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Yolanda Richardson  
Operator's Signature

10/16/03  
Date

2003 HOUSE NATURAL RESOURCES

HCR 3065

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Colista Rickford 10/6/03  
Operator's Signature Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 3065

House Natural Resources Committee

Conference Committee

Hearing Date February 27, 2003

Tape Number	Side A	Side B	Meter #
1	xx		0-1653
1	xx		5181-end
1		xx	0-674
Committee Clerk Signature <i>Eric Meyer</i>			

Minutes:

**Chair Nelson** called the hearing on HCR 3065, A concurrent resolution directing the Legislative Council to study whether water resource district board members or water managers should be elected rather than appointed to order.

**Rep. Boucher:** Introduced HCR 3065. This resolution arose out of my region of the state. If you take a look at the water resource boards. They are not truly representative of interests. They end up representing the interests of those who appoint them. This resolution looks at the process and asks if it is appropriate to appoint the members to the water resource boards or is it more appropriate to elect the members. I would like to see that study and debate take place.

Personally, I would like to elect these members. The courts tend to rule on the side of the water resource boards.

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*Salvatore Riccardi*  
Operator's Signature

*10/16/03*  
Date

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House Natural Resources Committee

Bill/Resolution Number 3065

Hearing Date February, 28, 2003

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**Rep. Nottestad:** I am currently serving on one of these boards. These groups may be entrenched, however there is a certain amount of institutional knowledge that goes on with these boards. I would hate to see a new board handle situations never being on the ballot. County Commissioners are responsible to the people. If the County Commission is making votes unacceptable to the people, that is where the votes will go back to. This type of thing has happened. Do you feel an elected board would be fair to rural voters? Right now in Grand Forks County the rural areas have a majority of the members.

**Rep. Boucher:** I understand your point, however the people in a lot of cases are saying is the appointments are base on relationships. They are based on connections people have. The voters themselves are the best qualified to make these decisions. I believe in the concept of representative government. Sometimes the people are saying we have no representative government.

**Rep. Nottestad:** The city of Grand Forks would elect all five members. Who would represent the rural areas?

**Rep. Boucher:** In our circumstances we have no representation in my area.

**Rep. Nottestad:** But that is a situation best handled at the local level. Not at the state level where you are asking for it to be solved.

**Rep. Boucher:** I disagree totally with you response. The local people would decide with an election. We want the local people to decide.

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10/16/03  
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House Natural Resources Committee

Bill/Resolution Number 3065

Hearing Date February, 28, 2003

27  
**Rep. Nottestad:** As it stands now, these positions are nonpolitical. Wouldn't this change make that board member think twice about that vote?

**Rep. Boucher:** I don't care if you are talking about appointed or elected positions. Politics will always play a big part. If politics is going to play a role then the people should have the right to elect the official in the first place.

**Rep. Johnson:** Will there be any trouble finding qualified candidates to run for these positions.

**Rep. Boucher:** I know this first hand trying to find candidates to run for office for my party. Because of the nature of these positions I do not believe we will have any great difficulty finding candidates.

**Chair Nelson:** I very familiar with the situation that brought on this legislation. Would this complicate the matter further?

**Rep. Boucher:** I know you are aware of the situation that brought this on. The problem has not been with the Commission, it has been with this particular water resources board. They are reluctant to respond to the people that come before the board.

**Rep. DeKrey:** Could the people do this on their own?

**Rep. Boucher:** That is an interesting point. This is a study. That may be a way to achieve this

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10/10/03  
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House Natural Resources Committee

Bill/Resolution Number 3065

Hearing Date February, 28, 2003

27

**Rep. Keiser:** Every area has these boards. Our area has a Planning and Zoning Board, an Economic Development Board, Library, Renaissance, etc... In every case there is the same situation. What is unique about the water resource board that requires these boards to be elected.

**Rep. Boucher:** This is a concern of mine with all of these boards. Someone becomes knowledgeable and they become institutional. It is in our best interests to elect as many of these people as possible can.

**Chair Nelson:** Pointed out the fact that the water resource board has taxing authority.

**Andy Mork:** Morton County Water Resource Board. Testified Neutral HCR 3065. Pointed out that this study had been conducted twice in the past. Both occasions they testified against this.

Expressed concern against removing the governing authority from the commissions.

**Chair Nelson** closes the hearing on HCR 3065.

**Chair Nelson** reopened the hearing on HCR 3065 in committee work.

**Rep. DeKrey** moves a Do Pass on HCR 3065 seconded by **Rep. Hanson**.

**Rep. Nottestad:** I will oppose this resolution. It has been studied twice before. It is an isolated incident.

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House Natural Resources Committee

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27

**Rep. Keiser:** If you want to see someone angry get a developer in here that is being held up on a multi-million dollar project by a water board. We already elect more people per capita than any other state in the union.

**Chair Nelson:** There are so many overlapping jurisdictions that needs to be studied.

**Rep. Keiser:** The framework already exists.

Motion fails by a vote of 5-7-2.

**Rep. DeKrey** moves a do not pass. Seconded by **Rep. Clark**.

The motion passes by a vote of 9-3-2. **Rep. DeKrey** will carry.

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Richard Costa  
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10/16/03  
Date

Date: 2/27/03

Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 3065

House House Natural Resources Committee

Check here for Conference Committee

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

Action Taken Do Pass

Motion Made By DeKrey Seconded By Hanson

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson	✓				
Vice-Chairman Todd Porter					
Rep. Byron Clark		✓			
Rep. Duane DeKrey	✓				
Rep. David Drovdal		✓			
Rep. Lyle Hanson	✓				
Rep. Bob Hunsakor	✓				
Rep. Dennis Johnson		✓			
Rep. George Keiser		✓			
Rep. Scott Kelsh	✓				
Rep. Frank Klein		✓			
Rep. Mike Norland		✓			
Rep. Darrell Nottestad		✓			
Rep. Dorvan Solberg					

Total (Yes) 5 No 7

Absent 2

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

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

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Solista Rickford 10/16/03  
Operator's Signature Date



Date: 2/27/03  
Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 3065

House House Natural Resources Committee

Check here for Conference Committee

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

Action Taken Do Not Pass

Motion Made By DeKrey Seconded By Clark

Representatives	Yes	No	Representatives	Yes	No
Chairman Jon O. Nelson	✓				
Vice-Chairman Todd Porter					
Rep. Byron Clark	✓				
Rep. Duane DeKrey	✓				
Rep. David Drovdal	✓				
Rep. Lyle Hanson		✓			
Rep. Bob Hunskor		✓			
Rep. Dennis Johnson	✓				
Rep. George Keiser	✓				
Rep. Scott Kelsh		✓			
Rep. Frank Klein	✓				
Rep. Mike Norland	✓				
Rep. Darrell Nottestad	✓				
Rep. Dorvan Solberg					

Total (Yes) 9 No 3

Absent 2

Floor Assignment De Krey

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

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Date

