

PROPOSED AMENDMENTS TO SENATE BILL NO. 2020

Page 1, line 2, after "commission" insert "; to amend and reenact section 7 of chapter 20 of the 2009 Session Laws, relating to Fargo flood control project funding"

Page 1, line 2, after the second semicolon insert "to repeal section 5 of chapter 535 of the 1999 Session Laws, relating to pledge of revenues from the Grand Forks corporate center; to provide legislative intent; to provide for retroactive application;"

Page 1, line 8, replace "July 1, 2011" with "with the effective date of this Act"

Page 1, replace line 17 with:

"Less estimated income	<u>297,263,809</u>	<u>146,656,412</u>	<u>443,920,221</u> "
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Page 1, replace line 18 with:

"Total general fund	\$13,823,899	\$1,171,300	\$14,995,199"
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Page 2, after line 25, insert:

**"SECTION 6. AMENDMENT.** Section 7 of chapter 20 of the 2009 Session Laws is amended and reenacted as follows:

**SECTION 7. FARGO FLOOD CONTROL PROJECT FUNDING - EXEMPTION.** Of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, \$45,000,000 is for Fargo flood control projects, for the biennium beginning July 1, 2009, and ending June 30, 2011. Any funds not spent by June 30, 2011, are not subject to section 54-44.1-11 and must be continued into the next or subsequent bienniums and may be expended only for Fargo flood control projects. Except as otherwise provided, these funds may be used only for land purchases and construction, including right-of-way acquisition costs. No more than ten percent of these funds may not be used for administration, engineering, legal, planning, or other similar purposes; and are not subject to the sixty-five percent funding requirement contained in Senate Bill No. 2316-(2009). The city of Fargo, Cass County, and the Cass County joint water resource district must approve any expenditures made under this section."

Page 2, line 31, replace "These" with "Except as otherwise provided, these"

Page 2, line 31, remove "land"

Page 3, line 1, remove "purchases and"

Page 3, line 1, replace the second "and" with "including right-of-way acquisition costs. No more than ten percent of these funds"

Page 3, line 1, remove "not"

Page 3, line 1, replace "administration" with "engineering"

Page 3, line 2, after the period insert "The city of Fargo, Cass County, and the Cass County joint water resource district must approve any expenditures made under this section."

Page 3, after line 2, insert:

**"SECTION 8. LEGISLATIVE INTENT - STATE WATER COMMISSION PROJECTS AND GRANTS.** It is the intent of the sixty-second legislative assembly that of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, the state water commission provide funding for the following grants and projects, for the biennium beginning with the effective date of this Act and ending June 30, 2013:

Grant to wildlife services for animal control	\$250,000
Flood-related water projects in the Nelson County water resource district	\$250,000

**SECTION 9. LEGISLATIVE INTENT - GARRISON DIVERSION CONSERVANCY DISTRICT.** It is the intent of the sixty-second legislative assembly that of the funds appropriated in the water and atmospheric resources line item in section 1 of this Act, the state water commission allocate no more than \$1,000,000 to the Garrison Diversion Conservancy District.

**SECTION 10. REPEAL.** Section 5 of chapter 535 of the 1999 Session Laws is repealed.

**SECTION 11. RETROACTIVE APPLICATION.** Section 6 of this Act applies retroactively to January 1, 2011."

Page 3, line 3, remove "The water and atmospheric resources line item in section 1 of"

Page 3, line 4, replace "this" with "This"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2020 - State Water Commission - Senate Action**

	<b>Executive Budget</b>	<b>Senate Changes</b>	<b>Senate Version</b>
Grants local cost-share	\$500,000		\$500,000
Administrative and support services	3,229,873		3,229,873
Water and atmospheric resources	447,913,774		447,913,774
Federal stimulus funds	<u>7,271,773</u>		<u>7,271,773</u>
Total all funds	\$458,915,420	\$0	\$458,915,420
Less estimated income	<u>443,688,322</u>	231,899	<u>443,920,221</u>
General fund	\$15,227,098	(\$231,899)	\$14,995,199
FTE	87.00	0.00	87.00

**Department No. 770 - State Water Commission - Detail of Senate Changes**

<b>Changes Funding Source of New Division Director Position<sup>1</sup></b>	<b>Total Senate Changes</b>

Grants local cost-share Administrative and support services Water and atmospheric resources Federal stimulus funds		
Total all funds	\$0	\$0
Less estimated income	231,899	231,899
General fund	(\$231,899)	(\$231,899)
FTE	0.00	0.00

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<sup>1</sup> This amendment changes the funding source of the Water Development Division director position added in the executive recommendation from the general fund to the resources trust fund.

Sections are added to the bill to:

- Amend Section 7 of Chapter 20 of the 2009 Session Laws relating to Fargo flood control project funding and to provide for retroactive application.
- Repeal Section 5 of Chapter 535 of the 1999 Session Laws relating to the pledge of revenues from the Grand Forks Corporate Center.
- Provide legislative intent regarding a grant to Wildlife Services for animal control (\$250,000), flood related-water projects in the Nelson County Water Resource District (\$250,000), and the allocation of funding to the Garrison Diversion Conservancy District.

The emergency clause in the bill is amended to make the entire bill an emergency measure.