

MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

2020

2007 SENATE APPROPRIATIONS

SB 2020

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2020

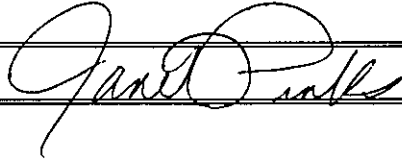
Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 01-19-07

Recorder Job Number: 1461, 1462

Committee Clerk Signature



Minutes:

Chairman Holmberg opened the hearing on SB 2020, on 01-19-07, indicating the sub-committee on this bill include Senators Fischer, Holmberg, and Robinson.

Dale Frank, ND State Engineer and Chief Engineer, Secretary, State Water Commission, presented written testimony (1, 2) and discussed an organizational overview, a status report on major projects and programs, the current budget, and a discussion of priority issues for the 2007-09 biennium. He highlighted flood control, the Maple River Dam, Devils Lake, the Red River, the water supply, weather modification, the general water management plan, various line items in the budget centering on salaries for administrative and support services as well as water and atmospheric resources. He then discussed the NAWS project, the Devils Lake lawsuit, the Rhineland lawsuit in Canada, the Red River map project and several other topics.

Senator Fischer indicated the Water Commission seems complex and questioned if the staffing was sufficient. The response was that the major concern is to keep long term staff and they do have the ability to handle the projects.

Senator Krauter indicated appreciation for the work of the Water Commission and requested a listing of contract employees within the agency, to share what is happening in Parshall and to share additional information with the atmospheric resource 45 percent reduction and the amount of hail loss and why Bowman has the highest rate in the area.

Other questions included history about the Rhineland lawsuit and what really caused that flooding, what the status is of Stumpf Lake, concerns about ability to complete projects, comment on the Dunn County water access project completion, what the plans are for completion, are we moving ahead with lawsuits, are we coming to new levels of resistance or decision making that needs to be looked at differently,

Jean Waltman, Executive Director, ND Water Coalition, spoke on behalf of **Dennis Hill, Chairman, North Dakota Water Coalition**, and distributed written testimony (4) and a leaflet "Meeting the Challenge V" which contains a brief summary of statewide water supply. Ms. Waltman indicated the water coalition has been in existence for ten years during which time many projects have been completed and projects that are on-going. He then discussed the '97 flood.

Dennis Walaker, Mayor, Fargo, distributed written testimony (5) discussing the 1997 flood and the flood control project together with the specific concerns, We have participated with 3 engineering consultants, FEMA, Cass County SE Cass Water Resource District in replicating the 1997 flood for major impact analysis. We have identified additional project alternatives and have evaluated and modeled them. We've utilized the most recent model of full projections in testing all the alternatives and we also retained an independent pier review engineer. We feel we have the accurate data today to proceed with identifying which option that we prefer. We are forming an advisory committee and when I get back today I'll be signing the letters that go out to the groups of both Cass County, ND, Cass County, Mn, and Moorhead for comments and recommendations. We had a public hearing that about 500 people attended. Attached you will find a summary sheet that our city engineer has prepared. 51 sections of land were covered with the water that was heading toward our city. We are requesting ND cost

participation using the same formula for previous flood control problems, 50% of nonfederal costs. In my opinion the Wild Rice Diversion would be my pick in this group. I support this bill.

Fred Bott, President City Commission of Devils Lake, ND presented written testimony (6) and gave oral testimony in support of the bill. He spoke on the serious challenges that threaten the viability of the City's existing drinking water supply. The City is challenged to meet a stricter drinking water regulation for arsenic. We are currently operating under an arsenic exemption status that was provided by the ND Department of Health. The city needs to have a new water system in place by January of 2009 to remain in compliance with the Safe Drinking Water Act. We have had a great deal of communication with North Dakota's Congressional Delegation regarding the critical nature of our water supply. Recently we were informed that no additional federal funds will be provided this year due to the government operating under a continuing resolution status for the 2007 fiscal year. Therefore, state support of our project is imperative to insure the City can provide a safe, reliable water supply that is affordable to our residents.

