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DESCRIPTION

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Deanne Wallis  
Operator's Signature

10/17/03  
Date

2003 SENATE POLITICAL SUBDIVISIONS

SB 2180

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2180

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date: January 24, 2003

Tape Number	Side A	Side B	Meter #
1		X	1134 - 2580
Committee Clerk Signature <i>Shirley Long</i>			

Minutes:

**CHAIRMAN COOK** called the hearing on SB 2180 to order. All were in attendance (6).

SB 2180 is relating to compensation of the members of the board of directors of the Southwest Water Authority.

**SENATOR BOWMAN**, introduced SB 2180. The bill addresses the compensation for meetings of the Board of Directors. The fee has never gone up since the board started. The costs of driving one hundred miles to attend a meeting has gone up just as it has for everything. He put the fee up to one hundred dollars. To simplify this process, there was an amendment drafted after he introduced the bill that would make it the same as legislative council's compensation for a meeting. That would always parallel that and then we wouldn't have to come before the legislature. If there was a raise for them it would automatically trigger a raise for the Southwest Water Authority. The money does not come out of the general dollars. (Amendment Attached)

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Page 2

Senate Political Subdivisions Committee

Bill/Resolution Number SB 2180

Hearing Date January 24, 2003

**SENATOR ERLACHER**, District 36. In the western part of the state it is probably more than distance of travel to and from meetings that is a big factor. Many volunteered hours are put in with no pay. The board has been cut in half to fourteen members and the raise is very much justified. He would like to see the amendments adopted.

**REPRESENTATIVE JAMES KERZMAN**, District 31, concurred with the previous two senators. He also supports the amendment.

**Loren Meyran**, Chairman of Northwest Water Authority Board. The water authority comprises thirteen counties with one representative from twelve counties and then one in the city of Dickinson has two representatives. It is through a lot of effort and volunteered time and these people deal with a 4.6 million dollar budget, serve twenty three cities and 2465 rural hookups. To be a board member is a real time commitment, not just in the board room but in preparation time.

**Don Flynn**, Vice Chairman of the Southwest Water Authority. To begin with they didn't realize how much time would be spent on the board. We have very dedicated people. He spoke in support of the raise.

**Duane Boeligen**, represents one of the counties that is still waiting. He too travels one hundred fifty five miles each meeting and even if the meeting is over at noon the day is pretty much gone. He seeks support in SB 2180.

**SENATOR COOK** asked if he has had to stay over night.

**Mr Boeligen** answered that he has not had to as yet.

**SENATOR CHRISTENSON** asked if it was difficult to get people to serve on the board.

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Page 3  
Senate Political Subdivisions Committee  
Bill/Resolution Number SB 2180  
Hearing Date January 24, 2003

**Mr Meyron** answered that it is hard to get members because of the time commitment and the monetary reward. They do not have any young members on the board right now.

**Mike Dwyer** represents Southwest Water Board, answered a question that Senator J Lee had asked earlier. North Dakota has two regional water boards, one is the Garrison Diversion and one is the Southwest Water Authority, where the board members are elected by the general electors of the county. We have the water resource districts which are appointed by county commissioners, and the rural water systems that serve and set their own compensation.

No testimony in opposition of SB 2180.

**CHAIRMAN COOK** closed the hearing on SB 2180.

**Discussion**

**SENATOR JUDY LEE** moved to adopt the amendments submitted by Senator Urlacher.

**SENATOR GARY LEE** second the motion.

Roll call vote 5 Yes 1 No Absent 0

**SENATOR JUDY LEE** moved a DO PASS AS AMENDED

**SENATOR CHRISTENSON** seconded the motion.

Roll call vote 5 Yes 1 No 0 Absent

**CARRIER SENATOR GARY LEE**

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**FISCAL NOTE**  
Requested by Legislative Council  
01/13/2003

Bill/Resolution No.: SB 2180

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill provides a compensation increase for Board members of the the Southwest Water Authority. The Southwest Water Authority operates the southwest pipeline for the State Water Commission and generates its operating costs from pipeline customers. The Southwest Water Authority is responsible for payment of its Board members. There is no fiscal effect to the State of North Dakota.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	David Laschkewitsch	Agency:	State Water Commission
Phone Number:	328-1956	Date Prepared:	01/15/2003

