

## RED RIVER OF THE NORTH

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### CHAPTER 186

(S. B. No. 57—Schlosser.)

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#### APPOINTMENT REPRESENTATIVES TO NEGOTIATE COMPACT

An Act Providing for the Appointment of Representatives on Behalf of the State of North Dakota to Negotiate a Compact and Agreement Between the States of North Dakota, South Dakota and Minnesota, and Between said States and the United States of America, Respecting the Use, Control, Utilization and Disposition of the Waters of the Red River of the North and the Rights of said States and the United States Thereto.

*Be It Enacted by The Legislative Assembly of the State of North Dakota:*

§ 1. The Governor of the State of North Dakota shall appoint the State Engineer, or an Assistant to the State Engineer, who is in charge of matters relating to flood protection and drainage and one other elector and taxpayer of the state, both of whom shall serve without compensation as representatives of the State of North Dakota, and who shall be duly authorized to represent the State of North Dakota on a joint commission to be composed of representatives of North Dakota, South Dakota, and Minnesota, and a duly authorized representative of the United States of America, such commission to be constituted for the purpose of negotiating and entering into a compact or agreement between the said states, and between said states and the United States, with the consent of Congress, respecting the further control, utilization and disposition of the waters of the Red River of the North and streams tributary thereto, and fixing and determining the rights of the said states and the rights of the United States concerning the control, utilization and disposition of the waters of said stream and the benefits to be derived therefrom; provided, however, that any compact or agreement so entered into by said states and the United States, shall not be binding or obligatory upon any of the high contracting parties thereto, unless and until the same shall have been ratified and approved by the Legislatures of the said states and by the Congress of the United States.

§ 2. The Governor of North Dakota shall notify the respective Governors of the States of South Dakota and Minnesota of the appointment of the representatives of North Dakota, as soon as said

representatives shall have been appointed and qualified, but said representatives shall not enter upon the performance of their duties until a representative or representatives to serve upon said joint commission shall have been named and qualified for each of the said states named in Section 1 hereof, provided, however, that said representatives shall proceed immediately after the passage of this act and its approval by the Governor, in carrying out the provisions of Section 3 hereof as pertains to the Red River of the North and its tributaries within the boundaries of the State of North Dakota, and the securing of the necessary data and information called for by this Act shall not be contingent upon appointment and qualification of the representatives of the other states concerned or of the representative of the United States of America.

§ 3. Said representatives of the State of North Dakota shall have full authority to make or cause to be made any and all investigations of the Red River of the North and the drainage area thereof, which may become necessary in order to sufficiently advise said representatives of the physical conditions obtaining upon said streams and the drainage area thereof, and of the present and future needs of the State of North Dakota and its citizens in the use and control of the waters of the said stream and the streams tributary thereto. To that end, said representatives shall have authority to administer oaths, examine and require the attendance of witnesses, and to perform such other duties and gather such data as may be necessary to sufficiently apprise said representatives of the facts and furnish him or them with adequate information in order that they may properly perform their duties as representatives of the State of North Dakota upon said joint commission.

§ 4. No appropriation is made for the purposes of carrying out this act other than the appropriation for the State Engineer's Office, but the State Engineer shall be permitted to utilize his office force and staff, where this can be done without detriment to the other work required to be performed under existing laws; and the representatives appointed under the provisions of this act may receive financial or other assistance from such associations or individuals as are interested in and willing to give such aid in performance of the services required to be performed under the provisions of this act.

Approved February 9th, 1925.

## CHAPTER 187

(S. B. No. 60—Whitman.)

PERMITTING MUNICIPAL CORPORATIONS TO DAM RED RIVER  
OF THE NORTH

An Act Permitting Municipal Corporations to dam that portion of the Red River of the North that forms the boundary common to the State of North Dakota, and the State of Minnesota, subject to conditions therein expressed.

*Be It Enacted by The Legislative Assembly of the State of North Dakota:*

§ 1. Any Municipality owning or permanently controlling land upon which a proposed dam is to be constructed, may construct a dam thereon and across that portion of the Red River of the North that forms a part of the boundary common to the State of North Dakota and the State of Minnesota, for the purpose of conserving water for Municipal, Commercial and Domestic use, constructing in connection therewith such appliances, fish ways, race ways, sluice ways and waste ways as may be necessary or convenient for the proper construction and utility of such dam and as may be required by law.

§ 2. Provided, that if required by law or treaty, the consent of the United States and of the State of Minnesota shall be first obtained.

Approved February 9th, 1925.

## RIGHT OF WAY

## CHAPTER 188

(H. B. No. 284—Watt.)

## RIGHT OF WAY—TELEPHONE AND ELECTRIC LIGHT SYSTEMS

An Act To Amend and Re-enact Section 5144 of the Compiled Laws of North Dakota for the year 1913 Relating to Right of Way for Telephone Lines and Electric Light Systems.

*Be It Enacted by The Legislative Assembly of the State of North Dakota:*

§ 1. AMENDMENT.] Section 5144 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows: