

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1020

Page 1, line 2, replace "an exemption" with "exemptions"

Page 1, line 3, replace "provide an appropriation for repayment of the line of credit" with "declare an emergency"

Page 1, line 12, replace "488,031" with "522,808" and replace "2,942,897" with "2,977,674"

Page 1, line 13, replace "137,000,806" with "137,223,637" and replace "307,545,203" with "307,768,034"

Page 1, line 14, replace "137,488,837" with "137,746,445" and replace "310,488,100" with "310,745,708"

Page 1, line 15, replace "136,298,107" with "134,799,793" and replace "298,420,123" with "296,921,809"

Page 1, line 16, replace "1,190,730" with "2,946,652" and replace "12,067,977" with "13,823,899"

Page 1, after line 24, insert:

**"SECTION 3. APPROPRIATION - FEDERAL FISCAL STIMULUS FUNDS - ADDITIONAL FUNDING APPROVAL.** There is appropriated out of any federal funds made available to the state under the federal American Recovery and Reinvestment Act of 2009, not otherwise appropriated, the sum of \$12,000,000, or so much of the sum as may be necessary, to the state water commission for the purpose of providing funding for the southwest pipeline project, for the period beginning with the effective date of this Act and ending June 30, 2011.

The state water commission may seek emergency commission and budget section approval under chapter 54-16 for authority to spend any additional federal funds received under the federal American Recovery and Reinvestment Act of 2009 in excess of the amounts appropriated in this section, for the period beginning with the effective date of this Act and ending June 30, 2011.

Any federal funds appropriated under this section are not a part of the agency's 2011-13 base budget. Any program expenditures made with these funds will not be replaced with state funds after the federal American Recovery and Reinvestment Act of 2009 funds are no longer available."

Page 2, after line 17, insert:

**"SECTION 7. LEGISLATIVE INTENT - FARGO FLOOD CONTROL.** It is the intent of the sixty-first legislative assembly that a total of \$75,000,000 be committed by the state as the state cost-share for Fargo flood control, of which \$45,000,000 is provided for the biennium beginning July 1, 2009, and ending June 30, 2011, in the water and atmospheric resources line item in section 1 of this Act.

**SECTION 8. FARGO FLOOD CONTROL EXPENDITURES - EXEMPTION.** Funds spent by the state water commission for Fargo flood control during the 2009-11

biennium may be used only for land purchases and construction and may not be used for administration, engineering, legal, planning, or other similar purposes. Any funds allocated by the state water commission for Fargo flood control of up to \$45,000,000 for the 2009-11 biennium which are not spent by June 30, 2011, are not subject to section 54-44.1-11 and must be continued into the next or subsequent bienniums and may be expended only for Fargo flood control projects.

**SECTION 9. LEGISLATIVE INTENT - STATE WATER COMMISSION PROJECTS.** It is the intent of the sixty-first legislative assembly that of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, the state water commission provide funding for the following projects, for the biennium beginning July 1, 2009, and ending June 30, 2011:

Digital elevation mapping project	\$300,000
Enhancement of the local share of funding for the Renwick dam in Pembina County	\$100,000
Evaluate, in conjunction with state, local, and federal officials and entities, long-term flood control solutions in the Red River valley	\$500,000
Michigan spillway in Nelson County	\$500,000

**SECTION 10. LEGISLATIVE INTENT - NELSON COUNTY WATER RESOURCE DISTRICT.** It is the intent of the sixty-first legislative assembly that the state water commission assist the Nelson County water resource district by providing engineering and permitting services, for the biennium beginning July 1, 2009, and ending June 30, 2011.

**SECTION 11. BANK OF NORTH DAKOTA LOAN AUTHORIZATION - APPROPRIATION.** The state water commission may borrow the sum of \$22,000,000, or so much of the sum as may be necessary, from the Bank of North Dakota, which is appropriated for the purpose of emergency flood control and other critical water needs, for the biennium beginning July 1, 2009, and ending June 30, 2011.

**SECTION 12. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT - LC 98020.0207 FN 3**

**A copy of the statement of purpose of amendment is attached.**