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10/16/63
Date

2003 HOUSE AGRICULTURE

HCR 3039

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10/16/03

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3039

House Agriculture Committee

Conference Committee

Hearing Date February 14, 2003

Tape Number	Side A	Side B	Meter #
1	X		13.9
Committee Clerk Signature <i>Edward D. Wyson</i>			

Minutes:

REP. POLLERT, VICE-CHAIR Called the hearing to order.

REP. MERLE BOUCHER, DIST. 9 Introduced the resolution. This involves very critical and crucial issues, not only for the northwest quadrant of the state, but also in reality, I think the entire state of North Dakota. The language in this particular resolution is putting forward, a few days ago, on the floor of the House, there was a bill, which was recommended to be defeated by the Attorney General's Office, which addressed the lawsuit which has been filed by the Province of Manitoba against the Department of Interior and some of the environmental agencies in regard to putting an injunction on the northwest area water supply, based upon their concerns about the possibility of a rupture in the pipeline between somewhere in the system up in the northwest area water supply and the Souris River. We all know that water disputes between Manitoba and North Dakota, have been ongoing. I have taken a very strong position that, I think, first of all, the Premier and the Province of Manitoba, is totally out of line on this particular issue. The

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10/16/03
Date

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House Agriculture Committee
Bill/Resolution Number HCR 3039
Hearing Date February 14, 2003

water project has been studied and met all of the environmental tests over a long period of time, and it is pretty conclusive, so consequently, it is a political action on the part of the Canadians in this particular situation and the reality is, this is a water project that definitely should go forward in the state of North Dakota. Water development is critical for the entire state of North Dakota. That's what this is all about.

REP. POLLERT The bill on the floor, was that two and a half million dollars?

REP. BOUCHER Yes

REP. POLLERT Can the Attorney General go after this within his budget?

REP. BOUCHER The bill was put forward as a result of what has been going on. The Attorney General has been working on it. The lawsuit has been filed right now, against the federal government and federal agencies, it is the option of the state to join. This is a North Dakota issue, and North Dakota needs to come to the plate.

TODD SANDO, ASSISTANT STATE ENGINEER FOR THE NORTH DAKOTA

WATER COMMISSION Testified in support of the resolution. See attached written testimony.

With no further testimony, the hearing was closed.

COMMITTEE ACTION

REP. WRANGHAM Made a motion for a **DO PASS**

REP. BOE Second the motion. **MOTION CARRIED**

8 YES 1 NO 4 ABSENT

REP. POLLERT Was given the floor assignment.

HCR 3039

2-14-03

Date:
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House AGRICULTURE COMMITTEE

COMSANT
POLLERT

Check here for Conference Committee

Legislative Council Amendment Number 112A

Action Taken DO PASS

Motion Made By WRANGHAM Seconded By BOE

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN NICHOLAS					
VICE CHAIRMAN POLLERT	✓				
REPRESENTATIVE BELTER					
REPRESENTATIVE BOEHNING	✓				
REPRESENTATIVE KELSCH					
REPRESENTATIVE KINGSBURY	✓				
REPRESENTATIVE KREIDT	✓				
REPRESENTATIVE UGLEM	✓				
REPRESENTATIVE WRANGHAM	✓				
REPRESENTATIVE BOE					
REPRESENTATIVE FROELICH					
REPRESENTATIVE MUELLER		✓			
REPRESENTATIVE ONSTAD	✓				

Total (Yes) 9 No 1

Absent 4

Floor Assignment POLLERT

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10/16/03
Date

REPORT OF STANDING COMMITTEE (410)
February 14, 2003 1:48 p.m.

Module No: HR-29-2792
Carrier: Pollert
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HCR 3039: Agriculture Committee (Rep. Nicholas, Chairman) recommends **DO PASS**
(8 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING). HCR 3039 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-29-2792

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La Costa Rickford
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10/16/03
Date

2003 SENATE NATURAL RESOURCES

HCR 3039

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Y. Costa
Operator's Signature *Richard*

10/16/03

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3039

Senate Natural Resources Committee

Conference Committee

Hearing Date 3-20-03

Tape Number	Side A	Side B	Meter #
1	X		17.8 - 43.0

Committee Clerk Signature *Jamie James*

Minutes:

Senator Thomas Fischer, Chairman of the Senate Natural Resources Committee opened the hearing on HCR 3039 urging appropriate state officials to take aggressive action against individuals, organizations and entities interfering with the development and progress of state water projects, especially the Northwest Area Water Supply Project.

All members of the committee were present.

Mike Dwyer representing the North Dakota Water Users testified in support of HCR 3039 stating this resolution is directed at Canada who has no scientific basis but is only being political about this issue as they have with several other water issues.

Representative Merle Boucher of District 9 the sponsor by HCR 3039 stated this resolution has attracted a lot of attention from some groups from North Dakota and hopefully some groups outside of the state especially Canada. The wish would be that the Manitoba premier would leave the water issues in North Dakota to be determined and debated by it's people and the United

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Senate Natural Resources Committee

Bill/Resolution Number HCR 3039

Hearing Date 3-20-03

States. Canada has filed suit to take action against the NAWS project that has been proven safe.

This is critical because if a project can be stopped as safe as this one then water development in North Dakota will encounter difficult times. He admitted the language in the resolution was very strong and would not be offended if it was amended to make a little more consumer friendly.

Senator John Traynor noted the resolution only addresses state people and nothing about Canada.

Rep. Merle Boucher added he was fine if the committee wanted to amend the resolution to contain Canadian entities.

Attorney General Wayne Stenehjem testified in a neutral position on HCR 3039 stating he simply wanted to assure the committee that the direction of the executive branch and his office concerning the water projects is quit clear. They will vigorously defend the water issues for North Dakota in its management plans for the water program. He stated that maybe an amendment is needed on Line 24 to change to a "continued" not just "aggressive" action be taken. He also gave the history of the law suit filed by Canada concerning the NAWS project.

Dale Frink, State Engineer with the North Dakota Water Commission testified in support of HCR 3039 stating that the NAWS project is proceeding. He stated that although Canada has filed a permanent injunction, what they really want is a full environmental impact statement other than just an environmental assessment. This would delay the project at least 3 years and also would provide them with opportunities to further slow down the process. He stated he had no problem with the aggressive language being added to the resolution.

Rocky Thomas representing the McLean-Sheridan Rural Water System testified in a neutral position of HCR 3039 (See attached testimony).

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Senate Natural Resources Committee

Bill/Resolution Number HCR 3039

Hearing Date 3-20-03

There was no other neutral or testimony in opposition on HCR 3039.

Senator Fischer closed the hearing on HCR 3039.

Senator Traynor stated that he has had a resolution regarding the arsenic problem and asked for time to possibly incorporate it into this resolution.

Senator Fischer agreed to wait on action to HCR 3039.