

1999 SENATE NATURAL RESOURCES

SB 2106

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2106

Senate Natural Resources Committee

Conference Committee

Hearing Date January 8, 1999

Tape Number	Side A	Side B	Meter #
1	x		679-2470
Committee Clerk Signature <i>Lyla W. Ziegenfuss</i>			

Minutes:

SENATOR TRAYNOR opened the hearing on SB 2106: A BILL FOR AN ACT TO CREATE AND ENACT A NEW SUBDIVISION TO SUBSECTION 6 OF SECTION 6-09.4-03 OF THE NORTH DAKOTA CENTURY CODE, RELATING TO THE STATE WATER COMMISSION'S PARTICIPATION IN THE MUNICIPAL BOND BANK'S DRINKING WATER STATE REVOLVING FUND.

DAVID A. SPRYNCZYNATYK, State Engineer and Secretary to the State Water Commission testified in favor of SB2106. (See attached testimony)

SENATOR TRAYNOR referred to subsection 6 mentioned in the bill and asked if the State Water Commission wanted to participate in the Bank of North Dakota's revolving loan fund.

DAVID A. SPRYNCZYNATYK replied the bill is correct as stated in reference to subsection 6 and chapter 61-28.1.

FRANCIS SCHWINDT, representing the ND Department of Health testified in support of the bill. Eight applications have been approved to date for water supply systems and total approximately 20.7 million dollars. There are three pending applications for an additional sum of 3.2 million dollars. There are no actual loans in place at this time. The ND share of the Federal Capitalization Grant that was available for 1999 is 7.5 million dollars. The 7.5 million dollars need to be matched with a 20% bond so the bond bank is used for this purpose.

SENATOR HEITKAMP asked how quickly the money will be reimbursed from the applicants for future revolvment of the funds.

DAVID A. SPRYNCZYNATYK responded that it depends upon the size of the project and how quickly the projects are completed. The principal does not have to be paid back until the project is completed.

SENATOR HEITKAMP asked if there would be further funds available.

DAVID A. SPRYNCZYNATYK, responded that there may be continuing appropriations from the federal government.

SENATOR TRAYNOR asked if the eight approved projects and the three pending were done through the State Water Commission.

FRANCIS SCHWINDT replied that none of these projects went through the State Water Commission, although the priority lists that identified the project rankings were approved through the State Water Commission. The projects themselves came in directly from the project sponsor.

SENATOR TRAYNOR asked if this bill passes, will these projects go through the State Water Commission.

Page 3

Senate Natural Resources Committee

Bill/Resolution Number Sb 2106

Hearing Date January 8, 1999

FRANCIS SCHWINDT replied that this bill would allow the State Water Commission as the project sponsor for projects to apply for and receive a loan.

SENATOR REDLIN asked if the State Water Commission groups the drinking water setups or is it all in one municipal bond.

TOM TUDOR, Director of Municipal Bond Bank, testified that the bond bank handles the financial side of the state revolving fund program. The bond bank issues bonds for drinking water AND clean water, in separate funds.

SENATOR REDLIN asked when selling bonds, is the money identified for specific use.

TOM TUDOR, stated the money is identified specifically.

SENATOR TRAYNOR closed the hearing on SB2106.

Senator Heitkamp moved for a DO PASS. Senator Freborg seconded the motion.

ROLL CALL - 6 AYES, 0 NAYES, 0 ABSENT

FLOOR ASSIGNMENT: SENATOR CHRISTMANN

Date 1-9-99

Roll call vote # 1

Please type or use black pen to complete

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2106

Senate Natural Resources Committee

Subcommittee on _____ (Identify or

Conference Committee _____ (check where appropriate)

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Heitkamp Seconded By Freborg

Senators	Yes	No	Senators	Yes	No
SENATOR TRAYNOR, CHR	✓				
SENATOR FISCHER, VCHR	✓				
SENATOR CHRISTMANN	✓				
SENATOR FREBORG	✓				
SENATOR HEITKAMP	✓				
SENATOR REDLIN	✓				

Total 6 0
(Yes) (No)

Absent 0

Floor Assignment Senator Heitkamp

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

DO NOT USE HIGHLIGHTER ON ANY FORMS

REPORT OF STANDING COMMITTEE (410)
January 8, 1999 11:40 a.m.

Module No: SR-04-0419
Carrier: Heitkamp
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2106: Natural Resources Committee (Sen. Traynor, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2106 was placed on the Eleventh order on the calendar.

