

Legislative Report

Hearing Schedule (January 9 – January 13).

Hearings of bills being tracked by the North Dakota Water Users Association for the next week are included in this report. We are tracking these bills because they have a direct or indirect impact on water issues.

I. This Week at the Legislature

HB 1026 was heard before the House Industry, Business and Labor Committee on Wednesday, January 4. The bill was introduced by Legislative Management at the request of the Economic Impact Interim Committee. The bill offers several changes to the One-Call Excavation Notice System (49-23). A change that affects some Rural Water Systems relates to positive response. Positive response has now been defined as notification by the operator to the notification center that underground facilities within the area covered by a location request have been marked or cleared. Several groups provided testimony in support of the bill. There was no testimony in opposition and the Committee recommended a unanimous DO PASS as amended. Amendments were approved by the Full House on January 6. The amended bill will be taken up at the next floor session.

SB 2047 was heard before the Senate Energy and Natural Resources Committee on Thursday, January 5. Water Resource District Eminent Domain Procedures. This is the bill that was sent forward by the Water Topics Interim Committee to set forth requirements and procedures for the use of quick take eminent domain by water resource districts. While this bill only applies to water resource districts, any changes to SB 2047 would likely be extended to other water political subdivisions and agencies. The water resource districts supported SB 2047 before the Water Topics Interim Committee. Both the North Dakota Farm Bureau and the North Dakota Stockmen's Association opposed eminent domain, but acknowledged that SB 2047 was an improvement over current law. An attorney testified in support of the bill, but his testimony was negative. His testimony seemed to be in opposition and was unrelated to water resource districts.

HB 1055 was heard before the House Political Subdivisions Committee on Friday, January 6. This bill increases the revenue bond authority of water resource districts from \$10 million to \$50 million. Introduced by Rep. Denton Zubke, who serves on the McKenzie County WRD, this bill would enable water resource districts to take on larger projects that can support a bond issue with revenues to pay off the bonds. There was extensive questioning about rural water systems, special assessments, authorities of water districts and water resource districts and other issues. Bob Harms submitted an email opposing HB 1055. Rep. Andrew G. Maragos motioned to pass the bill and it carried with a 12-3 vote.

HB 1020/HB 1080. The House Appropriations committee heard an overview from the state water commission on Friday, January 6. These are the appropriations bills for the State Water Commission. There was no testimony allowed except for the State Engineer and his staff.

II. State Water Commission Appropriation Hearing

The second **HB 1020/HB 1080** hearing is scheduled for **8:30 a.m., Tuesday, January 10** in the

Roughrider room, before the House Appropriations Education and Environment Division. Water project sponsors will be presenting its recommendations during the hearing.

If you have any questions concerning HB 1020/HB 1080 or the hearing, please call Dana Bohn at (701) 223-4615.

III. 2017 Water Day

Mark your calendars for Water Day on February 14! The North Dakota Water Coalition and the North Dakota Rural Water Systems Association are hosting a social for all North Dakota legislators **Tuesday, February 14** from **5:00 p.m. – 6:00 p.m.** at the **Ramkota Hotel** in conjunction with Water Day at the Legislature. We urge you to take this opportunity to help us host and to discuss our water needs with our legislators.

V. 2017 Legislative Deadlines and Dates

Date	Topic
January 16	Deadline for representatives to introduce bills
January 23	Deadline for senators to introduce bills
February 14	Rural Water/North Dakota Water Coalition Legislative Social
February 24	Crossover for bills
February 27-28	Recess
March 8	Crossover for resolutions
April 14	Good Friday
April 28	Session is limited to 80 legislative days

VI. HEARING SCHEDULE: January 9-13, 2017

<u>Date and Time</u>	<u>Bill Number</u>	<u>Short Title</u>	<u>Committee</u>	<u>Room</u>
01/10/2017 08:30 AM	<u>HB 1080</u>	Relating to revenues of the infrastructure revolving loan fund; and to provide an exemption.	House Appropriations - Education and Environment Division	Roughrider
01/10/2017 08:30 AM	<u>HB 1020</u>	A BILL for an Act to provide an appropriation for defraying the expenses of the state water commission; and to provide exemptions.	House Appropriations - Education and Environment Division	Roughrider

VII. Legislative Bills Tracked (To Date)

<u>HB 1020</u>	State Water Commission Appropriation
<u>HB 1026</u>	Underground Facilities Before Excavation
<u>HB 1055</u>	Revenue Bond Indebtedness Limit for Water Resource Districts
<u>HB 1080</u>	Infrastructure Revolving Loan Fund
<u>SB 2047</u>	Quick Take Eminent Domain