

**2019 SENATE ENERGY AND NATURAL RESOURCES COMMITTEE**

**SCR 4009**

# 2019 SENATE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Fort Lincoln Room, State Capitol

SCR 4009  
1/31/2019  
Job Number 31935

- Subcommittee  
 Conference Committee

Committee Clerk: Marne Johnson

### Explanation or reason for introduction of bill/resolution:

A concurrent resolution to consider studying the feasibility and desirability of the water resource boards in each drainage basin forming a joint water resource board to plan and construct water conveyance projects based on basin wide needs.

### Minutes:

1 attachment

**Chair Unruh:** Opened the public hearing.

**Senator Ron Sorvaag, District 45 (0:15-2:10) Introduced the measure, please see attachment #1.** This is a study to look at whether there should be joint water boards formed to match up with the river basins. Two interim ago, we studied how many water boards there were, there's a lot of them. A lot are drawn on different bases. Since that time, the governor has formed the water commission around the river basins, so there is one commissioner representing every river basin in the state. This study isn't advocating one way or another. This is asking the interim to look at it; should there be joint water boards, that would mean counties tied to the river basin. Maybe it isn't a good idea, The Red River Basin Commission exists, but it isn't an official board, it's more of an advisory board. There are other river basins that have other types. This would be setting up a more official structure.

**Chair Unruh:** We spend a lot of time in this committee trying to figure out what authority water resource district boards have, if they should be together, separate, what jurisdiction they have if they are together. I think it deserves a closer look.

**Senator Sorvaag:** This deserves study, it's a touchy subject. There's plenty of time, all sides can advocate before there's a law.

**Vice-Chair Kreun:** I'm in agreement, maybe a more formal operation can help the residents of the state.

**Senator Sorvaag:** The amount of governing authority it would have could still be limited; it's time to look.

**Senator Cook:** If you're going to take a look at joint water boards, you need to look at tax policy that surrounds them also.

**Senator Sorvaag:** There's an amendment out there that's doing something. I tried to keep it straightforward, no guidelines. If that's something you would like to add, then the question would be whether it should go to the tax committee or the water one. Sometimes we get a little muddled in the interim. I'm not opposing anything, I just tried to keep it simple.

**Senator Cook:** I know that there's a water district that has 4 mills authority, they joined with another water district and the joint water district has 2 more mills, so you can be taxed at 6 mills. Now they're talking about the possibility of creating a third joint water district. Tax policy gets complicated.

**Senator Sorvaag:** There's overlap, nobody wants to give control up; the request is a recommended study.

No testimony in opposition or neutral agency testimony.

**Chair Unruh:** Closed the public hearing.

# 2019 SENATE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Fort Lincoln Room, State Capitol

SCR 4009  
2/7/2019  
Job Number 32346

- Subcommittee  
 Conference Committee

Committee Clerk: Marne Johnson

### Explanation or reason for introduction of bill/resolution:

A concurrent resolution to consider studying the feasibility and desirability of the water resource boards in each drainage basin forming a joint water resource board to plan and construct water conveyance projects based on basin wide needs.

### Minutes:

No Attachments

**Chair Unruh:** Opened committee action. We had some conversation about the possibility of adding taxation ability into study. I think it's already included in there. I don't know that we need to specifically state it.

**Senator Cook:** I moved a Do Pass.

**Vice-Chair Kreun:** I second.

**Senator Schaible:** We had bills last session that talk about a basin wide, what's affected what's the correct mechanism our State Water Commission should look at. I think a study would be appropriate. If we're going to fund cost share projects and combining state funding into this issue, we should have a clear look on how that effects on a basin wide method, and this study would help in that endeavor.

A roll call vote was taken.  
Motion passes 6-0-0.