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30270.0101  
Title.0200

Adopted by the Political Subdivisions  
Committee

January 24, 2003

DB  
1-24-03

PROPOSED AMENDMENTS TO SENATE BILL NO. 2180

Page 1, line 14, after "the" insert "same", overstrike "not to exceed", and remove "one"

Page 1, line 15, remove "hundred", overstrike "dollars", and after "day" insert "as members of  
the legislative council as provided in section 54-35-10"

Renumber accordingly

Page No. 1

30270.0101

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Deanne Hall SRB  
Operator's Signature

10/17/03  
Date

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

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB2180 Amendment

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

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

Action Taken Adopted Amendments

Motion Made By Senator Judy Lee Seconded By Senator Gary Lee

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	X				
Senator John O. Syverson, V C		X			
Senator Gary A. Lee	X				
Senator Judy Lee	X				
Senator Linda Christenson	X				
Senator Michael Polovitz	X				

Total (Yes) 5 No 1

Absent 0

Floor Assignment Senator Gary Lee

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

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10/17/03  
Date



Date: 1-24-03  
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB 2180. Do Pass  
25 Amended  
Committee

Senate Political Subdivisions

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Do Pass 25 Amended

Motion Made By

Senator Judy Lee

Seconded By

Senator Christenson

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	X				
Senator John O. Syverson, V C		X			
Senator Gary A. Lee	X				
Senator Judy Lee	X				
Senator Linda Christenson	X				
Senator Michael Polovitz	X				

Total (Yes) 5 No 1

Absent

Floor Assignment

Senator Gary Lee

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

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Deanne Hall

Date

10/17/03

REPORT OF STANDING COMMITTEE (410)  
January 27, 2003 8:35 a.m.

Module No: SR-15-1090  
Carrier: G. Lee  
Insert LC: 30270.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**SB 2180: Political Subdivisions Committee (Sen. Cook, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2180 was placed on the Sixth order on the calendar.**

Page 1, line 14, after "the" insert "same", overstrike "not to exceed", and remove "one"

Page 1, line 15, remove "hundred", overstrike "dollars", and after "day" insert "as members of the legislative council as provided in section 54-35-10"

Renumber accordingly

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2003 HOUSE POLITICAL SUBDIVISIONS

SB 2180

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2180

House Political Subdivisions Committee

☐ Conference Committee

Hearing Date: March 6, 2003

Tape Number	Side A	Side B	Meter #
1	X		13.6-35.5
Committee Clerk Signature <i>Micki Schmidt</i> 3-24-03			

Minutes:

**TAPE 1: SIDE A:**

**(13.6) CHAIRMAN GLEN FROSETH:** We will open the hearing on SB 2180.

**(14.6) SEN. BILL BOWMAN:** (Testimony in support) (See attachment #1- an amendment) I met with the Southwest Fire Authority and they asked me what procedure you have to go through to raise the board rates, and I said it's not really hard. Most people up here are pretty understanding and when directors in a district as big as ours, the amount of travel that these people have to go and how long it takes them to spend a day at a meeting, you have to consider that because they're expenses every year go up. This will save us a lot of problems down the road.

**(15.6) CHAIRMAN GLEN FROSETH:** I'll explain the amendment, Sen. John Walstad from LC was reviewing this bill and he said they have a policy not to tie into salary increases too. So they're automatic increases, what they do is they allow the salaries to be set in line. The way the amendment would read is an amount determined by the board of directors not to exceed the

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15/17/03  
Date

Page 2

House Political Subdivisions Committee

Bill/Resolution Number SB 2180

Hearing Date: March 6, 2003

amount provided by the members of Legislative Council in section 54-35-10 per day. That's the way it would read. It would be \$100 per day.

**(16.5) REP. BRUCE ECKRE:** What about other water authority in ND?

**(16.6) SEN. BILL BOWMAN:** I didn't meet with them. I just met with the Southwest Water Authority and I'm not sure if someone else can explain how they get their compensation, I just don't know.

