Adopted by the Energy and Natural Resources Committee

February 18, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1318

Page 1, line 2, replace "water supply or irrigation districts" with "irrigation works"

Page 1, line 3, after "District" insert "; to amend and reenact section 54-35-02.7 of the North Dakota Century Code, relating to membership and duties of the water-related topics overview committee; to provide for reports to the state water commission; and to provide an expiration date"

Page 1, after line 4, insert:

"**SECTION 1. AMENDMENT.** Section 54-35-02.7 of the North Dakota Century Code is amended and reenacted as follows:

54-35-02.7. (Effective through November 30, 2013) Water-related topics overview committee - Duties.

The legislative management, during each interim, shall appoint a water-related topics overview committee in the same manner as the legislative management appoints other interim committees. The committee must meet quarterly and is responsible for legislative overview of water-related topics and related matters and for any necessary discussions with adjacent states on water-related topics. During the 2011-12 interim, the committee shall review the state's irrigation laws and rules and evaluate the process of the prioritization of water projects. The committee consists of ~~nine~~thirteen members and the legislative management shall designate the chairman of the committee. The committee shall operate according to the statutes and procedure governing the operation of other legislative management interim committees.

(Effective after November 30, 2013) Garrison diversion overview. The legislative management is responsible for legislative overview of the Garrison diversion project and related matters and for any necessary discussion with adjacent states on water-related topics."

Page 1, line 13, after "4." insert:

""Direct benefit" means water is delivered to a tract of land.

5."

Page 1, line 14, replace "5." with "6."

Page 1, line 15, replace "6." with "7."

Page 1, line 20, replace "7." with "8."

Page 1, line 23, replace "8." with "9."

Page 2, line 1, replace "9." with "10."

Page 2, line 2, after "all" insert "irrigation"

Page 2, line 7, after "any" insert "irrigation"

Page 2, line 9, replace "10." with "11."

Page 2, line 13, replace "11." with "12."

Page 2, line 16, replace "12." with "13."

Page 2, line 19, replace "13." with "14."

Page 2, line 20, replace "14." with "15."

Page 3, line 3, after the first "to" insert "direct"

Page 3, line 6, after the first "the" insert "direct"

Page 3, line 6, remove "and any political subdivision"

Page 3, line 31, replace "a" with "an irrigation"

Page 4, line 1, replace "system or an irrigation system, or both," with "works"

Page 4, line 2, replace "systems" with "works"

Page 4, line 5, replace "complete water" with "central"

Page 4, line 5, replace "system" with "works"

Page 5, line 20, replace "water districts and irrigation" with "improvement"

Page 5, line 21, remove "appropriate"

Page 5, line 22, after "The" insert "special improvement"

Page 5, line 22, after "be" insert "directly"

Page 5, line 24, remove "Nothing in this chapter prevents the district from making and financing any"

Page 5, line 25, remove "improvement under any alternate procedure in this title."

Page 6, line 10, remove "a"

Page 6, line 11, replace "water or irrigation" with "an improvement"

Page 6, line 11, after the first "the" insert "improvement"

Page 6, line 11, remove "which are benefited by the"

Page 6, remove lines 12 and 13

Page 6, line 14, remove "permitted by law"

Page 6, line 15, replace "or" with an underscored comma

Page 6, line 15, after "construction" insert ", or in existence"

Page 6, line 16, replace "three-fourths" with "all"

Page 7, line 12, remove "district"

Page 7, line 18, remove "each political subdivision assessed in its corporate capacity as well as"

Page 7, line 20, replace "ten" with "fourteen"

Page 7, line 31, after the first "the" insert "first"

Page 8, line 2, remove "and the governing body of any"

Page 8, line 3, remove "county, township, or city"

Page 8, line 7, remove "and any county, township, or city to be assessed"

Page 8, line 9, remove "and the governing body of any county, township, or city"

Page 8, line 15, replace "fifty" with "one hundred"

Page 8, line 15, remove "or more"

Page 8, line 15, replace "against" with "for"

Page 8, line 16, replace "a bar against proceeding further with" with "an affirmation of"

Page 8, line 16, remove ". If the board finds that the number"

Page 8, line 17, replace "of votes filed against the proposed project is less than fifty percent of the votes filed," with "and"

Page 8, line 21, replace "sections 61-24.8-43 through 61-24.8-58" with "section 61-24.8-41"

Page 8, line 25, replace "sections 61-24.8-43 through 61-24.8-58" with "section 61-24.8-41"

Page 9, line 7, after "condemned" insert ", or used for construction,"

Page 9, line 7, remove "The governing body"

Page 9, remove line 8

Page 9, line 9, remove "such political subdivision."

Page 9, line 15, remove "district"

Page 9, line 19, replace "especially" with "directly"

Page 9, line 21, after "with" insert "direct"

Page 9, line 22, remove the underscored colon

Page 9, remove lines 23 and 24

Page 9, line 25, replace "2. Any" with "any"

Page 9, remove line 26

Page 9, line 27, remove "of improvement of properties, and productivity."