Doug Neibauer, Manager of Regional Water system in South Central North Dakota presented written testimony (7) and gave oral testimony in support of the bill. We operate out of Bismarck and serve a population of about 4000 households, basically about 2/3 of Burleigh Co, a little bit of Emmons and Kidder Counties. Our goal is to satisfy the unmet water needs for the cities, rural residences, and bulk commercial-industrial uses in south central North Dakota. A Feasibility and Preliminary report completed in 2002 identifying the need for quality water in the five county area of Burleigh, Emmons, McIntosh, Logan and Kidder Counties, which has support of over 1600 rural residents and 10 cities that deposited a good intention fees to be part of the regional water system that will supply an abundant quality water. This area is the HWY 83 and I-04 corridor that provides the opportunity for good access to transport

commodities, therefore has a high potential for business that will employ an educated and skilled workforce.

Gene Goven from Turtle Lake, ND presented written testimony (8) and gave oral testimony in support of the bill. I am proud to be involved in the development of the North Central Rural Water Consortium, and I am interested in the construction of a rural water pipeline to my home. Poor quality water, lack of water, or the need to haul water makes it difficult for persons to want to work and live in rural North Dakota. Agriculture still remains a key driver of North Dakota's economy.

Melody Kruckenberg CEO of the North Dakota Rural Water Systems Association which serves a membership of approximately 250 cities and 32 rural water systems. I am in support of SB 2020 and particularly interested in the Municipal, Rural, and Industrial (MR and I) funding. Written testimony was also submitted by Alf Dybing from Maddock, ND; Bill Link, Manager Walsh rural Water District; F. Ward Koeser, President of the Board of Commissioners, Williston, ND; McKenzie County Rural Water Distribution System, in support of the bill.

Tiffanie Smith, Beach, ND provided written testimony (10) and gave oral testimony in support of the Southwest Pipe Line and the passing of SB 2020.

Written testimony (11) regarding the Southwest Pipeline Project, allowing completion to the Medora-Beach Service Area and continue construction in the Oliver, mercer, North Dunn Service Area was submitted in support of SB 2020.

Terral Bang, Rancher for Western Dunn County, ND submitted written testimony (12) and gave oral testimony in support of SB 2020. He stated he signed up for rural water in early 1990's and is still waiting. His family deals with both water quality and quantity on a daily basis.

He has 5 wells on his property, but if left untreated the water is deep red in color, smells of sulfur and stains nearly anything it touches.

Ruth Julson, Zap, ND submitted written testimony (13) and gave oral testimony in support of SB 2020 and the Southwest Pipe Line. The community has been waiting for rural water for 15 years, and the hardness of the water is 20 times the maximum recommended level. Her challenge is to get North Dakota "On the Move" by developing the infrastructure needed statewide to deliver an adequate supply of quality water.

Alan Walter, Director of Public Works for the City of Minot, ND presented written testimony (14) and gave oral testimony in support of SB 2020. He reported on the progress of the Northwest Area Water Supply Project (NAWS), stating funding for this project is coming from Federal funds, State Water Commission funds and local funds of 35 percent. He informed the committee that we are in the middle of an EIS, which is the result of the lawsuit from the Manitoba government against NAWS. However, work continues on the project. Minot needs the support of the State Water commission, State legislators and communities to bring the project to a successful conclusion.

Curt Kreun, Grand Forks City Council Member and a Director on the Lake Agassiz Water Authority Board presented written testimony (15) and oral testimony in support of SB 2020. Funding for the Red River Valley Water supply Project is vital to the Red River Valley and the state of ND. He made comments relating to the Corp and the relation of the costs.

Chairman Holmberg asked Mr. Kreun to provide that information for the subcommittee.

Clark Cronquist, Agassiz Water Users District and Lake Agassiz Water Authority Board of Directors provided written testimony (16) and gave oral testimony in support of SB 2020.

Mike Dwyer did not provide written testimony but gave testimony in support of SB 2020. We need to address critical water infrastructure all over our state. We've just completed the

Environmental Impact and we urge you to continue that commitment to further water development in the state because future generations will be grateful that we did this.

Senator Christmann When we do these new projects what kind of a lifespan are we looking at for them, after hearing the Devils Lake testimony that their pipeline is 45 years old and at the end of it's expected life expectancy it makes me wonder about undertaking projects that will be at the end of their expectancy before they are completed?

Mike Dwyer stated that the Red River Valley Water Supply that we hope to have phase one done by the year 2012, as to the lifespan hopefully it will last several decades.

Chuck Fritz, Director of the International Institute presented written testimony (17) and gave oral testimony in support of SB 2020. The Institute was formed after the 1997 flood to do flood research and watershed education for the Red river Basin.

