

1999 HOUSE FINANCE AND TAXATION

HB 1298

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1298

House Finance and Taxation Committee

Conference Committee

Hearing Date January 19, 1999

Tape Number	Side A	Side B	Meter #
1	xxx		13.5
Committee Clerk Signature <i>Jamie Stein</i>			

Minutes:

REP. BELTER Opened the hearing.

REP. OLE AARSVOLD, DIST. 20 Introduced the bill as the prime sponsor. He gave a background of the bill and what it would do. He mentioned that Mike Dwyer, Executive Secretary of the Waterusers Association, was instrumental in achieving a resolution to the problem that faces the water resource districts. The resolution allows existing water resource district boards to make the decisions for clearing channels within their own geographical areas and maintain those watercourses as needed. Authority would be granted to protect transportation structures that cross watercourses, such as bridges and low water crossings, that have become a problem in the spring floods. This bill would provide an opportunity for water resource districts

to levy, in the affected area, an amount that would be adequate to carry out the obligation that is proposed .

REP. BELTER Asked, if the land in these water resource districts is not agricultural, are they still taxed?

REP. AARSVOLD It is my understanding, that they are taxed in some situations. Deferred the question to someone on the water resource board.

GARY THOMPSON, TRAIL COUNTY WATER RESOURCE BOARD, Testified in support of the bill. Stating they were the lead county on this bill, working to get a package together. He stated they see a major need for the funding to maintain the natural watercourses, which are blocked by dead trees, etc. Mr. Thompson submitted pictures of watercourses which were filled with dead trees and branches. He also submitted maps showing dams and drainage problems. See attached map.

REP. CLARK Asked if these obstructions impede the flow of water in the spring floods into the Red River.

GARY THOMPSON Stated that it does impede the flow, the blockages make everything back up on to the land.

REP. CLARK Stated that the only reason he asked, is because for those in Fargo, a slow spring flood is a good flood.

GARY THOMPSON Stated if they could have kept everything in the channels, Fargo and Grand Forks wouldn't have had the severe flood they had.

REP. WINRICH Stated, you alluded to watershed issues, as we learn more about flooding, etc.,

and studying some of the effects of the 1997 flood, I think it is becoming more and more apparent, we probably need to deal with entire watersheds or basin wide water management practices, some of my concerns relate to the political boundaries, which Rep. Aarsvold related to as artificial, that established the water resources board, in your experience as a member of such a board, are there cooperative arrangements developing with adjacent boards, how rigid are these boundaries?

GARY THOMPSON He stated they get one mill for every joint board. They meet four times per year. This is how the Red River Joint Board came about. Two or more counties have joined together within this watershed, we have three counties involved now. The State Water Commissioner has always come through for us.

REP. WINRICH The language in the bill talks about clearing and maintaining natural watercourses, I don't know of any example in North Dakota, he related an example in Minnesota around Thief River Falls, where a water board got involved in trying to clear a watercourse, it was actually a ditch, and there was considerable controversy about it, are we talking about the possibility of ditches too?

GARY THOMPSON Stated that in that case, the ditch was a legal drain, people paid an assessment into that ditch. I think it was a natural watercourse.

REP. WINRICH After a ditch is created, it becomes a natural watercourse?

GARY THOMPSON No, a natural watercourse is a river or tributary. Explained the difference of a natural watercourse and a legal ditch drain.

MIKE DWYER, REPRESENTING THE WATER RESOURCE DISTRICTS OF THE STATE

Testified in support of the bill. This is a serious problem. This bill is a solution, it would be very

helpful for the water resource districts to carry out their duties.

AL BIGGS, WATER RESOURCE DISTRICT IN RICHLAND COUNTY, Testified in support of the bill. Share the same problems with those that have testified.

CARY BACKSTRAND, STAFF ENGINEER WITH ND STATE WATER COMMISSION, Testified in support of the bill. Water boards do need a mechanism to fund these types of projects.

With no further testimony, the hearing was closed.

COMMITTEE ACTION 1-19-99, Tape #2, Side A, Meter #45.4

REP. CLARK Made a motion for a DO NOT PASS

REP. RENNER Second the motion. MOTION FAILED.

During discussion, committee members felt this bill was probably needed to help with some of the flooding of the Red River.

REP. NICHOLAS Made a motion for a DO PASS.

REP. SCHMIDT Second the motion . MOTION CARRIED

8 Yes 6 No 1 Absent

REP. WINRICH Was Given the floor assignment.

Please type or use black pen to complete

Date 1-19-99

Roll call vote # 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. HB 1298

House HOUSE FINANCE & TAX Committee

Subcommittee on _____

Conference Committee

} Identify or check where appropriate

Legislative Council Amendment Number _____

Action Taken D N P

Motion Made By Rep. Clark Seconded By Rep. Renner

Representatives	Yes	No	Representatives	Yes	No
BELTER		✓	WINRICH		✓
RENNERFELDT		A			
CLARK	✓		<u>failed</u>		
FROELICH		✓			
GRANDE	✓				
GROSZ	✓				
HERBEL		✓			
KROEBER		✓			
MICKELSON	✓				
NICHOLAS		✓			
RENNER	✓				
SCHMIDT		✓			
WARNER		✓			
WIKENHEISER	✓				

Total 6 8
(Yes) (No)

Absent _____

Floor Assignment Rep

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

DO NOT USE HIGHLIGHTER ON ANY FORMS

Please type or use black pen to complete

Date 1-19-99

Roll call vote # 2

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. HB 1298

House HOUSE FINANCE & TAX Committee

- Subcommittee on _____
- Conference Committee

} Identify or check where appropriate

Legislative Council Amendment Number _____

Action Taken Do pass

Motion Made By Rep. Nicholas Seconded By Rep. Schmidt

Representatives	Yes	No	Representatives	Yes	No
BELTER	✓		WINRICH	✓	
RENNERFELDT	A				
CLARK		✓			
FROELICH	✓				
GRANDE		✓			
GROSZ		✓			
HERBEL	✓				
KROEBER	✓				
MICKELSON		✓			
NICHOLAS	✓				
RENNER		✓			
SCHMIDT	✓				
WARNER	✓				
WIKENHEISER		✓			

Total 8 6
(Yes) (No)

Absent 1

Floor Assignment Rep. Winrich

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

DO NOT USE HIGHLIGHTER ON ANY FORMS

REPORT OF STANDING COMMITTEE (410)
January 19, 1999 4:07 p.m.

