

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2020

That the House recede from its amendments as printed on pages 1194 and 1195 of the Senate Journal and pages 1186 and 1187 of the House Journal and that Reengrossed Senate Bill No. 2020 be amended as follows:

Page 1, line 3, after the second "to" insert "amend and reenact section 61-34-04 of the North Dakota Century Code, relating to eligibility for the drought disaster livestock water assistance program; to" and remove "and"

Page 1, line 4, after "credit" insert "; to provide legislative intent; to provide for a study; and to declare an emergency"

Page 1, line 19, replace "48,463,767" with "49,663,767"

Page 1, line 20, replace "48,739,617" with "49,939,617"

Page 1, line 21, replace "35,863,331" with "37,063,331"

Page 2, line 5, replace "172,354,260" with "173,554,260"

Page 2, line 6, replace "174,810,555" with "176,010,555"

Page 2, line 7, replace "160,923,049" with "162,123,049"

Page 3, after line 15, insert:

"SECTION 10. AMENDMENT. Section 61-34-04 of the North Dakota Century Code is amended and reenacted as follows:

61-34-04. Eligibility - Application for assistance. Applicants with livestock water supply problems caused by drought may apply for assistance from the program. An applicant must first apply for water cost-share assistance from the agriculture stabilization and conservation service. If cost-share assistance is denied by the service, the applicant may forward the application to the commission for consideration. An application forwarded to the commission must include a document from the agriculture stabilization and conservation service stating the reason for denial of cost-share assistance. The state engineer shall review all applications received by the commission. Notwithstanding any other provision of law, a water supply project commenced after application for funding is made but without prior approval of the state engineer is eligible for funding from the program. If the state engineer approves an application, the applicant may receive up to fifty percent of the cost of the project, but in no event more than three thousand five hundred dollars. The state engineer shall provide funds for approved applications in accordance with rules and criteria for eligibility and only to the extent that funding is available.

SECTION 11. TILE DRAINAGE EFFECTS ON WATER USE STUDY. The state water commission shall study, develop, and recommend policies and procedures for assessing the impact of tile drainage on the beneficial use of water by prior water

appropriators. The state water commission shall report its findings and recommendations to the legislative council by July 1, 2008.

SECTION 12. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO SIXTY-FIRST LEGISLATIVE ASSEMBLY. The total general fund appropriation line item in section 3 of this Act includes \$3,000,000 for the one-time funding items identified in this section. This amount is not a part of the agency's base budget to be used in preparing the 2009-11 executive budget. The state water commission shall report to the appropriations committees of the sixty-first legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2007, and ending June 30, 2009.

Red River water supply project \$3,000,000

SECTION 13. LEGISLATIVE INTENT - SWEETBRIAR DAM PROJECT. It is the intent of the sixtieth legislative assembly that the state water commission provide funding for the sweetbriar dam project. In addition, Morton County shall contribute \$15,000 toward the sweetbriar dam project and \$1,000,000 must be made available from the game and fish fund for the project which is appropriated in section 3 of this Act. The funding from the game and fish fund and Morton County is contingent upon funding being made available for the project by the state water commission during the biennium beginning July 1, 2007, and ending June 30, 2009.

SECTION 14. EMERGENCY. Section 10 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2020 - Water Commission - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Administrative and support services	\$2,456,295	\$2,456,295		\$2,456,295	\$2,456,295	
Water and atmospheric resources	172,154,260	172,354,260	\$1,200,000	173,554,260	173,154,260	\$400,000
Total all funds	\$174,610,555	\$174,810,555	\$1,200,000	\$176,010,555	175,610,555	\$400,000
Less estimated income	<u>160,923,049</u>	<u>160,923,049</u>	<u>1,200,000</u>	<u>162,123,049</u>	<u>161,923,049</u>	<u>200,000</u>
General fund	\$13,687,506	\$13,887,506	\$0	\$13,887,506	\$13,687,506	\$200,000
FTE	84.00	84.00	0.00	84.00	84.00	0.00

Dept. 770 - Water Commission - Detail of Conference Committee Changes

	ADDS FUNDING FOR SWEETBRIAR DAM PROJECT 1	ADDS FUNDING FOR MAPPING PROJECT 2	TOTAL CONFERENCE COMMITTEE CHANGES
Administrative and support services			
Water and atmospheric resources	\$1,000,000	\$200,000	\$1,200,000
Total all funds	\$1,000,000	\$200,000	\$1,200,000
Less estimated income	<u>1,000,000</u>	<u>200,000</u>	<u>1,200,000</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

¹ The House added \$1 million from the game and fish fund for the Sweetbriar Dam project. The conference committee agreed with this action.

² The conference committee authorized \$200,000 from the water development trust fund for funding the Red River Basin Mapping Initiative. Reengrossed Senate Bill No. 2020 also includes \$200,000 from the general fund, which was added by the Senate, for this project.

The House added a section identifying one-time funding included in the budget and providing for a report to the 61st Legislative Assembly on the agency's use of the one-time funding. The conference committee agreed with this action.

The House directed the State Water Commission to study tile drainage effects on water use and to report the findings to the Legislative Council by July 1, 2008. The conference committee agreed with this action.

The House added legislative intent for the State Water Commission to provide funding for the Sweetbriar Dam project. In addition, Morton County is to provide \$15,000 for the project and the House appropriated \$1 million from the game and fish fund for the project. The funding from Morton County and the game and fish fund is contingent upon the State Water Commission providing funding for the project. The conference committee agreed with this action.