Senator Tallackson had questions regarding the final result and whether some dams would be constructed on the Red River.

Dan Wogsland, Executive Director of North Dakota Grain Growers gave oral testimony in support of SB 2020.

Chairman Holmberg stated the Subcommittee will be looking at this bill. Closed the hearing on SB 2020.

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2020

Senate Appropriations Committee

Check here for Conference Committee

Hearing Date: 02-14-07

Recorder Job Number: 3487

Committee Clerk Signature

Alice DeBer

Minutes:

Chairman Holmberg opened the hearing on SB 2020 concerning the Water Commission on February 14, 2007.

Senator Fischer handed out the amendments (1) and explained the amendments to the committee.

Senator Holmberg asked questions regarding the dollar amount in this amendment.

Senator Fischer moved a DO PASS ON THE AMENDMENT. Senator Tallackson seconded. Amendment passed.

Senator Krauter handed out amendment .0102 (2) and explained the amendment to the committee.

Senator Krauter moved a DO PASS ON THE AMENDMENT 78044.102. Senator Tallackson seconded.

Senator Holmberg asked for discussion.

Senator Bowman had questions regarding the property tax on the counties. During this discussion questions were asked of him as to the effect this has on his county.

Senator Krauter stated if people wanted it they needed to pay for it. They have the ability and the resources to do that. It is not a property tax increase when you have money in your county

that you carry over and you got money in savings so the money is there. It is a choice of the people.

Senator Seymour stated he had received emails on this issue and these people want to keep this program.

Senator Wardner had questions regarding the funding; is it a county project. Is it a line item in the budget that the money goes through your County.

Senator Bowman stated they come and meet with the county before they do their budget.

Senator Holmberg asked for a verbal vote for in favor or against the amendment. He then asked the committee to raise their hands signifying their vote; **All in favor of amendment**

.0102 was 5, all opposed was 8, motion on the amendment did not pass.

Senator Grindberg had questions concerning the mapping project.

Senator Fischer gave more information regarding the mapping project and dollar amounts that needed to be addressed in the amendment.

Senator Fischer moved a new amendment (104) be drafted by Legislative Council.

Senator Robinson seconded. All in favor say yea. The motion carried.

Senator Fischer moved a DO PASS AS AMENDED, Senator Tallackson seconded.

A roll call vote was taken resulting in 14 yeas, 0 nays, 0 absent. Motion carried. Senator Fischer will carry the bill.

The hearing on SB 2020 closed.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2020

Page 1, line 2, replace "and" with "to create and enact a new section to chapter 61-04.1 of the North Dakota Century Code, relating to cost-share funding for county weather modification projects;"

Page 1, line 3, after "credit" insert "; and to provide an effective date"

Page 3, after line 10, insert:

"SECTION 9. A new section to chapter 61-04.1 of the North Dakota Century Code is created and enacted as follows:

Weather modification funding. The state water commission may not provide cost-share funding for county weather modification projects.

SECTION 10. EFFECTIVE DATE. Section 9 of this Act becomes effective January 1, 2008."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment provides that the State Water Commission may not provide cost-share funding for county weather modification projects as of January 1, 2008.

Date: 2/14/07
Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2020

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number 78044.0102

Action Taken _____

Motion Made By Krauter Seconded By Tallackson

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm			Senator Aaron Krauter		
Senator Bill Bowman, V Chrm			Senator Elroy N. Lindaas		
Senator Tony Grindberg, V Chrm			Senator Tim Mathern		
Senator Randel Christmann			Senator Larry J. Robinson		
Senator Tom Fischer			Senator Tom Seymour		
Senator Ralph L. Kilzer			Senator Harvey Tallackson		
Senator Karen K. Krebsbach					
Senator Rich Wardner					

Total (Yes) 5 No 8

Absent did not pass

Floor Assignment _____

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

Date: 2/14/07
Roll Call Vote #:

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2020

Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken do pass as Amended ^{at 10:30}
Motion Made By Fischer Seconded By Tallackson ^{10:4 changed later}

Senators	Yes	No	Senators	Yes	No
Senator Ray Holmberg, Chrm	✓		Senator Aaron Krauter	✓	
Senator Bill Bowman, V Chrm	✓		Senator Elroy N. Lindaas	✓	
Senator Tony Grindberg, V Chrm	✓		Senator Tim Mathern	✓	
Senator Randel Christmann	✓		Senator Larry J. Robinson	✓	
Senator Tom Fischer	✓		Senator Tom Seymour	✓	
Senator Ralph L. Kilzer	✓		Senator Harvey Tallackson	✓	
Senator Karen K. Krebsbach	✓				
Senator Rich Wardner	✓				

Total (Yes) 14 No _____

Absent _____

Floor Assignment Fischer

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

REPORT OF STANDING COMMITTEE

SB 2020: Appropriations Committee (Sen. Holmberg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2020 was placed on the Sixth order on the calendar.