**(17.5) REP. WILLIAM KRETSCHMAR:** They should set their own pay.

**(17.6) SEN. BILL BOWMAN:** When you're dealing with federal dollars and state dollars, it's kind of nice that we have a handle on what that fee should be. That was my thinking on it.

**(19.2) SEN. HERB ERLACHER:** (Testimony in support) I have no objection to the amendment. Since the State Water Commission oversees it as well and the funding involved comes from a lot of state funds. We need some oversight of it. One thing we have to recognize what this water authority is the size of it. First of all it started out with twice as many members and they down sized those members and the size of it obligates people to be represented in different areas that wind up being 80 to 100 miles from home. It takes an entire day for their meetings, plus expenditures.

**(21.1) LEONARD JACOBS; SECRETARY OF SOUTHWEST WATER:** (Testimony in support) We started in 1981. We had the intake at Beulah and take rural water from Beulah down to Dickinson. Dickinson's treatment plant is been upsized and re-managed, the city owns it. Southwest Water Authority is just managing the whole system. The system is owned by the state, and we manage it.

**(23.6) REP. WILLIAM KRETSCHMAR:** Do you supply towns and farms in the area?

Page 3

House Political Subdivisions Committee

Bill/Resolution Number SB 2180

Hearing Date: March 6, 2003

**(23.7) LEONARD JACOBS:** Yes, 22 towns and ??? (couldn't hear)

**(24.7) DON FLYNN: SECRETARY OF WATER ASSOCIATION FOR BOWMAN**

**COUNTY:** (Testimony in support) We do have meetings in Dickinson, that's our base place.

People come from all over. We have the twelve counties. Sometimes our meetings last all day and sometimes not. We meet once a month, the first Monday of each month.

**(26.7) DARRELL OECH: DIRECTOR OF SWA FOR GOLDEN VALLEY COUNTY:**

(Testimony in support) We have not yet been served with water and are waiting. However, we do have successes. We are presently serving 22 cities in the southwest and serving about 2,300 rural in the southwest.

**(28.1) REP. WILLIAM KRETSCHMAR:** Do you have the time table when you'd be able to get the water?

**(28.1) DARRELL OECH:** Hopefully we've been starting the transmission line from Belfield to Beach this year.

**(28.7) MIKE GWIRE: WATER RESOURCE DISTRICT:** I will answer the question about the other authorities. The Naz project doesn't even have that kind of authority. The only two regional authorities in ND are the Garrison Diversion and the Southwest Water Authority. Both are appointed by the County Commissions and they have a different system. Theirs have a floor of \$45 and the County Commissions can increase that as they see fit. Both are seeking increases, similar to what this bill does. There's an advisory committee consisting of some of the water managers of city of Minot, and the State Water Commission.

**(30.9) CHAIRMAN GLEN FROSETH:** What is the minimum rate?

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Page 4

House Political Subdivisions Committee

Bill/Resolution Number SB 2180

Hearing Date: March 6, 2003

**(31.0) MIKE GWIRE:** \$38.25 and that's 2,000 gal. of water. Capitol repayment is \$26.50 of that \$38.25. The Governor's budget did transfer \$21 million dollars from the resource trust fund and the water development trust fund for water ways.

**(32.7) CHAIRMAN GLEN FROSETH:** Support? Opposition? Seeing none, I will close the hearing on SB 2180.

**(32.9) REP. WILLIAM KRETSCHMAR:** I WOULD MOVE THE AMENDMENT.

**(32.9) REP. DALE SEVERSON:** I SECOND IT.

**(33.2) CHAIRMAN GLEN FROSETH:** Any discussion? Then I'll take a voice vote: 14-y; 0-n; The amendment carries.

**(33.6) REP. RON IVERSON:** I WOULD MOVE A DO PASS AS AMENDED.

**(33.7) REP. GIL HERBEL:** I SECOND IT.

**(33.8) CHAIRMAN GLEN FROSETH:** Any committee discussion?

**(34.3) REP. ALON WIELAND:** Did I understand that you said 2158- Garrison Conservancy is asking for the same thing. Are they under a different section?

