

# Legislative Report

## Hearing Schedule (January 16 – January 20).

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 1020/](#)[HB 1080](#) was heard before the House Appropriations ó Education & Environment Committee on Tuesday, January 10. These are the appropriations bills for the State Water Commission. State Engineer Garland Erbele and members of his staff gave an overview of water projects across the state on behalf of the State Water Commission. Members of the committee presented questions having to do with funding and carryover. Water project sponsors also presented their recommendations during the hearing which included status of projects and funding needs for the upcoming biennium.

[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 Friday, January 6. The amended bill was passed by the Full House on Thursday, January 10, 91-1.

[HB 1111](#) was heard before the House Transportation Committee on Thursday, January 12. This bill was introduced by the Transportation Committee at the request of the Department of Transportation (DOT). The bill is to ensure the DOT director has the authority to enter agreement for the Fargo Moorhead metropolitan area flood risk management project impacting the state highway system. The agreement must address the construction and maintenance of the parts of the project which need to be constructed and maintained on the state highway system. This act is declared to be an emergency measure. The committee questioned the language of the bill and suggested widening the bill to apply to other areas, not just the Fargo Moorhead metropolitan area.

The Senate Natural Resources Committee considered proposed amendments to [SB 2047](#). Senator Dwight Cook believes strongly that appointed bodies should not be able to use quick take authority without the approval of an elected body, so he offered amendments that would require county commission approval before a water resource district can use quick take authority. The amendment requires the county commission to hold a public meeting and invite the landowner to the public meeting before quick take is approved. Other amendments to SB 2047 required that the easement be specifically delineated, and that if the easement is not used, it would automatically terminate. These amendments were offered by Senators Unruh and Roers.

[HB 1244](#) also requires county commission approval before a water resource district can use quick

take authority. This bill does not require a public meeting, but simply requires county commission approval. House Bill 1244 is scheduled for hearing before the House Natural Resources Committee next Friday morning, January 20.

After adopting the amendments, Senate Natural Resources Committee unanimously approved SB 2047 for a do pass on the Senate floor.

## II. 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.

## III. 2017 Legislative Deadlines and Dates

<b>Date</b>	<b>Topic</b>
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

## IV. HEARING SCHEDULE: January 16-20 2017

<u>Date and Time</u>	<u>Bill Number</u>	<u>Short Title</u>	<u>Committee</u>	<u>Room</u>
01/16/2017 2:00 PM	<a href="#"><u>HB 1162</u></a>	Relating to competition between the government and private industry and to require a report to the legislative management.	House Industry, Business and Labor	Peace Garden
01/17/2017 9:00 AM	<a href="#"><u>SB 2146</u></a>	Relating to public improvement bid and bond thresholds.	Senate Industry, Business and Labor	Roosevelt Park
01/17/17 9:45 AM	<a href="#"><u>SB 2147</u></a>	Relating to bond requirements for public improvements.	Senate Industry, Business and Labor	Roosevelt Park
01/17/17 10:30 AM	<a href="#"><u>SB 2142</u></a>	Relating to construction manager at-risk subcontractor bids.	Senate Industry, Business and Labor	Roosevelt Park

01/18/2017 2:30 PM	<a href="#">HB 1054</a>	Relating to the cancellation of unexpended appropriations; and to declare an emergency.	House Appropriations	Roughrider
01/19/2017 9:00 AM	<a href="#">HB 1168</a>	Relating to restricting compensation and travel reimbursement for public employees for attendance at legislative meetings	House Government and Veterans Affairs	Fort Union
01/19/2017 10:30 AM	<a href="#">HB 1191</a>	Relating to loans for political subdivisions	House Political Subdivisions	Prairie
01/19/2017 3:15 PM	<a href="#">HB 1165</a>	Relating to transparency of state grants; and to declare and emergency	House Appropriations	Roughrider
1/20/2017 8:30 AM	<a href="#">SB 2061</a>	Relating to legislative compensation; and to declare an emergency.	Senate Appropriations	Harvest
1/20/2017 10:00 AM	<a href="#">HB 1244</a>	Relating to the authority of boards of county commissioners to approve the exercise of the power of quick take eminent domain by water resource boards; and to amend and reenact subsection 2 of section 61-16.1-09 of the North Dakota Century Code, relating to the authority of water resource boards to exercise the power of quick take eminent domain.	House Energy and Natural Resources	Coteau A
1/20/17 11:00 AM	<a href="#">SB 2168</a>	Relating to public improvements	Senate Political Subdivisions	Red River

## VII. Legislative Bills Tracked (To Date)

<a href="#">HB 1009</a>	Agriculture Commissioner Appropriation
<a href="#">HB 1017</a>	Game and Fish Department Appropriation
<a href="#">HB 1020</a>	State Water Commission Appropriation
<a href="#">HB 1026</a>	Underground Facilities Before Excavation
<a href="#">HB 1054</a>	Cancellation of Unexpected Appropriations
<a href="#">HB 1055</a>	Revenue Bond Indebtedness Limit for Water Resource Districts
<a href="#">HB 1080</a>	Infrastructure Revolving Loan Fund
<a href="#">HB 1106</a>	Definitions of Disasters and Emergencies
<a href="#">HB 1111</a>	Metro Flood Diversion Authority
<a href="#">HB 1114</a>	License Fees for Plumbers and Sewer and Water Installers
<a href="#">HB 1162</a>	Competition between the Government and Private Industry
<a href="#">HB 1165</a>	Transparency of State Grants
<a href="#">HB 1168</a>	Reimbursement for Public Employees
<a href="#">HB 1191</a>	Loans for Political Subdivisions
<a href="#">HB 1209</a>	Establishment of a Department of Environmental Quality
<a href="#">HB 1244</a>	Authority of County Commissioners to Approve Quick Take Eminent Domain

<a href="#"><u>HB 1271</u></a>	Continuing Education for Water Well Contractors
<a href="#"><u>SB 2047</u></a>	Quick Take Eminent Domain
<a href="#"><u>SB 2061</u></a>	Legislative Branch Appropriation
<a href="#"><u>SB 2134</u></a>	Pick-Sloan Missouri Basin Project Dams
<a href="#"><u>SB 2142</u></a>	Construction Manager At-Risk Subcontractor Bids
<a href="#"><u>SB 2146</u></a>	Public Improvement Bid and Bond Thresholds
<a href="#"><u>SB 2147</u></a>	Bond Requirements for Public Improvements
<a href="#"><u>SB 2168</u></a>	Public Improvements