

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

12884

2001 HOUSE AGRICULTURE

HB 1284

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1284

House Agriculture Committee

Conference Committee

Hearing Date 2--1--01

| Type Number               | Side A | Side B | Meter #      |
|---------------------------|--------|--------|--------------|
| ONE                       | A      |        | 3000 TO 5100 |
| Committee Clerk Signature |        |        |              |

*Edward D. Johnson*

Minutes:

CHAIRMAN NICHOLAS: WE WILL OPEN THE HEARING ON HB 1284

ROBERT THOMPSON: Prepared testimony. Please see attachment.

We have a lot of absentee land owners. This bill make the guideline 20,000 thousand acres instead of 10,000. Very simple Bill. It will be a lot better for us.

MIKE DWIRE: I represent the N.D. WATER USERS ASSOCIATION, AND THE NORTH DAKOTA IRRIGATION. We support this bill too. It is a matter of convince. Trying to expand irrigation 20,000 acres is better then 10,000 as to expanding irrigation.

REPRESENTATIVE NICHOLAS: Any questions.

MILTON LINDVIG: Director of the Water Appropriations Division. Please see attached testimony. We support HB 1284.

Rep. Earl Rennerfeld: Prepared text. Please see attachments. I also have some amendments. Please see the amendments which are attached.

Page 2

House Agriculture Committee

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The defenition of elector is that you must own land. At least 5 acres in the district. Be a resident of the state. It has been our experience that an absentee land owner do not generally want to serve as directors.

1A:4822 CHAIRMAN NICHOLAS: Committee Members, what is your wish on HB 1284

Representative Wrangham moves for a DO PASS and seconded by Mueller.

Any other discussion committee members. O.K. The clerk will take the Roll.

there were """"""13 yes""""0 no""""""2 absent.

Representative Wrangham will carry HB 1284

We closed the Hearing one HB 1284

VR  
2/1/01  
1 of 2

HOUSE AMENDMENTS TO HB1284                      HOUSE AGR. 2-1-01  
Page 1, line 1, replace "section" with "sections 61-05-13," and after "61-06-01" insert ",  
61-10-31, and 61-10-38"

Page 1, line 2, after "to" insert "organization, government, and boundaries of" and replace  
"district directors" with "districts"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Section 61-05-13 of the North Dakota Century Code is amended and reenacted as follows:

**61-05-13. State engineer to make order establishing irrigation district - Calling election - Dividing district - Contents of order.** If the state engineer ~~shall have found~~ finds and ~~determined~~ determines that the establishment of the proposed irrigation district is advisable, and that the plan proposed for irrigating the lands therein is practicable and economically sound, the state engineer shall make an order establishing ~~such~~ the irrigation district, subject to the approval of the electors of the district at an election called by the state engineer for that purpose. If the district embraces more than ~~ten~~ twenty thousand irrigable acres [~~4046.86~~ 8093.72 irrigable hectares] of land, the state engineer by ~~such~~ the order shall divide the district into five or seven divisions or precincts as the state engineer ~~shall deem~~ determines necessary for the convenience of the electors of the district. The divisions or precincts ~~shall~~ must be as nearly equal in size as may be deemed practicable, ~~such~~ the divisions ~~shall~~ must be numbered, and one director ~~shall~~ must be elected from, and by the electors of, each division. If an elector owns land in more than one division, the elector ~~shall~~ must cast all the elector's votes for director and be eligible for election as a director in the division in which the majority of the elector's land subject to assessment lies. ~~Such~~ The order ~~shall~~ must set forth:

1. The time and place of holding ~~such~~ the election.
2. The boundaries of the district.
3. That a petition sufficient in form and substance was filed with the state engineer.
4. That due and reasonable notice of time and place of hearing on petition was given to the qualified electors of the proposed irrigation district.

A copy of ~~such~~ the order ~~shall~~ must be filed with the county auditor of each county in which the irrigation district is situated. ~~Such~~ The order ~~shall be~~ is prima facie evidence of the matter and facts therein stated."

HOUSE AMENDMENTS TO HB1284                      HOUSE AGR                      2-1-01

Page 3, after line 2, insert:

**"SECTION 3. AMENDMENT.** Section 61-10-31 of the North Dakota Century Code is amended and reenacted as follows:

**61-10-31. Redivision of district into divisions.** When lands are included in an irrigation district by means of the procedure described in this chapter, and if the

district will contain after inclusion of ~~each~~ the lands ~~ten~~ twenty thousand irrigable acres [~~4046.86~~ 8093.72 irrigable hectares] or more, at least thirty days ~~prior to~~ before the next general election, the board shall make an order dividing or redividing ~~each~~ the district into divisions in conformity with section 61-05-13. ~~Each~~ The divisions ~~shall~~ must be as nearly equal in size as may be practicable and they ~~shall~~ must be numbered, with one director thereafter elected by and from each division.

**SECTION 4. AMENDMENT.** Section 61-10-38 of the North Dakota Century Code is amended and reenacted as follows:

**61-10-38. Elimination of divisions of district.** When lands are excluded from an irrigation district by means of the procedure described in this chapter, and if the district will contain less than ~~ten~~ twenty thousand irrigable acres [~~4046.86~~ 8093.72 irrigable hectares] after the exclusion of ~~each~~ the lands, the board of directors shall issue an order eliminating district divisions in conformity with section 61-05-13."