Page 1, line 2, after "commission" insert "; to create and enact a new section to chapter 61-02.1 of the North Dakota Century Code, relating to funding for Grand Forks flood control; to provide legislative intent"

Page 1, line 18, replace "48,263,767" with "48,463,767"

Page 1, line 19, replace "48,539,617" with "48,739,617"

Page 1, line 21, replace "12,676,286" with "12,876,286"

Page 2, line 4, replace "172,154,260" with "172,354,260"

Page 2, line 5, replace "174,610,555" with "174,810,555"

Page 2, line 7, replace "13,687,506" with "13,887,506"

Page 3, after line 10, insert:

"SECTION 9. A new section to chapter 61-02.1 of the North Dakota Century Code is created and enacted as follows:

Grand Forks flood control project. Notwithstanding any other provision of law or policy, any existing caps may not be construed to limit access to total state funding of up to fifty-two million dollars for the Grand Forks flood control project.

SECTION 10. LEGISLATIVE INTENT - SOUTHWEST PIPELINE PROJECT FUNDING. It is the intent of the sixtieth legislative assembly that the state water commission dedicate \$7,000,000 for work on the southwest pipeline project in Oliver and Mercer Counties."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2020 - Water Commission - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Administrative and support services	\$2,456,295		\$2,456,295
Water and atmospheric resources	<u>172,154,260</u>	<u>\$200,000</u>	<u>172,354,260</u>
Total all funds	\$174,610,555	\$200,000	\$174,810,555
Less estimated income	<u>160,923,049</u>	_____	<u>160,923,049</u>
General fund	\$13,687,506	\$200,000	\$13,887,506
FTE	84.00	0.00	84.00

Dept. 770 - Water Commission - Detail of Senate Changes

PROVIDES

	FUNDING FOR MAPPING PROJECT ¹	TOTAL SENATE CHANGES
Administrative and support services		
Water and atmospheric resources	<u>\$200,000</u>	<u>\$200,000</u>
Total all funds	\$200,000	\$200,000
Less estimated income	<u> </u>	<u> </u>
General fund	\$200,000	\$200,000
FTE	0.00	0.00

¹ This amendment provides a \$200,000 general fund appropriation to the State Water Commission for a mapping project.

This amendment provides legislative intent for the State Water Commission to dedicate \$7 million for work on the Southwest Pipeline Project in Oliver and Mercer Counties.

This amendment increases the eligible cost-share for the Grand Forks flood control program in order for the city to access the entire \$52 million state share dedicated for the project.

2007 HOUSE APPROPRIATIONS

SB 2020

2007 HOUSE STANDING COMMITTEE MINUTES

, Bill/Resolution No. SB 2020

House Appropriations Committee
Education and Environment Division

Check here for Conference Committee

Hearing Date: March 2, 2007

Recorder Job Number: 4255

Committee Clerk Signature

Shirley Branning

Minutes:

Chairman Wald: Called the hearing to order to take up Engrossed SB 2020, North Dakota State Water Commission (NDSWC) by introducing **Dale L. Frink**, North Dakota State Engineer-Secretary to the State Water Commission.

Frink: (See Handout #1, SB 2020, NDSWC) Referring to pages 1-19 and appendices testimony, focusing on a brief organizational overview, a status report on major projects and programs, the current budget, and a discussion of other priority issues for the upcoming biennium was provided. The funding recommendation totals \$174,810,555.

Chairman Wald: On the Northwest Area Water Supply (NAWS) in Minot, are you using the old pipe line?

Frink: There is a lawsuit with Manitoba, so the federal government is responsible for building the treatment plant.

Chairman Wald: Is it still in litigation?

Frink: It is in the study phase, there is an Environment Impact Study (EIS) currently underway.

Representative Klein: Where will the water treatment plant be built?

Frink: It has to be on the Missouri River, connecting with the McClusky Canal. The drought disaster livestock program is allocated \$1.2m and over 500 applications have been received. The average reimbursement is about \$2900.

