

**Sixty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 5, 2021**


SENATE BILL NO. 2208
(Senator Wardner)
(Representative Schmidt)

AN ACT to provide for a legislative management study of drainage and other water-related issues.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - WATER REGULATION.

1. During the 2021-22 interim, the legislative management shall consider studying the regulation of water in the state, including eliminating redundancy and conflicts in chapters 61-16.1, 61-21, and 61-32; making assessment procedures uniform across all types of water projects, including drain projects; revising procedures for appeals from water resource board decisions, including the possible creation of an appeals board or appealing the decisions to an existing entity such as the North Dakota mediation service within the department of agriculture; managing water on the basis of watersheds or water basins throughout the state; reviewing responsibility for culvert sizing decisions; applying cost-benefit analyses to additional projects before the state water commission considers whether to approve the projects; reviewing the cost-share for additional assessment drains across the state; reviewing the cost-share for and regulation of snagging and clearing; reviewing the structural relationship between the state water commission and water resource districts; the process for awarding irrigation permits; the length of time irrigation permit applications are held in abeyance; prioritization of irrigation permit applications; methods for maximizing water resources; possible development of an irrigation permit that may be suspended during periods of water scarcity; methods for on-time monitoring of well water levels; improving communication between the office of state engineer and irrigation permit applicants; and related issues. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly.
2. The study committee must include the following eleven voting members and nine nonvoting members:
 - a. Two voting members representing agriculture producers, appointed by the agriculture commissioner;
 - b. Two voting members who are members of water resource boards, appointed by the North Dakota water resource districts association;
 - c. Seven voting members including:
 - (1) Two members of the majority party in the house of representatives;
 - (2) One member of the minority party in the house of representatives;
 - (3) One member of the majority party in the senate;
 - (4) One member of the minority party in the senate;
 - (5) One member from either party in either chamber to serve as the committee chairman; and
 - (6) A road superintendent or engineer selected by the voting members in paragraphs 1 through 5;



President of the Senate



Speaker of the House



Secretary of the Senate




Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2208.

Senate Vote: Yeas 47 Nays 0 Absent 0

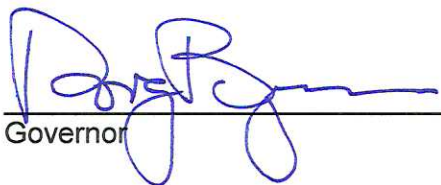
House Vote: Yeas 94 Nays 0 Absent 0



Secretary of the Senate

Received by the Governor at 9:21 A.M. on April 20, 2021.

Approved at 8:38 P.M. on April 21, 2021.



Governor

Filed in this office this 22nd day of April, 2021,
at 9:23 o'clock A. M.



Secretary of State