

North Dakota Legislative Session Update

Presented by

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House Bill 1020 – State Water Commission Budget

- 💧 Signed into law by the Governor on May 2, 2013
- 💧 HB1020 includes over \$500 Million for water projects around the state
- 💧 Legislature saw five different versions of the bill
- 💧 Passed the House 75-17
- 💧 Passed the Senate 39-7

HB1020 Highlights

- 💧 Appropriates \$100 Million for the 2013-15 biennium for Fargo flood control projects
- 💧 Legislative intent to provide State funds totaling \$450 Million
- 💧 Legislative intent to appropriate \$275 Million in equal installments over the next four biennium

HB1020 Highlights

- 💧 Legislation includes four requirements before the money can be spent on the Diversion Project.
 - *“Project receives federal authorization,”*
 - *“A project partnership agreement is executed,”*
 - *“A federal appropriation is provided for project construction, and”*
 - *“The budget for the Fargo flood control project is approved by the State Water Commission.”*

On construction south of Fargo

💧 In Section 7

- *“Except for the construction of ring dikes and levees, construction relating to Fargo flood control project components located south of the city of Fargo's extraterritorial zoning jurisdiction may not begin until after July 1, 2014.”*

Cost sharing agreement with the State

💧 In Section 9.

- *“The agreement must provide for the exclusion of state cost-sharing for components of the project identified as recreational by the United States army corps of engineers.”*
- *“The agreement must also provide for the exclusion of state cost-sharing relating to funds expected to be provided for the project by nonfederal entities outside the state of North Dakota.”*

Other Diversion Related Criteria in HB1020

💧 In Section 11.

- *State funds may not be used for the purchase of dwellings.*
- *Local funds used for purchase of dwellings are eligible for cost-sharing with the State.*
- *No more than ten percent of these funds may be used for engineering, legal, planning, or other similar purposes.*
- *The city of Fargo, Cass County, and the Cass County Joint Water Resource District must approve any expenditures.*

Reporting Requirements

- Section 15 requires biannual reporting of the Diversion Authority to the budget section on the status of:
 - *Congressional Authorization*
 - *Self-insured Crop Insurance Pool*
 - *Mitigation Efforts*
 - *Alternatives*
 - *Easements*
 - *Costs and the Project Budget*
- The MNDak Upstream Coalition is also required to report to the budget section.