Module No: HR-11-0861
Carrier: Winrich
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

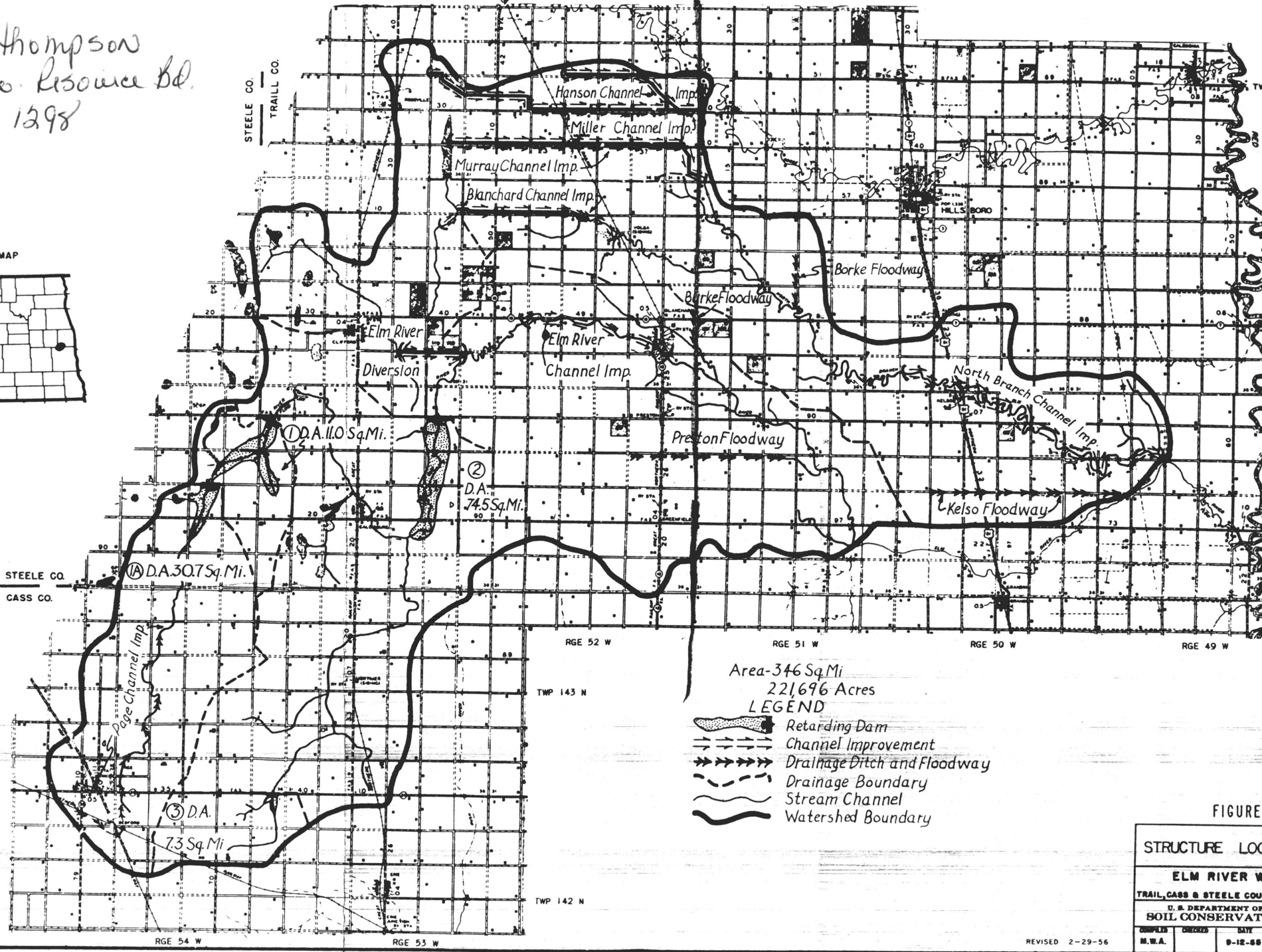
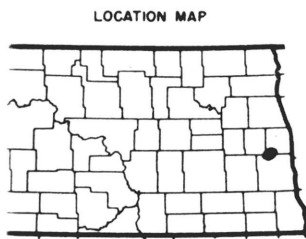
HB 1298: Finance and Taxation Committee (Rep. Belter, Chairman) recommends DO PASS (8 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1298 was placed on the Eleventh order on the calendar.

1999 TESTIMONY

HB 1298

Gary Thompson
 Trail Co. Resource Bd.
 HB 1298

Map



Area-346 Sq.Mi
 221,696 Acres

LEGEND

- Retarding Dam
- Channel Improvement
- Drainage Ditch and Floodway
- Drainage Boundary
- Stream Channel
- Watershed Boundary

FIGURE

STRUCTURE LOC		
ELM RIVER W		
TRAIL, CASS & STEELE COUNT		
U. S. DEPARTMENT OF		
SOIL CONSERVATION		
COMPILED	CHECKED	DRAWN
M.W.A.		9-12-58

REVISED 2-29-56