

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

4023

2005 SENATE NATURAL RESOURCES

SCR 4023

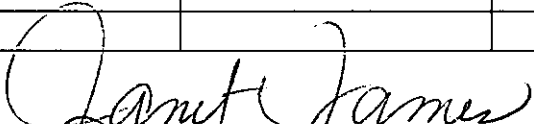
2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4023

Senate Natural Resources Committee

☐ Conference Committee

Hearing Date February 10, 2005

| Tape Number | Side A | Side B | Meter # |
|--|--------|--------|------------|
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| Committee Clerk Signature  | | | |

Minutes:

Senator Stanley Lyson, Chairman of the Senate Natural Resources Committee brought the committee meeting to order.

All members of the committee were present.

Senator Stanley Lyson opened the hearing on SCR 4023 expressing the Legislative Assembly's commendation and support for the efforts of the Lake Agassiz Water Authority to deliver water to eastern North Dakota.

Senator Joel Heitkamp of District 26, cosponsor of SCR 4023 introduced the resolution stating he wanted this resolution to become before this committee because it was this committee that created the Lake Agassiz Water Authority last session. He wanted to let the committee know that the authority has been meeting regularly and listed towns or rural areas that are represented on the board. They have been working very hard on the report of the study that will be coming out of the bureau. If the details could be worked out the best way to move the water would be the

Cheyenne, but ground water supply for the west-central part and the Lake of the Woods in Minnesota are also options. Finally, this a resolution to recognize and support the hard work of the authority and let them know the legislature is keeping an eye on them.

Senator John Traynor questioned why the already built 118 miles of the McClusky Canal and the New Rockford Canal are not be considered by the Authority as a means of conveyance of water to the valley.

Senator Heitkamp answered that when considering connecting the canals, more and more it is looking like a pipeline will be the route. There is talk of a pipeline down Interstate 94 or Highway 200. Those in the southern valley would like the pipeline to run at least as far as the Cheyenne and then be accessed.

Senator Traynor asked why the canals can't be connected and not be waste all the money already invested.

Senator Heitkamp stated the canal system would have been the best system, but finishing that out is still devil's in the details. He further commented that Fargo, West Fargo, Moorhead and the small surrounding towns are growing so rapidly they are becoming one. The water permitting is not there to meet the municipal needs of a community of Fargo, much less industry.

Senator Tim Mathern of District 11, cosponsor of SCR 4023 testified that the Red River corridor is an economic factor for the entire state of North Dakota. This resolution says lets do what we can to make sure that continues even if that seems sharing water resources from the entire state. Lets not jeopardize but plan for the future.

Dale Frink, (7.0) North Dakota State Engineer with the North Dakota Water Commission testified that they are support of SCR 4023.

Mike Dwyer representing the North Dakota Water Users Association testified in support of SCR 4023, stating that they are working with many water bills this session, but the most critical need in the state for water supply is in the eastern part of the state.

Senator Lyson asked for opposing testimony and hearing non closed the hearing on SCR 4023.

Senator Rich Wardner asked why the existing canals can't just be used to bring water to the Cheyenne. It seems simple, "Just finish the ditch".

Senator Heitkamp stated the problem is some recognition of some sort to control the biota before the canal project will happen. The problem might not be to sell the conveyance of water to the eastern part of the state to the city population, but how is it paid for in the future when it is needed in the rural area. That is why this board needs to so diverse, so other communities and the rural areas can have input and be involved.

Discussion was held as to the extremely large block that is at the end of the McClusky Canal to stop any possibility of biota entering Canada.

Senator Ben Tollefson asked if our federal delegation is involved with the biota transfer problem.

Senator Heitkamp told the committee the delegation is in support of the authority and have always believed it should be Missouri River water that is supplied to the east. The Lake of the Woods option is of federal concern and in the end will cost as much as the pipeline for conveyance of the Missouri River water.

Senator Wardner made a motion for a Do Pass of SCR 4023.

Senator Michael Every second the motion.

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Senate Natural Resources Committee

Bill/Resolution Number SCR 4023

Hearing Date 2-10-05

Roll call vote for Do Pass of SCR 4023 was taken indicating 7 YEAS, 0 NAYS AND 0

ABSENT OR NOT VOTING.

Senator Heitkamp will carry SCR 4023.

Senator Lyson closed the committee work on SCR 4023.

Date: 2-10-05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 4023

Senate Senate Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Wardner Seconded By Gray

| Senators | Yes | No | Senators | Yes | No |
|-----------------------------------|-----|----|-----------------------|-----|----|
| Senator Stanley Lyson, Chairman | ✓ | | Senator Joel Heitkamp | ✓ | |
| Senator Ben Tollefson, Vice Chair | ✓ | | Senator Michael Every | ✓ | |
| Senator Layton Freborg | ✓ | | | | |
| Senator Rich Wardner | ✓ | | | | |
| Senator John Traynor | ✓ | | | | |
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Total (Yes) 7 No 0

Absent 0

Floor Assignment Heitkamp

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

REPORT OF STANDING COMMITTEE (410)
February 10, 2005 11:53 a.m.

