

2015 HOUSE ENERGY AND NATURAL RESOURCES

HCR 3020

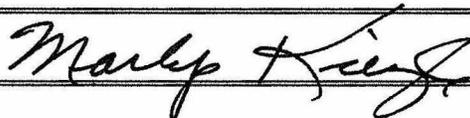
2015 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Pioneer Room, State Capitol

HCR 3020
2/5/2015
Job # 23343

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A concurrent resolution directing the Legislative Management to study the impact on owners of land that has been inundated by rising waters in Devils Lake and Stump Lake.

Minutes:

Attachments #1

Chairman Porter: Started meeting on HB 3020.

Rep. Bill Devlin District 23: Reading excerpt from letter of testimony.

The intent is for to make a study to understand the problems and to find a solution for the landowners who have been so impacted.

Mike Donahue, Wildlife Federation: We concur with this resolution and let us see if we can help these landowners.

Opposition

Rep Keiser: Made motion Do Pass and put on the Consent Calendar.

Rep Mock: Seconded the motion

Voice Vote for the Consent Calendar

Carrier Rep Keiser

Yes 13 No 0 Absent 0

Date: 2-6-15
 Roll Call Vote #: 1

**2015 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. HB 3020**

House Energy and Natural Resources Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep. Keiser Seconded By Rep. Mock

Representatives	Yes	No	Representatives	Yes	No
Chairman Porter			Rep Hunsakor		
Vice Chairman Damschen			Rep Mock		
Rep D Anderson			Rep Muscha		
Rep Brabandt					
Rep Devlin					
Rep Froseth					
Rep Hofstad					
Rep Keiser					
Rep Lefor					
Rep Nathe					

Vote
Vote
all to said YES

Total (Yes) 13 No 0

Absent 0

Floor Assignment Rep. Keiser

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HCR 3020: Energy and Natural Resources Committee (Rep. Porter, Chairman)
recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR**
(13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3020 was placed on the
Tenth order on the calendar.

2015 SENATE ENERGY AND NATURAL RESOURCES

HCR 3020

2015 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources
Fort Lincoln Room, State Capitol

HCR 3020
3/26/2015
25444

- Subcommittee
 Conference Committee

Committee Clerk Signature

Katie Oliver

Explanation or reason for introduction of bill/resolution:

A concurrent resolution directing the Legislative Management to study the impact of owners of the land that has been inundated by rising waters in the Devils Lake and Stump Lake.

Minutes:

Chairman Schaible opened the hearing on HR 3020. Representative Devlin was on hand to introduce the resolution.

Representative Devlin: District 23. This is a study resolution which will, if picked by legislative management, provide a complete study of the problems facing landowners around Stump Lake and Devils Lake. For well over a decade they have watched their lands be swallowed by an ever expanding lake that has destroyed their homes, their farms, their way of life. Hopefully a solution can be found, the water management committee can hold a hearing on this in Devils Lake.

Senator Triplett: What is the number for the bill that did not make it through that was related to the federal legislation.

Representative Devlin: Representative Johnson can tell you more but there is no way the state of North Dakota can comply with the federal legislation. The study may be a good starting point.

Senator Triplett: Will this do any good if all the good minds that have put time into it haven't come up with a solution.

Representative Devlin: There was no way to make it work under the farm bill. We have not had a legislative hearing in Devils Lake. We have constituents in Minnewauken. Maybe there is an approach that no one has thought of.

Representative Johnson: District 15. I live on the east side of the lake and we farm on the west side of the lake. There are over 800 structures in that lake and close to 140,000 acres of what used to be farm land I have family and friends who can relate to the same stories of land that is gone now. My uncle used his whole life savings for his land and has nothing to

pass on because it is all gone. We have tried different things; we have put over \$1,000,000,000 into infrastructure and moving homes but nothing has been brought back to the farm land. This has been going on since 1997 and has not been able to talk to the ag community. This bill was put into the farm bill a conservation effort.

Senator Triplett: It occurs to me that the federal farm bill isn't a bad idea because the lake is going to go up and down in the future. I have sympathy for those people who live around there if the state is going to step up and help these people there need to be easements on the land to prevent building of homesteads on that land again. If they want to use it for ag that is one thing but if they want to go back in and build up the farmsteads again so in 6 years they are faced with the same thing when the lake rises is really not a viable option in my mind.

Representative Johnson: That starting point is 12-15 years ago. We are looking strictly at ag land. If it stays dry in the fall you can go out and combine it that is why they raise slacks.

Scott Rising: North Dakota Soybean Growers Association. We are in favor of it, largely because of the reasons that Senator Triplett said. To define the issues are important.

There was no further testimony and Chairman Schaible closed the public hearing on HB 3020.

Senator Murphy moved a do pass, second by Senator Armstrong, there was no further discussion, roll was taken and the motion passed on a 7-0-0 count with Senator Murphy carrying the bill to the floor.

REPORT OF STANDING COMMITTEE

HCR 3020: Energy and Natural Resources Committee (Sen. Schaible, Chairman)
recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
HCR 3020 was placed on the Fourteenth order on the calendar.

2015 TESTIMONY

HCR 3020

Rep Devlin

attached 3020
#1 HCR
2/5/15

Good afternoon Chairman Porter and esteemed members of the House Energy and Natural Resources Committee it is a pleasure to be before you this afternoon.

For the record, I am Rep. Bill Devlin of District 23, which is a rural district in eastern North Dakota made up of Steele, Griggs, Nelson, Eddy and Nelson County plus half of Benson County.

I am here to offer my support for HCR 3020 which is a study resolution which will, if picked by legislative management, will provide a complete study of the problems and issues facing landowners around Stump Lake and Devils Lake. For well over a decade they have watched their lands be swallowed by an ever expanding lake. It has destroyed their homes, their famers and a way of life that had lasted for generations.

I wish to call the committee's attention to a letter written by a member of a family that has been negatively affected by the rising lake waters related her memories of a time and place now gone. She said: "Thanks for introducing HCR 3020. I can tell you first hand the damage: the home I grew up in is gone; my grandpa's pastureland is gone; the gravel roads I learned to drive on are gone; the beach we played and swam at is gone; the giant American elms and scrub oak we played in the shade of are gone; the pond we skated on as children is gone; the hill we tobogganed down is gone; the fence-rows we picked Juneberries at are gone; the hill my mom planted evergreens on is gone; the yard I learned to kick a football on is gone; large areas where my grandpa made hay are gone; the woods we hunted in are gone; the plant my dad managed for many decades along Hwy. 57 is gone; the place we buried our dogs is gone; my mom's lakeshore property is gone; the trails along the shore where we rode horseback are gone . . . they are all gone underneath the waters of Devils Lake Our home: gone . . . all gone. "

We have talked about this issue on more than one occasion and have looked at bills, like one we had this morning, that won't solve the problem.

The intent of this study is to have the water topics committee make a serious study of all the issues facing the various landowners and the communities themselves to see if a solution can be found. It is my hope that they committee will hold hearings in Devils Lake to help not only understand the problems better but to find a solution.

I think this bill is a good piece of legislation and I respectfully request a do pass from the ENR Committee.