Chairman Wald: On the drought disaster livestock assistance program, what is the nature of that?

Frink: The purpose is to assist producers in developing a more reliable program. For that reason we encourage wells, hookups to water systems, something that will last.

Chairman Wald: Is this a grant?

Frink: It is a 50% grant program and they can receive up to \$3500 and can have up to 3 applications. A bill is being introduced to increase that amount to \$4500.

Dam repairs are becoming a high priority in North Dakota and across the nation because they are dated beyond their design life

Continuing with the funding summary, Engrossed Bill 2020 contains the Executive budget recommendations and totals \$174m.

Representative Klein: What is the source of the other funds?

Frink: It is the resources trust fund and it is the water development trust fund and is expected to bring in \$37m in new revenue. Some payments come from cities like the NAWS fund
The General fund dollars are 13.8m

Chairman Wald: What is the nature of the Williston project?

Frink: They had a major rework of their water treatment plant and the intake had to be reworked. They have a huge sedimentation problem. It was over \$20-25m. The project is completed.

Chairman Wald: Sweet Briar Dam, I-94 is the dam, isn't it? Is there any matching highway money? What specifically is the problem?

Frink: The agreement that was signed in the '60s gives the responsibility to Morton County for the dam itself. North Dakota Game and Fish and State Water Commission will try to get find enough money. It is leaking a great deal of water, sink holes are developing, it may need a bridge or I-94 may be in jeopardy.

Chairman Wald: What is the potential of help from the Game and Fish?

Frink: Yes, we are working with Game and Fish. It would take legislative authority. Maintaining the professional staff continues to be a challenge because salaries lag behind competitors. In the last 3 years we have lost 3 key engineer managers who were the heads of our design and construction section, head of the NAWS project, head of the SWPL project and others have gone through two or three. The amount of time it takes to issue water permits is up to 1 full year with our current level of staffing.

Representative Klein: How many engineer vacancies do you have at this time?

Frink: Two, we have been able to hire entry level people but most of the time it is a rotating training mission right now as staff are moved around to fill positions.

Chairman Wald: In that \$10m out of the equity pool for salaries, I see that you are allocated \$138,000. That would be used to attract engineers?

Frink: That will help a great deal, overall, but not with our engineer managers.

Lawsuits continue a great deal of time, resources and delays. The NAWS project, Devils Lake, the local municipality of Rhineland, Manitoba and others are still in litigation. There has been tremendous progress in bringing quality water to the State of North Dakota.

Vice Chairman Monson: I noticed a balance of only \$1.5m at the end of the biennium in 2009, where we started this biennium with \$36m. Will this draw the trust funds down to a level that you won't have money to do projects in the next biennium?

Frink: More money is needed for projects that are held up.

Representative Gulleson: More applications for MR and I than you can actually fund and what are the criteria that you use under that? Where do you think we are in our capability to support those large users of water like the ethanol plants?

Frink: In MR and I we could give out whatever money we had. We haven't on criteria with state dollars, more with federal. The plants are looking for water everywhere

Chairman Wald: Is there impact on South West Pipeline going to Red Trail?

Frink: We are getting close to fully allocating South West Pipeline. We can't add another Red Trail to it.

Jean Walton, Executive Director North Dakota Water Coalition: (See Handouts # 3 and 4, SB 2020, NDSWC) offered testimony on behalf of **Dennis Hill**, Chairman, ND Water Coalition and

Mayor Dennis Walaker, City of Fargo, Fargo Flood Control.

Mayor Fred Bott, City of Devils Lake, Devils Lake Water Supply: (See Handout #5, SB 2020, NDSWC) provided testimony regarding the water needs in the Devils Lake area.

Representative Klein: What is the proposed source of new water? Has this been checked out, is there sufficient water available?

Bott: It has been checked out, it is not a problem.

Vice Chairman Monson: How many miles is that away, that is a long pipeline.

Bott: Our current pipeline is 18 miles long and the new is 33 miles long. The lake is not a reliable source of water because of the variable levels and arsenic concerns.

Vice Chairman Monson: I assume you looked to the north; there must be some source of water closer than 30 some miles.

Bott: There are water quality issues, flooding and pipeline inspection and repair concerns.

Representative Aarsvold: Would it be more cost effective to expand the Ramsey County Rural Water?

Bott: We would still have to look for a source of funding. It will take two years to complete the pipeline and then deal with the treatment system.

