

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2020

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the state water
2 commission; to create and enact a new section to chapter 61-02.1 of the North Dakota Century
3 Code, relating to funding for Grand Forks flood control; to provide legislative intent; to provide a
4 line of credit; and to provide an appropriation for repayment of the line of credit.

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

6 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this
7 section represent the base level funding component appropriated to the state water
8 commission in section 3 of this Act as follows:

9 Administrative and support services	\$2,180,445
10 Water and atmospheric resources	<u>123,890,493</u>
11 Total all funds - Base level	\$126,070,938
12 Less estimated income - Base level	<u>125,059,718</u>
13 Total general fund - Base level	\$1,011,220

14 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The
15 amounts identified in this section represent the funding adjustments or enhancements to the
16 base funding level for the state water commission which are included in the appropriation in
17 section 3 of this Act as follows:

18 Administrative and support services	\$275,850
19 Water and atmospheric resources	<u>48,463,767</u>
20 Total all funds - Adjustments/enhancements	\$48,739,617
21 Less estimated income - Adjustments/enhancements	<u>35,863,331</u>
22 Total general fund - Adjustments/enhancements	\$12,876,286

23 **SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the
24 funds as may be necessary, are appropriated out of any moneys in the general fund in the state

1 treasury, not otherwise appropriated, and from special funds derived from federal funds and
2 other income, to the state water commission for the purpose of defraying the expenses of that
3 agency, for the biennium beginning July 1, 2007, and ending June 30, 2009, as follows:

4 Administrative and support services	\$2,456,295
5 Water and atmospheric resources	<u>172,354,260</u>
6 Total all funds	\$174,810,555
7 Less estimated income	<u>160,923,049</u>
8 Total general fund appropriation	\$13,887,506

9 **SECTION 4. RESOURCES TRUST FUND - APPROPRIATION.** The sum of
10 \$69,352,698, or so much of the sum as may be necessary, included in the estimated income
11 line item in section 3 of this Act is from the resources trust fund and must be used by the state
12 water commission for purposes authorized by the legislative assembly, for the biennium
13 beginning July 1, 2007, and ending June 30, 2009. Any additional amount in the resources
14 trust fund that becomes available is appropriated to the state water commission for the purpose
15 of defraying the expenses of that agency, for the biennium beginning July 1, 2007, and ending
16 June 30, 2009.

17 **SECTION 5. WATER DEVELOPMENT TRUST FUND - APPROPRIATION.** The sum
18 of \$40,055,999, or so much of the sum as may be necessary, included in the estimated income
19 line item in section 3 of this Act is from the water development trust fund and must be used by
20 the state water commission for purposes authorized by the legislative assembly, for the
21 biennium beginning July 1, 2007, and ending June 30, 2009. Any additional amount in the
22 water development trust fund that becomes available is appropriated to the state water
23 commission for the purpose of defraying the expenses of that agency, for the biennium
24 beginning July 1, 2007, and ending June 30, 2009.

25 **SECTION 6. GRANTS - WATER-RELATED PROJECTS - CARRYOVER**

26 **AUTHORITY.** Section 54-44.1-11 does not apply to funding for grants or water-related projects
27 included in the water and atmospheric resources line item in section 3 of this Act. However,
28 this exclusion is only in effect for two years after June 30, 2009. Any unexpended funds
29 appropriated from the resources trust fund after that period has expired must be transferred to
30 the resources trust fund and any unexpended funds appropriated from the water development
31 trust fund after that period has expired must be transferred to the water development trust fund.

1 **SECTION 7. LINE OF CREDIT - CONTINGENT APPROPRIATION.** If determined
2 necessary by the state water commission, the Bank of North Dakota shall extend a line of
3 credit, not to exceed \$25,000,000, which is appropriated to the state water commission, for the
4 biennium beginning July 1, 2007, and ending June 30, 2009.

5 **SECTION 8. REPAYMENT OF LINE OF CREDIT - CONTINGENT APPROPRIATION.**
6 If the line of credit authorized in section 7 of this Act is extended to the state water commission
7 by the Bank of North Dakota, there is appropriated out of any moneys in the water development
8 trust fund, the resources trust fund, bond proceeds, or other sources, the sum of \$25,000,000,
9 or so much of the sum as may be necessary, to the state water commission for the purpose of
10 repaying the line of credit, for the biennium beginning July 1, 2007, and ending June 30, 2009.

11 **SECTION 9.** A new section to chapter 61-02.1 of the North Dakota Century Code is
12 created and enacted as follows:

13 **Grand Forks flood control project.** Notwithstanding any other provision of law or
14 policy, any existing caps may not be construed to limit access to total state funding of up to
15 fifty-two million dollars for the Grand Forks flood control project.

16 **SECTION 10. LEGISLATIVE INTENT - SOUTHWEST PIPELINE PROJECT**
17 **FUNDING.** It is the intent of the sixtieth legislative assembly that the state water commission
18 dedicate \$7,000,000 for work on the southwest pipeline project in Oliver and Mercer Counties.