

HOUSE BILL NO. 1428

Introduced by

Representatives Steiner, Beadle, Headland, Jones, Kasper, B. Koppelman, Meier, Schatz,
Schmidt, Simons

Senators Bekkedahl, Unruh

1 A BILL for an Act to create and enact a new section to chapter 61-01 of the North Dakota
2 Century Code, relating to the Missouri River council; to provide for the acquisition and
3 management of the shoreline of the Missouri River; and to provide for a report to the legislative
4 management.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 61-01 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Missouri River council - Report to legislative management and governor.**

9 1. The Missouri River council is composed of:

- 10 a. An elected official of each of the following counties appointed by the county board
11 of commissioners:
12 (1) Burleigh;
13 (2) Dunn;
14 (3) McLean;
15 (4) McKenzie;
16 (5) Mercer;
17 (6) Mountrail;
18 (7) Oliver; and
19 (8) Williams.
- 20 b. The chairman of the Three Affiliated Tribes of the Forth Berthold Reservation or
21 the chairman's designee.
- 22 c. One legislator from a legislative district bordering Lake Sakakawea, which is
23 located in the county of Dunn, McKenzie, Mountrail, or Williams.

- 1 d. One legislator from a legislative district bordering Lake Sakakawea, which is
2 located in the county of Burleigh, McLean, Mercer, or Oliver.
- 3 3. Each member of the council appointed by a county board of commissioners shall
4 serve for a term of two years, beginning July first, and may be reappointed for
5 additional terms, not to exceed eight consecutive years as a member of the council.
- 6 4. The council shall meet twice per year. A majority of the membership constitutes a
7 quorum.
- 8 6. The council shall collaborate with other organizations to make recommendations and
9 accomplish objectives in the areas of irrigation, hydropower, water supply, energy
10 development, conservation and wildlife, and Lake Sakakawea. The council shall work
11 to strengthen the state's working relationship with the United States army corps of
12 engineers and enhance the economic development of the state.
- 13 7. Annually, before September first, the council shall report to the governor and the
14 legislative management on the activities of the council. The report must include any
15 recommendations from the council and any legislation required to implement the
16 recommendations.
- 17 8. A member of the council who is not a member of the legislative assembly is entitled to
18 receive mileage and expenses as provided by law for state officers and employees. A
19 member of the council who is a member of the legislative assembly is entitled to
20 receive compensation, mileage, and expenses as provided under section 54-03-20.

21 **SECTION 2. NEGOTIATING AUTHORITY - PROPERTY ACQUISITION AND**

22 **MANAGEMENT.** The board of university and school lands shall negotiate with the United States
23 army corps of engineers to acquire, on behalf of North Dakota, the ownership of, and authority
24 to manage, the shoreline of Lake Sakakawea, excluding any land owned by the Three Affiliated
25 Tribes of the Fort Berthold Reservation, in the counties of Burleigh, Dunn, McLean, McKenzie,
26 Mercer, Mountrail, Oliver, and Williams. The purchase price may not exceed one dollar. An
27 agreement reached under this section must specify the United States army corps of engineers
28 shall retain ownership and operation of the Garrison dam and any property adjacent to the dam
29 necessary for the operation of the dam, and the Missouri River council shall manage the
30 acquired shoreline for the state so as to maximize residents' access to Lake Sakakawea.