

**SB 2276
Testimony of Dani Quissell
House Energy and Natural Resources Committee**

Chairman Porter and members of the House Energy and Natural Resources Committee, my name is Dani Quissell, here on behalf of the North Dakota Water Resource Districts Association. I appreciate the opportunity to work with Sen. Luick on SB 2276 and am here to support the amendment being proposed.

SB 2276 and the amendments being proposed both seek to address the rare situations where there are water projects, typically drainage projects, that span more than one county and a county refuses to cooperate in the project.

Today, when a project comes up at the water resource district that covers more than one county, county water resource districts have the ability to form a joint board dedicated to oversight and management of that particular project. In the water community, we refer to these boards as 'project boards.' The proposed amendment to SB 2276 requires county participation in this project board, giving counties with disagreements a place to work through that disagreement.

Enforcement was also a key part of the conversation about the best way to address this issue. The proposed amendment offers two additions to statute that give counties tools to assist in enforcing these provisions. The first is a clarification that after the project board has compiled the assessment list and the appeals process has been exhausted, it is the county assessors' responsibility to levy the assessments approved by the board. One of the problems encountered by project boards is that the assessment list is approved and the county who is refusing to cooperate also refuses to process the assessments. This would clarify that responsibility.

The amendment also states that if a county refuses to levy assessments approved by the project board, the board can sue the county in district court. If the board prevails, the court could direct the losing party to pay the board's legal fees. This gives the board some additional comfort in pursuing a suit.

A final note, that the amendment removes existing references to large basin and/or watershed boards which are in conflict in SB 2276 as passed by the Senate. The Water Resource Districts Association continues to support SB 2210 which authorizes a legislative study of management of water on a watershed basis.

Thank you for the opportunity to testify this morning. I would be happy to stand for any questions.