1999 HOUSE NATURAL RESOURCES

SB 2106

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2106

House Natural Resources Committee

Conference Committee

Hearing Date 2/25/99

Tape Number	Side A	Side B	Meter #
2	x		1.0-5.4
		x	19.8-22.0
Committee Clerk Signature <i>Robin L. Small</i>			

Minutes: DAVID SPRYNCZYNATYK, STATE WATER COMMISSION. SEE HANDOUT.

FRANCIS SCHWINDT, STATE HEALTH DEPARTMENT. SCHWINDT urges a DO PASS on this bill.

NO QUESTIONS.

The hearing was then closed, until later in the day when the committee took action.

REP. DEKREY makes a motion for a DO PASS, seconded by REP. PORTER. The roll call was taken. With 15 YES, 0 NO, 0 ABSENT. The CARRIER of the bill on the floor will be REP.

KELSH.

Date: 2-25-99

Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House House Natural Resources Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken 2106 No Pass

Motion Made By DeKrey Seconded By Porter

Representatives	Yes	No	Representatives	Yes	No
Chairman Mick Grosz	✓				
Vice-Chairman Dale Henegar	✓				
Representative David Drovdal	✓				
Representative Pat Galvin	✓				
Representative Duane DeKrey	✓				
Rep. Darrell D. Nottestad	✓				
Representative Jon O. Nelson	✓				
Representative Byron Clark	✓				
Representative Todd Porter	✓				
Representative Jon Martinson	✓				
Reperesentative Lyle Hanson	✓				
Representative Scot Kelsh	✓				
Representative Deb Lundgren	✓				
Representative Sally M. Sandvig	✓				
Representative Dorvan Solberg	✓				

Total (Yes) 15 No 0

Absent _____

Floor Assignment Kelsh

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

REPORT OF STANDING COMMITTEE (410)
February 25, 1999 2:57 p.m.

Module No: HR-34-3615
Carrier: S. Kelsh
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2106: Natural Resources Committee (Rep. Grosz, Chairman) recommends DO PASS
(15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2106 was placed on the
Fourteenth order on the calendar.

1999 TESTIMONY

SB 2106

TESTIMONY ON SENATE BILL 2106

Natural Resources Committee

**David A. Sprynczynatyk, State Engineer
and Secretary to the State Water Commission**

January 8, 1999

Mr. Chairman and Members of the Committee, my name is David Sprynczynatyk. I am the North Dakota State Engineer and Secretary to the State Water Commission and appear today in support of Senate Bill 2106.

This bill amends current law by authorizing the State Water Commission to be eligible to participate in the state drinking water treatment revolving loan fund administered by the State Department of Health utilizing the North Dakota Municipal Bond Bank.

Current law does not allow the State Water Commission to utilize the North Dakota Municipal Bond Bank since it is not a political subdivision of the state and it is not listed as an eligible agency under N.D.C.C. § 6-09.4-03(6). In order for the Southwest Pipeline Project, Northwest Area Water Supply Project, and any other Commission-sponsored water supply project to receive funds from the state drinking water treatment revolving loan fund, the State Water Commission must be eligible to borrow funds from the North Dakota Municipal Bond Bank. Senate Bill 2106 will make the State Water Commission eligible.

Also, as you may recall, the 1997 Legislature provided a means for coordination of the development of water supply treatment projects developed under the drinking water treatment revolving loan fund by requiring the approval of the State Water Commission of the priority list of projects and the disbursement of funds as recommended by the State Department of Health. This has been done during the current biennium and has worked well. Even though Senate Bill 2106 would make the State Water Commission eligible for project funding under this program, I do not believe this will pose any sort of problem nor conflict. I say this because Commission approval is based upon projects first being eligible under a set of rules already established by the two agencies and in place, and secondly, a numeric priority ranking system has also already been developed and is being used, thus eliminating the possibility of the Commission being arbitrary in its approval of projects for funding.

Both the State Engineer and State Water Commission support Senate Bill 2106 and request your favorable consideration of the bill.

Thank you.

6. "Political subdivision" means:

a. A local governmental unit created by statute or by the Constitution of North Dakota for local governmental or other public purposes.

b. The state department of health, or any other state agency or authority, or any member-owned association or publicly owned and nonprofit corporation:

(1) Operating any public water system that is subject to chapter 61-28.1.

(2) Operating any facility, system, or other related activity that is eligible for financial assistance under chapter 61-28.2.

c. The Bank of North Dakota, for purposes of the revolving loan fund program established by chapter 61-28.2.