Renumber accordingly

Date: \_\_\_\_\_  
Roll Call Vote #: \_\_\_\_\_

2-1-01

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1284

House AGRICULTURE Committee

Subcommittee on \_\_\_\_\_

or

Conference Committee

Legislative Council Amendment Number 10442.0101 WITH AMEND

Action Taken DO PASS

Motion Made By WRANGHAM Seconded By MUELLER

| Representatives                   | Yes | No | Representatives   | Yes | No |
|-----------------------------------|-----|----|-------------------|-----|----|
| Eugene Nicholas, Chairman         | ✓   |    | Rod Froelich      | ✓   |    |
| Dennis E. Johnson - Vice Chairman | ✓   |    | Doug Lemieux      | ✓   |    |
| Rick Berg                         | ✓   |    | Philip Mueller    | ✓   |    |
| Michael Brandenburg               | ✓   |    | Kenton Onstad     | ✓   |    |
| Joyce Kingsbury                   | ✓   |    | Sally M. Slandvig | ✓   |    |
| Myron Koppang                     | ✓   |    | Dennis J. Renner  | ✓   |    |
| Edward H. Lloyd                   | ✓   |    | Dwight Wrangham   | ✓   |    |
| Bill Pietsch                      | ✓   |    |                   |     |    |
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|                                   |     |    |                   |     |    |

Total (Yes) 13 No \_\_\_\_\_

Absent 2

Floor Assignment WRANGHAM

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

**REPORT OF STANDING COMMITTEE**

**HB 1284: Agriculture Committee (Rep. Nicholas, Chairman) recommends AMENDMENTS AS FOLLOWS:** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1284 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections 61-05-13," and after "61-06-01" insert ", 61-10-31, and 61-10-38"

Page 1, line 2, after "to" insert "organization, government, and boundaries of" and replace "district directors" with "districts"

Page 1, after line 3, Insert:

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1. The time and place of holding ~~such the~~the election.
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4. That due and reasonable notice of time and place of hearing on petition was given to the qualified electors of the proposed irrigation district.

A copy of ~~such the~~the order ~~shall~~must be filed with the county auditor of each county in which the irrigation district is situated. ~~Such~~The order~~shall be~~is prima facie evidence of the matter and facts therein stated."

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[~~4046.86~~ 8093.72 irrigable hectares] or more, at least thirty days ~~prior to~~ before the next general election, the board shall make an order dividing or redividing ~~each~~ the district into divisions in conformity with section 61-05-13. ~~Such~~ The ~~division~~ shall ~~shall~~ must be as nearly equal in size as may be practicable and they ~~shall~~ must be numbered, with one director thereafter elected by and from each division.

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Renumber accordingly

2001 SENATE AGRICULTURE

HB 1284

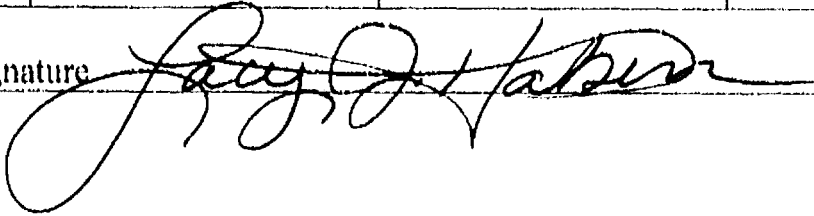
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1284

Senate Agriculture Committee

Conference Committee

Hearing Date March 8, 2001

| Tape Number   | Side A | Side B | Meter #      |
|---|--------|--------|--------------|
| March 8 1   |        | X      | 12.2. - 20.4 |
|   |        |        |              |
|   |        |        |              |
| Committee Clerk Signature  |        |        |              |

Minutes:

REP. RENNERFELDT; Sponsor, introduced the bill to the committee. See attached testimony.

MILTON LINDVIG; Director of the Water Appropriation Division for the State Water Commission, testified in support of this bill. See attached testimony.

The hearing was closed.

SENATOR KLEIN moved for a DO PASS.

SENATOR URLACHER seconded the motion.

Roll call vote: 6 Yeas, 0 No, 0 Absent and Not voting.

SENATOR URLACHER will carry the bill.

Date: 3-8-01  
 Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. HB 1284

Senate Agriculture Committee

Subcommittee on \_\_\_\_\_  
 or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Sen Klein Seconded By Sen. Urlacher

| Senators                       | Yes | No | Senators         | Yes | No |
|--------------------------------|-----|----|------------------|-----|----|
| Senator Wanzek - Chairman      | ✓   |    | Senator Kroeplin | ✓   |    |
| Senator Erbele - Vice Chairman | ✓   |    | Senator Nichols  | ✓   |    |
| Senator Klein                  | ✓   |    |                  |     |    |
| Senator Urlacher               | ✓   |    |                  |     |    |
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Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Urlacher

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

**REPORT OF STANDING COMMITTEE (410)**  
March 8, 2001 2:14 p.m.

**Module No: SR-40-5139**  
**Carrier: Urlacher**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1284, as engrossed: Agriculture Committee (Sen. Wanzek, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1284 was placed on the Fourteenth order on the calendar.**