**Senator Piepkorn:** will carry.

**Chair Unruh:** Closed committee action.

Date: 2/7  
 Roll Call Vote #: 1

**2019 SENATE STANDING COMMITTEE  
 ROLL CALL VOTES  
 BILL/RESOLUTION NO. 4009**

Senate Energy and Natural Resources Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

- Recommendation:  Adopt Amendment  
 Do Pass     Do Not Pass     Without Committee Recommendation  
 As Amended     Rerefer to Appropriations  
 Place on Consent Calendar  
 Other Actions:  Reconsider     \_\_\_\_\_

Motion Made By Sen. Cook Seconded By Sen. Kreun

Senators	Yes	No	Senators	Yes	No
Senator Jessica Unruh	X		Senator Merrill Piepkorn	X	
Senator Curt Kreun	X				
Senator Donald Schaible	X				
Senator Dwight Cook	X				
Senator Jim Roers	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. Piepkorn

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

**REPORT OF STANDING COMMITTEE**

**SCR 4009: Energy and Natural Resources Committee (Sen. Unruh, Chairman)**  
recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
SCR 4009 was placed on the Eleventh order on the calendar.

**2019 HOUSE AGRICULTURE**

**SCR 4009**

# 2019 HOUSE STANDING COMMITTEE MINUTES

**Agriculture Committee**  
Peace Garden Room, State Capitol

SCR 4009  
3/7/2019  
Job #33385

- Subcommittee  
 Conference Committee

Committee Clerk: ReMae Kuehn
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## **Explanation or reason for introduction of bill/resolution:**

A resolution directing Legislative Management to consider studying the feasibility and desirability of water resource boards in each drainage basin forming a joint water resource board to plan and construct water conveyance projects based on basinwide needs.

## **Minutes:**

Attachment #1
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**Senator Ronald Sorvaag, Sponsor:** (Attachment #1)

**Representative Schreiber-Beck:** Is that inclusive of federal boards as well?

**Senator Sorvaag:** It was left generic. The intent was to look basinwide.

## **Opposition:**

**Gary Thompson, Red River Joint Board Chairman:** We do have the ability to form these joint boards. There are 34 joint boards. That is on a watershed basis. The counties bordered each other. Through the Century Code, we have to meet twice a year to find out what the problems are between counties in their watershed areas. It is not like Minnesota. When they have their watershed boundary, that is what the boards are based on. They have problems also.

**Representative Richter:** If they did a study, would that include also those managed by the Corps of Engineers? Like the Missouri River running from the Montana boarder all the way to South Dakota?

**Gary Thompson:** I don't believe this has anything to do with the federal side. This would be just the State of North Dakota. The Corps wouldn't be involved until a project would come through.

**Representative Schreiber-Beck:** If you look at comprehensive water management, wouldn't you have to include some of those federal boards? Why wouldn't you include the federal?



**Gary Thompson:** As far as our governing is concerned within the state, the decision-making would be within the state. Anything to do with the federal side of things, then the federal would come in especially if there are federal dollars involved. The Regional Conservation Partnership Program is through the federal program. That is a joint powers agreement between Minnesota and North Dakota. We asked for federal dollars to study retention sites in the valley. We received \$12 million. That is separate from a watershed. Boards would be on a watershed basis rather than county. Governing would come through the project itself. Complaints might come through the state.

**Representative Tveit:** Does this deal with situations where one water board is watching one drainage area and one is not?

**Gary Thompson:** I am guessing that is part of it. You have your mini watersheds within the county. The way it was handled before, you need a petition from the landowners within a smaller watershed. You get bond money from that drain or retention site. You have hearings and a vote of the small watershed. When you have a bi-county drain with assessments on both sides, then you need a joint powers agreement. If it is on a watershed basis, that doesn't change anything.

**Representative Tveit:** You already have the authority to do the joint powers agreement. This would not be necessary.

**Gary Thompson:** Correct. If you go to a watershed basis you have to change the whole Century Code. We are fine the way we are.

**Chairman Dennis Johnson:** Closed the hearing.

# 2019 HOUSE STANDING COMMITTEE MINUTES

**Agriculture Committee**  
Peace Garden Room, State Capitol

SCR 4009—Committee Work  
3/8/2019  
Job #33462

- Subcommittee  
 Conference Committee

Committee Clerk: ReMae Kuehn
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## Explanation or reason for introduction of bill/resolution:

A resolution directing Legislative Management to consider studying the feasibility and desirability of water resource boards in each drainage basin forming a joint water resource board to plan and construct water conveyance projects based on basinwide needs.

## Minutes:

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**Representative Headland:** There are benefits to a study like this. It would educate legislators on water issues.