Module No: SR-27-2391
Carrier: Heltkamp
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SCR 4023: Natural Resources Committee (Sen. Lyson, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4023 was placed on the Eleventh order on the calendar.

2005 HOUSE NATURAL RESOURCES

SCR 4023

2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SCR 4023

House Natural Resources Committee

☐ Conference Committee

Hearing Date **March 10, 2005**

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|---------|
| 2 | x | | 336-940 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Loren Bonnet</i> | | | |

Minutes:

Chr. Jon O. Nelson: I will open the hearing on SCR 4023 and ask the clerk to read the title.

Quorum was present.

Rep. Lois Delmore, Dist. 43: The Lake Agassiz Water Authority is a very important issue in the eastern part of ND. It tries to look at a long term water supply. I ask that you give it a do pass.

Chr. Nelson: Are there any questions? Seeing none, thank you for your testimony. Is there further supporting testimony?

Sen. Tom Fischer, Dist 46: Last session, we created the Lake Agassiz Water Authority to deliver water to eastern ND. We've been working on it since 1944. Permits are slow in coming. They have elected officials and service representatives for all of the rural districts and cities in the area of the Authority. Now, we need the support of the United States to get water to eastern ND.

Chr. Nelson: Are there any questions?

Rep. David Drovdal: Do we have more than the Lake Agassiz Water Authority working on this issue in delivering water like the Garrison Diversion? Are we taking one over the other in this resolution?

Fischer: The Garrison Conservancy District is working with the Lake Agassiz Water Authority. Garrison Diversion Conservancy is doing a study with the Bureau of Reclamation with options for bringing water to the east. That study will be completed by December of this year. Dave Koland of Garrison serves as a secretary of the Lake Agassiz Water Authority, so they're working together, not against each other.

Drovdal: Is this the principal water authority that is working on this or are there other water authorities?

Fischer: No, there are no others. This is the principal group. There was a group, the Eastern Dakota Water Users, that dissolved to put this into statute.

Chr. Nelson: Wouldn't a joint basin board be looking at that same issue?

Fischer: The Red River Basin Commission?

Chr. Nelson: Yes.

Fischer: The Basin Commission doesn't have any authority to their policy. The commission that comprises Manitoba....

Chr. Nelson: I'm talking about the Devils Lake Joint Board.

Fischer: If we get the outlet to Devils Lake, we'll have a water supply to eastern ND for a time. The Devils Lake board is assisting temporarily in getting water to the east. I don't know how long it can last. It will come to a point where they won't want us to take any more water because of fishing.

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House Natural Resources Committee

Bill/Resolution Number **SCR 4023**

Hearing Date **March 10, 2005**

Chr. Nelson: Are there any questions? Seeing none, thank you for your testimony. Is there further supporting testimony? Seeing none, is there any opposition to SCR 4023? Seeing none, I'll close the hearing on SCR 4023. What's the committee's wishes?

Rep. Duane DeKrey: Do pass motion, and place on the consent calendar.

Rep. David Drovdal: Second.

Chr. Nelson: There is a motion for do pass and put on the consent calendar by Rep. DeKrey, seconded by Rep. Drovdal. Committee discussion. Seeing none, I'll call for a voice vote. All those in favor signify by saying aye. Opposed, same sign. Motion carried, unanimous.

Do Pass and Place on Consent Calendar, vote:

11-Yeas; 0-Nays; 3-Absent; CARRIER: Clark

Date: 3/10/05
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SCR 4023

House NATURAL RESOURCES Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number :

Action Taken : Do Pass & Put on Consent Calendar *10th order*

Motion Made By : DeKrey Seconded By : Drovdal

| Representatives | Yes | No | Representatives | Yes | No |
|-------------------------------|--------|----|---------------------|--------|----|
| Chairman - Rep. Jon O. Nelson | ✓ | | Rep. Lyle Hanson | ✓ | |
| Vice Chairman - Todd Porter | ✓ | | Rep. Bob Hunsakor | ✓ | |
| Rep. Dawn Marie Charging | ✓ | | Rep. Scot Kelsh | ✓ | |
| Rep. Donald L. Clark | ✓ | | Rep. Dorvan Solberg | Absent | |
| Rep. Duane DeKrey | ✓ | | | | |
| Rep. David Drovdal | ✓ | | | | |
| Rep. Dennis Johnson | Absent | | | | |
| Rep. George J. Keiser | Absent | | | | |
| Rep. Mike Norland | ✓ | | | | |
| Rep. Darrell D. Nottestad | ✓ | | | | |
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Total (Yes) 11 No 0

Absent 3- Solberg, Keiser, Johnson

Floor Assignment Clark

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

REPORT OF STANDING COMMITTEE (410)
March 11, 2005 8:46 a.m.

Module No: HR-45-4732
Carrier: Clark
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SCR 4023: Natural Resources Committee (Rep. Nelson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SCR 4023 was placed on the Tenth order on the calendar.