Number HCR 3078

Hearing Date 4-10-03

should recede. The second part of the resolution deals with the fresh water issue as the fresh water pipe line that supplies Devils Lake is 18 miles long and lies under 30 - 40 feet of water and silt. This pipe line is reaching its life expectancy and is only a matter of time until it fails. The lease for the pipe line that runs across the reservation most likely not be renewed. It will take approximately \$30 million for a new water source for Devils Lake and this resolution is asking for help to fund this project. The third part of the resolution deals with the solution for the problems by supplying funds for the Devils Lake outlet.

Senator John Traynor of District 15 cosponsor of HCR 3078 testified stating the main trust of the resolution is the plight of farmers and ranchers with regard to their income stream and the fact the much of their land is under 20 feet of water and will never see production there in their life time. So this resolution addresses the congress for some help.

There was no neutral or opposition to HCR 3078.

Senator Fischer closed the hearing on HCR 3078.

Senator Ben Tollefson made a motion for Do Pass of HCR 3078.

Senator Stanley Lyson second the motion.

Roll call vote #1 was taken indicating 5 YEAS, 0 NAYS AND 2 ABSENT OR NOT VOTING.

Senator Traynor will carry HCR 3078.

FR

Date: 1-10-03  
Roll Call Vote #: 1

**2003 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 3078**

Senate Senate Natural Resources Committee

☐ Check here for Conference Committee

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

Action Taken DO PASS

Motion Made By Tollefson Seconded By Lyon

Senators	Yes	No	Senators	Yes	No
Senator Thomas Fischer	✓		Senator Michael A. Every		
Senator Ben Tollefson	✓		Senator Joel C. Heitkamp	✓	
Senator Layton Freborg					
Senator Stanley W. Lyson	✓				
Senator John T. Traynor	✓				

Total (Yes) 5 No 0

Absent 2

Floor Assignment Traynor

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

REPORT OF STANDING COMMITTEE (410)  
April 10, 2003 10:55 a.m.

Module No: SR-65-7310  
Carrier: Traynor  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

HCR 3078, as engrossed: Natural Resources Committee (Sen. Fischer, Chairman)  
recommends **DO PASS** (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING).  
Engrossed HCR 3078 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-65-7310

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Sal Costa Rickford  
Operator's Signature

10/16/03  
Date