Doug Neibauer, Executive Director, South Central Regional Water District: (See Handout #6, SB 2020, NDSWC) provided testimony related to unmet water needs in this district with low water levels.

Chairman Wald: What is your rate per thousand gallons?

Neibauer: The base rate of \$30, the water cost is \$4.00 per thousand.

Representative Klein: Where would the new intake be located?

Neibauer: It is constructed already and is north of Bismarck adjacent to Eagles Park.

Vice Chairman Monson: Are you under the MR and I funding portion?

Neibauer: Yes.

Melody Kruckenberg, CEO of the North Dakota Rural Water Systems Association (NDRWSA): (See Handouts #7 and 8, SB 2020, NDSWC) provided testimony on behalf of

Gene Goven, her own, and others in support of SB 2020.

Terrald Bang, Southwest Pipeline Water Project: (See Handout #9, SB 2020, NDSWC) provided testimony in support of SB 2020.

Chairman Wald: When is that project geared to start?

Bang: Rumor, within the next year and a half.

Representative Klein: What is the chemical that is causing the problem?

Bang: It is basically iron.

Ruth Julson, resident from rural Zap, ND: (See Handout #10 and 11, SB 2020, NDSWC) provided testimony in support of SB 2020.

Alan Walter, Director Public Works for the city of Minot: (See Handout #12, SB 2020, NDSWC) Provided testimony in support of SB 2020, the NAWS project.

David Koland, Secretary/treasurer Lake Agassiz Water Authority (LAWA): (See Handout #1, SB 2020, NDSWC) Provided testimony in behalf of Curt Kreun, Grand Forks City Council/LAWA Board (See Handout #13, SB 2020, NDSWC) and Clark Cronquist, Director on the Agassiz Water Users District/LAWA Board (See Handout #14, SB 2020, NDSWC).

Representative Brenda Heller, District 33: Spoke in support of SB 2020.

Mike Dwyer, Executive Vice President, North Dakota Water Users Association: (See Handout #15 and 3b, SB 2020, NDSWC) spoke in behalf of the support for SB 2020. He referred to SB 2345, the Red River Valley Water project.

Representative Klein: Is the Red River Valley Water project similar to NAWS and others with a \$.01 sales tax.

Dwyer: All the projects are different, some have sales tax. They are doing a bond issue for their \$200m local share and pay for it out of water rates.

Senator Tom Fischer, District 44: (See Handout #16 and 17, SB 2020, NDSWC) provided amendment to SB 2020 .0301 and spoke in support of field tiling.

Representative Aarsvold: provided information regarding the outflow concerns.

Chairman Wald: What would the cost be of this project?

Senator Fischer: I have asked for a fiscal note.

Representative Vigesaa, District 23: (See Handouts #18,18a and 18b, SB 2020, NDSWC)

spoke in behalf of Reengrossed SB 2020 .0300 related to Stump Lake flooding.

Representative Klein: Mr. Frink, does the water commission have a position on the amendments?

Frink: The issue is staff time. It should be looked at in time and we have the expertise.

Representative Gulleason: Who provides authorization for tiling?

Frink: We require a drainage permit. We want the water resource districts to look at it.

Representative Klein: Are you planning to look at just one specific area where the tiling is installed? You would have to do it in a wider area than just one quarter.

Frink: We would be required to put in some test holes, etc. Staff time is an issue again.

Chairman Wald: Weather modification, \$600,000, are you still contracting with that company out of Bowman? Are you still doing cloud seeding? Mostly in the Western part of the state?

Darin Langerud, Director of the Atmospheric Resource Board: Yes

Chairman Wald: Do you have agreements with Montana?

Langerud: Montana has the most stringent regulations in the nation.

Representative Klein: Mr. Frink, Nelson County area, if that were to be funded what area would that come out of?

Frink: The source is not identified

Vice Chairman Monson: New pipeline to Lakota.....could be done a lot quicker.

Frink: Agrees, but pipeline cannot be fixed. There is a difference of opinion as to how it should be done.

Representative Aarsvold: Why wouldn't Lakota chose to do their own as opposed to linking up with Ramsey County?

Frink: Not sure but maybe Lakota felt that they could have less costly water.

Chairman Wald: I am going to appoint a subcommittee of myself, **Representatives Klein and Aarsvold** and of course all members of the committee have their input so with that we stand adjourned.