**Representative Headland:** Moved Do Pass and place on the consent calendar.

**Representative Satrom:** Seconded the motion.

**Representative Richter:** It appears the Missouri Basin is a long watershed. Maybe by having a study where all the agencies get together on the same page, it might pull influence with the Corps of Engineers and get better management of the system.

**Chairman Dennis Johnson:** That is something that could be brought out and would be a good idea.

**A Roll Call vote was taken: Yes 13, No 0, Absent 1.**

**Do Pass** carries and placed on the consent calendar.

**Chairman Dennis Johnson** will carry the bill.

Date: 3/8/2019

Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. HCR 4009**

House Agriculture Committee

Subcommittee

Amendment LC# or Description: \_\_\_\_\_

**Recommendation**

- Adopt Amendment
- Do Pass     Do Not Pass     Without Committee Recommendation
- As Amended     Rerefer to Appropriations
- Place on Consent Calendar

**Other Actions:**     Reconsider     \_\_\_\_\_

Motion Made By Rep. Headland    Seconded By Rep. Satrom

Representatives	Yes	No	Representatives	Yes	No
Chairman Dennis Johnson	X		Rep. Ruth Buffalo	AB	
Vice Chairman Wayne Trottier	X		Rep. Gretchen Dobervich	X	
Rep. Jake Blum	X				
Rep. Jay Fisher	X				
Rep. Craig Headland	X				
Rep. Dwight Kiefert	X				
Rep. Aaron McWilliams	X				
Rep. David Richter	X				
Rep. Bernie Satrom	X				
Rep. Cynthia Schreiber Beck	X				
Rep. Kathy Skroch	X				
Rep. Bill Tveit	X				

**Total**    **Yes**    13    **No**    0

**Absent**    1

Floor Assignment    Representative D. Johnson

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

**REPORT OF STANDING COMMITTEE**

**SCR 4009: Agriculture Committee (Rep. D. Johnson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4009 was placed on the Tenth order on the calendar.**

**2019 TESTIMONY**

**SCR 4009**

SCR 4009  
1.31.19  
#1  
PJ-1

## NORTH DAKOTA SENATE

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



**COMMITTEES:**  
Appropriations

### Senator Ronald Sorvaag

District 45  
3402 Birdie Street North  
Fargo, ND 58102-1201  
701-361-2156  
[rsorvaag@nd.gov](mailto:rsorvaag@nd.gov)

January 31, 2019

Chair Unruh and Members of the Senate Energy and Natural Resources Committee,

SCR4009 is requesting a study to look at forming joint water boards of each river basin to plan and construct water conveyance projects.

The State Water Commission is now organized by river basins and it was felt we should look at whether we should have basin boards as well, for the management of water conveyance. This would allow projects to be planned and constructed on basin wide needs.

The language in the resolution is very general and short, so to allow the interim committee freedom to look at this from many directions.

Chair Unruh and committee thank you for your time, and I would be glad to stand for any questions.

A handwritten signature in black ink, appearing to read "Ronald Sorvaag".

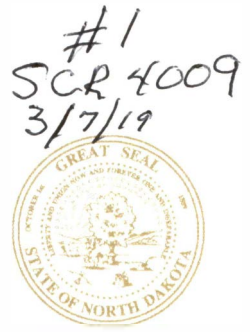
Sen. Ronald Sorvaag

District 45



## NORTH DAKOTA SENATE

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



### Senator Ronald Sorvaag

District 45  
3402 Birdie Street North  
Fargo, ND 58102-1201  
701-361-2156  
[rsorvaag@nd.gov](mailto:rsorvaag@nd.gov)

**COMMITTEES:**  
Appropriations

March 7, 2019

Chairman Johnson and Members of the House Agriculture Committee,

SCR4009 is requesting a study to look at the role joint water boards of each river basin to plan and construct water conveyance projects.

The State Water Commission is now organized by river basins and it was felt we should look at whether we should review basin boards as well, for the management of water conveyance. This would allow projects to be planned and constructed on basin wide needs.

The language in the resolution is very general and short, so to allow the interim committee freedom to look at this from many directions.

Chairman Johnson and committee thank you for your time, and I would be glad to stand for any questions.

Sen. Ronald Sorvaag  
District 45