

2025 HOUSE ENERGY AND NATURAL RESOURCES

HB 1041

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1041

1/16/2025

Relating to removal of a noncomplying dike, dam, or other device.

9:51 a.m. Chairman Porter called the hearing to order.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chairwoman Novak, Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, Ruby, Conmy, Foss

Discussion Topics:

- Public Infrastructure
- Construction Permits

9:51 a.m. Matt Lindsay, Manager Department of Water Resources, testified in favor #29150

9:57 a.m. Chairman Porter closed the hearing.

Leah Kuball, Committee Clerk



Testimony in Support of
HB 1041
House Energy and Natural Resources
January 16, 2025

TESTIMONY OF

Matt Lindsay, Engineering & Permitting Section Manager, Regulatory Division

Chairman Porter, and members of the House Energy and Natural Resources Committee, I am Matt Lindsay the Engineering & Permitting Section Manager of the Department of Water Resources. I'm here today to provide testimony in support of HB 1041, an agency sponsored bill.

This bill is a clean-up effort being pursued by the Department of Water Resources (Department) to remove outdated permitting thresholds in N.D.C.C. § 61-16.1-53.

During the 68th Legislative Assembly, HB 1076 was presented by the Department as a Red Tape Reduction bill. That legislation was successful and ultimately reformed dike regulation under N.D.C.C. § 61-16.1-38, which is the code identifying when a construction permit is required to construct or modify a dam, dike, or other device.

As part of this update, a section of N.D.C.C. was missed to be amended to mirror the new language regarding dikes in N.D.C.C. § 61-16.1-38. The proposed bill will correct this discrepancy by removing the references to the outdated permitting thresholds in N.D.C.C. § 61-16.1-53.

Thank you for the opportunity to testify, and I'm happy to answer any questions.

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1041
1/16/2025

Relating to removal of a noncomplying dike, dam, or other device.

11:13 a.m. Chairman Porter opened meeting.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chairwoman Novak,
Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, Ruby,
Conmy, Foss

Discussion Topics:

- Committee Action

11:13 a.m. Representative Marschall moved a Do Pass.

11:14 a.m. Representative Conmy seconded the motion.

Representatives	Vote
Chairman Todd Porter	Y
Vice Chairman Dick Anderson	Y
Vice Chairwoman Anna Novak	Y
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Austin Foss	Y
Representative Jared Hagert	Y
Representative Craig Headland	Y
Representative Pat Heinert	Y
Representative Jorin Johnson	Y
Representative Andrew Marschall	Y
Representative Jeremy Olson	Y
Representative Matthew Ruby	Y

11:14 a.m. Motion passed 13-0-0.

11:14 a.m. Representative Foss will carry the bill.

11:15 a.m. Chairman Porter closed the meeting.

Janae Pinks, Committee Clerk for Leah Kuball, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1041 ([25.8006.01000](#))

Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1041 was placed on the Eleventh order on the calendar.

2025 SENATE ENERGY AND NATURAL RESOURCES

HB 1041

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

HB 1041
2/20/2025

Relating to removal of a noncomplying dike, dam, or other device.

9:00 a.m. Chairman Patten opened the meeting.

Members present:

Chairman Patten, Vice Chairman Kessel, Senators: Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

- Outdated permitting thresholds
- Regulatory division testimony
- Dike regulations reform

9:01 a.m. Aaron Carranza, Division Director of the Regulatory Division of Department of Water Resources, testified in favor and submitted testimony #38137.

9:03 a.m. Chairman Patten closed the hearing.

9:03 a.m. Senator Kessel moved a Do Pass.

9:04 a.m. Senator Beard seconded the motion.

Senators	Vote
Senator Dale Patten	Y
Senator Greg Kessel	Y
Senator Todd Beard	Y
Senator Keith Boehm	Y
Senator Mark Enget	Y
Senator Justin Gerhardt	Y
Senator Desiree Van Oosting	Y

Motion Passed 7-0-0.

9:04 a.m. Senator Kessel will carry the bill.

9:04 a.m. Chairman Patten closed the hearing.

Kendra McCann, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1041 ([25.8006.01000](#))

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1041 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

TESTIMONY OF

Aaron Carranza, Director, Regulatory Division

Chairman Patten, and members of the Senate Energy and Natural Resources Committee, I am Aaron Carranza the Regulatory Division Director of the Department of Water Resources. I'm here today to provide testimony in support of HB 1041, an agency sponsored bill.

This bill is a clean-up effort being pursued by the Department of Water Resources (Department) to remove outdated permitting thresholds in N.D.C.C. § 61-16.1-53.

During the 68th Legislative Assembly, HB 1076 was presented by the Department as a Red Tape Reduction bill. That legislation was successful and ultimately reformed dike regulation under N.D.C.C. § 61-16.1-38, which is the code identifying when a construction permit is required to construct or modify a dam, dike, or other device.

As part of this update, a section of N.D.C.C. was missed to be amended to mirror the new language regarding dikes in N.D.C.C. § 61-16.1-38. The proposed bill will correct this discrepancy by removing the references to the outdated permitting thresholds in N.D.C.C. § 61-16.1-53, which is the complaint section of code if a party feels that the requirements in N.D.C.C. § 61-16.1-38 were not followed.

Thank you for the opportunity to testify, and I'm happy to answer any questions.