

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

3021

2001 HOUSE NATURAL RESOURCES

HCR 3021

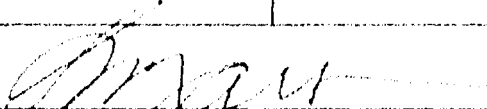
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3021

House Natural Resources Committee

Conference Committee

Hearing Date February 8, 2001

Tape Number	Side A	Side B	Meter #
1		x	1569 to 2486
Committee Clerk Signature 			

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Droydal, Rep. Gulvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrieh.

Chairman Rennerfeldt: I will open the hearing on HCR 3021.

Rep. Jim Kasper - District 46: HCR 3021 again talks about Garrison Diversion and Lake Sakakawea and the water that we have stored behind the dam, it talks more about the use of the water for projects around our state. Again one of the promises that our Federal government made the state of ND is that you would have the use of this water supply all over the state. Here again it is fifty years later and so much of those water use projects are just setting there in debate after debate and excuse after excuse from the Federal Government. What this resolution is going to do is to urge the Federal government to allow us as a state and to change their water policy from the

Corps of Engineers so that we can develop those lake water supply sources around our state.

There has been some uses you know, from the SE and the SW pipelines, but one of the big areas of my concern representing the eastern part of our state and the Fargo area, is lack of a stable water supply up and down the Red River Valley. Most of the water that is used for Fargo and Grand Forks comes from wells or the Red River itself. That river is not a real stable source of water. By allowing pipelines to be completed and water to be piped to the eastern part of the state and all the communities all the way. We can begin to assure that water we need for economic development, for plants and manufacturing units that need stable water along the years. There is an amendment recommend on page 2 by Mike Dwyer so I won't discuss that at this time.

Chairman Rennerfeldt: Does the committee have any questions? Anyone else care to speak in favor of HCR 3021?

Tom Disselhorst - Attorney with the Three Affiliated Tribes: (See written testimony).

Chairman Rennerfeldt: Are there any questions of the committee? Anyone else care to speak in favor of this resolution?

Dave Koland - Ex. Dir. Of ND Rural Water Systems Association: We certainly support this resolution and the amendments to be offered. The funding that will come from the federal government will provide additional funding for SW Pipeline, NAWS Project, Water to Eastern North Dakota and Tribal water systems have all become much more urgent. The arsenic rule recently handed down that the Federal government expects the states to comply with in the next five years will be addressed by the NAWS project. The communities in that area's only probable solution to solving this is water from the NAWS project. So we certainly support this resolution and the hasty return of the money due ND.

Chairman Rennerfeldt: Any questions of the committee?

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House Natural Resources Committee  
Bill/Resolution Number HCR 3021  
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Mike Dwyer - ND Water Users Association: We strongly support his resolution. The DWRA has been the focus of our efforts for the last several years. We are so pleased it has been approved by Congress. As I mentioned to the committee we have made progress on the SW Pipeline and NAWIS and the Eastern Dakota Water supply and the Indian MR&I is something we are pleased that will be addressed. I apologize for not having the proposed amendments in writing, we support the resolution. I talked to Rep. Kasper and I think it would be better if we stated under the whereas, under the Dakota Water Resource Act, the state will be required to provide cost share repayment and operation and maintenance and not mention the amounts. What happens is the representatives say the state is going to put that money in so maybe we will back off a bit. I think it would be better if we struck out all the references to the dollars and just said the state would be required to provide cost share repayment and operation and maintenance. I can certainly provide that in writing to you and Rep. Kasper is supportive of those proposed changes. I will have those to you this afternoon.

Chairman Rennerfeldt: Any questions from the committee?

Dale Frink - Interim State Engineer for the State Water Commission: I certainly support his resolution. DWRA is certainly something we regard as landmark federal legislation for our district. It took an incredible amount of time and it's unbelievable the amount of people involved in this. I think is a very good resolution and we certainly support it.

Chairman Rennerfeldt: Any questions of the committee? Anyone else care to speak in favor of this resolution? Any opposition? If not, I will close the hearing on HCR 3021.

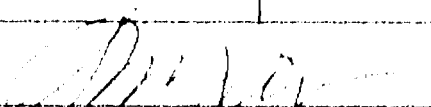
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3021

House Natural Resources Committee

Conference Committee

Hearing Date February 9, 2001

Tape Number	Side A	Side B	Meter #
1		x	3,746 to 5524
Committee Clerk Signature 			

Minutes:

Chairman Earl Rennerfeldt, Vice Chair Jon O. Nelson, Rep. Brekke, Rep. DeKrey, Rep. Drovdal, Rep. Galvin, Rep. Keiser, Rep. Klein, Rep. Nottestad, Rep. Porter, Rep. Weiler, Rep. Hanson, Rep. Kelsh, Rep. Solberg, Rep. Winrieh.

Chairman Rennerfeldt: I think we can take action on HCR 3021. I have a Do Pass on Amendments by Rep. Drovdal.

Vice Chair Nelson: I second.

Chairman Rennerfeldt: Is there any discussion on the amendments? Do these satisfy the resolution sponsor and the Three Affiliated Tribes. They named a figure in theirs, but I don't think we need that. Rep. Kasper didn't want it. If they do want to change it, they can deal with the Senate.

Rep. Galvin: Is it too late to further amend? On line 20, page 2, I would like to strike out Legislative Assembly expresses appreciation for the Dakota Water Resources Act.