**(34.4) MIKE GWIRE:** Yes.

**(34.5) REP. RON IVERSON:** I WILL WITHDRAW MY MOTION FOR A DO PASS.

**(34.5) REP. GIL HERBEL:** I WILL WITHDRAW MY MOTION OF SECOND IT.

**(34.8) CHAIRMAN GLEN FROSETH:** We'll hold this until tomorrow. (35.5)

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2180A

House Political Subdivisions Committee

☐ Conference Committee

Hearing Date: March 6, 2003

Tape Number	Side A	Side B	Meter #
2	X		1.8-5.8
Committee Clerk Signature <i>Micki Schmidt</i> 3-26-03			

Minutes:

**TAPE 2; SIDE B:**

**(1.8) CHAIRMAN GLEN FROSETH:** This is the bill for salaries for the southwest area water directors. It will allow them to determine the salaries according to their charters set by Legislative Council.

**(2.2) REP. CAROL NIEMIER:** I did get some information. I called up the districts in Grand Forks County and Trail County paying \$50 per diem and \$65 per diem. Those are reasonably less than \$100. Why was the Legislative Council payment used as a bench mark on this?

**(3.0) CHAIRMAN GLEN FROSETH:** I believe that's the news in several cases.

**(3.5) REP. ALON WIELAND:** I think probably what Rep. Niemier's talking about are water resource districts which are entirely different kind of an animal than what the Southeast Board is and the Garrison Conservative district. When they meet, they generally meet all day, Water Resource District may meet only an hour at a time and they typically don't have the same kind of

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*Deanna Hall*  
Operator's Signature

10/17/03  
Date



Page 2

House Political Subdivisions Committee

Bill/Resolution Number SB 2180

Hearing Date: March 6, 2003

agenda's that we're dealing with here. Second thing is they may meet quite often or several days in a row. We are going to get SB 2158 to inherit some conservancy, so whatever you do here, keep in mind that that's going to be very similar in their requests.

**(4.5) REP. CAROL NIEMIER:** I appreciate that explanation. And you've answered my question.

**(4.7) CHAIRMAN GLEN FROSETH:** Any committee discussion?

**(5.0) REP. MARY EKSTROM:** I'LL MOVE A DO PASS AS AMENDED.

**(5.1) REP. NANCY JOHNSON:** I SECOND IT.

**(5.1) CHAIRMAN GLEN FROSETH:** Any discussion? Seeing none, I will have the clerk take the Roll Call Vote: 12-y; 0-n; 2-absent; Carrier: Rep. Wieland. (5.8)

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10/17/03  
Date

Date: 3-6-03  
Roll Call Vote #: 4

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2180

House POLITICAL SUBDIVISION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30270.0201 Title: 0300

Action Taken Do Pass As Amended

Motion Made By Rep. Ekstrom Seconded By Rep. Johnson

Representatives	Yes	No	Representatives	Yes	No
Chairman Glen Froseth	✓				
Vice-Chairman Nancy Johnson	✓				
Rep. Mike Grosz	✓				
Rep. Gil Herbel	✓				
Rep. Ron Iverson	0				
Rep. William Kretschmar	✓				
Rep. Andrew Maragos	0				
Rep. Dale Severson	✓				
Rep. Alon Wieland	✓				
Rep. Bruce Eckre	✓				
Rep. Mary Ekstrom	✓				
Rep. Carol Niemeler	✓				
Rep. Sally Sandvig	✓				
Rep. Vonnle Pietsch	✓				

Total (Yes) 12 No 0

Absent 2

Floor Assignment Rep. Wieland

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

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REPORT OF STANDING COMMITTEE (410)  
March 6, 2003 2:44 p.m.

Module No: HR-40-4153  
Carrier: Wieland  
Insert LC: 30270.0201 Title: .0300

**REPORT OF STANDING COMMITTEE**

**SB 2180, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman)**  
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends  
**DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2180  
was placed on the Sixth order on the calendar.

Page 1, line 14, after "receive" insert "as", overstrike "in the", replace "same" with "an", after  
"amount" insert "determined by the board", and remove the overstrike over "~~not to~~  
~~exceed~~"

Page 1, line 15, after "~~cents~~" insert "the amount", replace "as" with "provided", and replace "as  
provided in" with "under"

Renumber accordingly

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