Page 9, line 29, remove "Benefited property"

Page 9, remove lines 30 and 31

Page 10, remove lines 1 through 5

Page 10, line 6, remove "political subdivision for paying any special assessments made under this chapter."

Page 10, line 12, remove "district"

Page 10, line 14, remove "in the district and"

Page 10, line 23, remove "or political subdivision"

Page 10, line 25, remove "secretary shall file the"

Page 10, line 25, after "list" insert "must be filed"

Page 10, line 27, remove "and any"

Page 10, line 28, remove "political subdivision"

Page 10, line 28, remove ", having not less than twenty-five percent of the"

Page 10, line 29, remove "possible votes as determined under section 61-24.8-15"

Page 11, line 7, remove "Upon filing a bond for two hundred fifty dollars with the board for the"

Page 11, line 8, replace "payment of the costs of the state engineer in the matter, any" with "Any"

Page 11, line 8, remove "or political subdivision"

Page 11, line 9, after "no" insert "direct"

Page 11, line 10, after "any" insert "direct"

Page 11, line 12, remove "or political subdivision"

Page 11, line 13, after "any" insert "direct"

Page 11, line 13, remove "or political subdivision"

Page 11, line 17, remove "district"

Page 11, line 27, replace "forty" with "twenty"

Page 12, line 4, remove "district"

Page 12, line 9, remove "district"

Page 12, line 15, remove "**or water**"

Page 12, line 16, remove "or water"

Page 12, line 17, remove "or ordinance"

Page 12, line 20, remove ", ordinances"

Page 12, line 23, replace "61-24.8-37" with "61-24.8-36"

Page 13, line 2, replace "61-24.8-37" with "61-24.8-36"

Page 13, line 4, remove the underscored comma

Page 13, line 5, remove "and ordinances,"

Page 13, line 14, after the second "the" insert "improvement"

Page 14, line 26, remove "ordinance or"

Page 14, remove lines 27 through 31

Page 15, remove lines 1 and 2

Page 15, line 3, replace "**61-24.8-30.**" with "**61-24.8-29.**"

Page 15, line 17, replace "**61-24.8-31.**" with "**61-24.8-30.**"

Page 15, line 18, remove "district"

Page 15, line 25, after the third "the" insert "improvement"

Page 15, line 25, after the fourth "the" insert "improvement"

Page 15, line 26, after "which" insert "improvement"

Page 16, line 1, remove "district"

Page 16, line 4, after the first "the" insert "improvement"

Page 16, line 6, replace "61-24.8-37" with "61-24.8-36"

Page 16, line 8, replace "61-24.8-37" with "61-24.8-36"

Page 16, line 9, replace "**61-24.8-32.**" with "**61-24.8-31.**"

Page 16, line 12, after "the" insert "improvement"

Page 16, line 19, after the second "the" insert "improvement"

Page 16, line 26, replace "**61-24.8-33.**" with "**61-24.8-32.**"

Page 16, line 28, after the second "the" insert "improvement"

Page 17, line 1, replace "**61-24.8-34.**" with "**61-24.8-33.**"

Page 17, line 3, after the first "the" insert "improvement"

Page 17, line 10, replace "**61-24.8-35.**" with "**61-24.8-34.**"

Page 17, line 28, replace "**61-24.8-36.**" with "**61-24.8-35.**"

Page 18, line 3, replace "**61-24.8-37.**" with "**61-24.8-36.**"

Page 18, line 16, replace "**61-24.8-38.**" with "**61-24.8-37.**"

Page 18, line 20, remove "or water"

Page 18, line 29, after the third "the" insert "district"

Page 19, line 1, replace "**61-24.8-39.**" with "**61-24.8-38.**"

Page 19, line 10, replace "**61-24.8-40.**" with "**61-24.8-39.**"

Page 19, line 17, remove "district"

Page 19, line 25, replace "**61-24.8-41.**" with "**61-24.8-40.**"

Page 20, remove lines 3 through 29

Page 21, remove lines 1 through 31

Page 22, remove lines 1 through 31

Page 23, remove lines 1 through 28

Page 24, remove lines 1 through 29

Page 25, remove lines 1 through 31

Page 26, replace lines 1 through 5 with:

"**61-24.8-41. Contracts for construction or maintenance of project.**

If the cost of construction or maintenance of a project does not exceed the amount provided for construction of a public improvement under section 48-01.2-02, the work may be done on a day work basis or a contract may be let without being advertised. If the costs of the construction or maintenance exceed the amount provided for construction of a public improvement under section 48-01.2-02, the board must let a contract in accordance with chapter 48-01.2.

SECTION 3. REPORT TO STATE WATER COMMISSION. The Garrison Diversion Conservancy District shall report periodically to the state water commission on the development and status of irrigation projects constructed under this Act.

SECTION 4. EXPIRATION DATE. This Act is effective through July 31, 2013, and after that date is ineffective."

Renumber accordingly