

Introduced by

Senators Heckaman, Marcellais

1 A BILL for an Act to amend and reenact section 61-40-01 of the North Dakota Century Code,
2 relating to the contracting authority of the western area water supply authority.

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

4 **SECTION 1. AMENDMENT.** Section 61-40-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **61-40-01. Legislative declarations - Authority of western area water supply authority.**

7 The legislative assembly declares ~~that~~ many areas and localities in western North Dakota
8 do not enjoy adequate quantities of high-quality drinking water; ~~that~~ other areas and localities in
9 western North Dakota do not have sufficient quantities of water to ensure a dependable,
10 long-term domestic or industrial water supply; ~~that~~ greater economic security and the protection
11 of health and property benefits the land, natural resources, and water resources of this state;
12 and ~~that~~ the promotion of the prosperity and general welfare of all of the people of this state
13 depend on the effective development and utilization of the land and water resources of this
14 state and ~~necessitates and~~ requires the exercise of the sovereign powers of this state and
15 concern a public purpose. To accomplish this public purpose, it is declared necessary that a
16 water authority to treat, store, and distribute water to western North Dakota be established to
17 provide for the supply and distribution of water to the people of western North Dakota for
18 purposes, including domestic, rural water, municipal, livestock, industrial, oil and gas
19 development, and other uses, and provide for the future economic welfare and prosperity of the
20 people of this state, and particularly the people of western North Dakota, by the creation and
21 development of a western area water supply project for beneficial and public uses. The western
22 area water supply authority may acquire, construct, improve, develop, and own water supply
23 infrastructure and may enter water supply contracts with member cities, water districts,
24 recognized tribes, entities authorized by a recognized tribe to enter into the contracts, and

1 private users, such as oil and gas producers, for the sale of water for use within or outside the
2 authority boundaries or the state. The western area water supply authority shall consider in the
3 process of locating industrial water depots the location of private water sellers so as to minimize
4 the impact on private water sellers. The independent water providers shall consider in the
5 process of locating industrial water depots the location of private water sellers so as to minimize
6 the impact on private water sellers.