

Sixty-ninth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1040**

Introduced by

Agriculture Committee

(At the request of the Department of Water Resources)

1 A BILL for an Act to amend and reenact section 61-34-04 of North Dakota Century Code,  
2 relating to eligibility for the drought disaster livestock water assistance program.

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

4 **SECTION 1. AMENDMENT.** Section 61-34-04 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **61-34-04. Eligibility - Application for assistance.**

7 Applicants with livestock water supply problems caused by drought may apply for  
8 assistance from the program. ~~An applicant must first apply for water cost-share assistance from~~  
9 ~~the United States department of agriculture farm service agency. If cost-share assistance is~~  
10 ~~denied by the agency, the applicant may forward the application to the commission for~~  
11 ~~consideration. An application forwarded to the commission must include a document from the~~  
12 ~~United States department of agriculture farm service agency stating the reason for denial of~~  
13 ~~cost-share assistance.~~ The department of water resources shall review all applications received  
14 by the commission. Notwithstanding any other provision of law, a water supply project  
15 commenced after application for funding is made but without prior approval of the department is  
16 eligible for funding consideration from the program. The department shall provide funds for  
17 approved applications in accordance with rules and criteria for eligibility and only to the extent  
18 that funding is available. A drought disaster livestock water assistance program project located  
19 on Indian land is eligible for the program.