(some discussion)

Rep. DeKrey: I don't understand why we are thanking them for doing their job 50 years late.

(more discussion).

Rep. Porter: I second that. (more discussion).

Rep. Winrich: Could we have a reading of what this says?

(more discussion)

Chairman Rennerfeldt: First we have to deal with the amendments handed out earlier. All in favor signify by saying Aye, opposed? Amendment carries. Okay, now we have a motion to further amend by Rep. Galvin and a second by Rep. Porter. Now we can discuss it.

Vice Chair Nelson: I am simply going to say this, my mother taught me to be polite even when things didn't happen at the proper time. I am going to resist these amendments.

Rep. Winrich: Again, I would ask for a clear reading of what this amendment does? I am not sure I understand what the wording is going to be.

Chairman Rennerfeldt: Rep. Galvin. would you read what you mean?

Rep. Galvin: On page two it would eliminate the wording on line 20, "assembly expresses appreciation for the Dakota Water Resources Act. It would read "the 57th Legislative Assembly urges the Congress of the United States to fund their federal share of water projects in that act."

On page 1, line 1 you would take out "expresses appreciation" and you would put "asking" in there. So it would read, HCR asking for the passage of the Dakota Water Resources Act?

(more discussion on wording)

Rep. Winrich: I agree with Rep. Nelson thoughts and I am going to vote against this amendment.

In the event it does pass, in both places where the change occurs, the phrase "that act" should be replaced by Dakota Water Resources Act. Otherwise there is no antecedent for the phrase "that act".

Rep. Solberg: I do agree with Rep. Nelson, I don't think this is necessary and I am going to vote against it. It doesn't hurt to say thanks.

Rep. DeKrey: I am going to support this, I don't feel like groveling in front of Congress for something they got to 50 years late.

Rep. Galvin: I would agree with Rep. Winrich on the Dakota Water Resources Act being in there.

Rep. Porter: As the second I would agree to changing the end of line two, it says "in the Dakota Water Resources Act." And at the end of line 22, it also states that. So from an English standpoint it flows.

Chairman Rennerfeldt: Okay, does everyone understand what the further amendment is? Call the roll. Yes, 6 No, 9. The further amendment fails.

Vice Chair Nelson: I move a Do Pass as amended.

Rep. Keiser: I second.

Chairman Rennerfeldt: Any further discussion? If not, call the roll on HCR 3021 as amended.

**MOTION FOR A DO PASS AS AMENDED**

**YES, 11 NO, 4**

**CARRIED BY REP. SOLBERG**



PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3021

Page 1, line 3, after "Dakota" insert "and its Indian tribes"

Page 1, line 18, after "Dakota" insert ", including on its Indian reservations,"

Page 2, line 12, after "will" insert "be required to"

Page 2, line 13, remove "approximately \$345 million in the form of" and replace "as part of the"  
with "and"

Page 2, remove lines 14 and 15

Page 2, line 16, remove "of the municipal, rural, and industrial grant program, as well as"

Page 2, line 24, after the second comma insert "the chairman of the Three Affiliated Tribes, the  
chairman of the Standing Rock Sioux Tribe,"

Renumber accordingly

*Page 2 -*

*line 20 remove appropriate*

*page 1 -*

*line 1*

*add "D.W.R." Act*

VK  
2/9/01

~~HOUSE AMENDMENTS TO HCR 3021~~      ~~HOUSE NATURAL RESOURCES~~      02/09/01  
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Page 2, line 16, remove "of the municipal, rural, and industrial grant program, as well as"

Page 2, line 24, after the second comma insert "the chairman of the Three Affiliated Tribes, the chairman of the Standing Rock Sioux Tribe,"

Re-number accordingly

Amendment

Date:  
Roll Call Vote #:

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

House Natural Resources Committee

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

or

Conference Committee

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

Action Taken \_\_\_\_\_

Motion Made By Galvin Seconded By Porter

Representatives	Yes	No	Representatives	Yes	No
Earl Rennerfeldt - Chairman		✓	Lyle Hanson		✓
Jon O. Nelson - Vice Chairman		✓	Scot Kelsh		✓
Curtis E. Brekke		✓	Lonnie B. Winrich		✓
Duane DeKrey	✓		Dorvan Solberg		✓
David Drovdal		✓			
Pat Galvin	✓				
George Keiser		✓			
Frank Klein	✓				
Darrell D. Nottestad	✓				
Todd Porter	✓				
Dave Weiler	✓				

Total (Yes) 6 No 9

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

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

Date: 02/09/01  
 Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. HCR 3021

House Natural Resources Committee

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

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

Action Taken DO Pass as amended

Motion Made By Rep Nelson Seconded By Rep Keiser

Representatives	Yes	No	Representatives	Yes	No
Earl Rennerfeldt - Chairman	✓		Lyle Hanson	✓	
Jon O. Nelson - Vice Chairman	✓		Scot Kelsh	✓	
Curtis E. Brekke	✓		Lonnie B. Winrich	✓	
Duane DeKrey		✓	Dorvan Solberg	✓	
David Drovdal		✓			
Pat Galvin	✓				
George Keiser	✓				
Frank Klein		✓			
Darrell D. Nottestad	✓				
Todd Porter		✓			
Dave Weller	✓				

Total (Yes) 11 No 4

Absent \_\_\_\_\_

Floor Assignment Rep. Solberg

If the vote is on an amendment, briefly indicate intent: "No appreciation"  
include "3 Tribes language"!

