

April 6, 2011

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2020

Page 1, line 2, after the semicolon insert "to create and enact a new section to chapter 61-04 of the North Dakota Century Code, relating to metering certain water sources;"

Page 1, line 3, remove "to repeal section 5 of chapter 535"

Page 1, remove line 4

Page 1, line 5, remove "center;"

Page 2, after line 30, insert:

**"SECTION 6.** A new section to chapter 61-04 of the North Dakota Century Code is created and enacted as follows:

**Metering of certain water sources required - Rules.**

The state engineer shall require the remote metering of water used pursuant to a temporary or perfected water permit and sold for oil and gas purposes. Except for nonpotable ground water used for enhanced oil recovery purposes and water uses of less than fifteen acre-feet per year, all other permitted and temporarily permitted industrial water supplies sold for oil and gas purposes are subject to the metering requirements of this section. The state engineer shall develop rules to provide:

1. The specifications for remote terminal water metering devices;
2. That metering be operational by July 1, 2012;
3. That meters be available for inspection by state water commission staff on a daily basis;
4. That meters be sealed and tamperproof;
5. That meters may be replaced only under supervision of the state engineer;  
and
6. That the penalty for circumventing the provisions of this section shall be a thirty-day suspension of the noncompliant permit."

Page 3, line 31, replace "\$250,000" with "\$100,000"

Page 4, replace lines 3 through 6 with:

**"SECTION 10. LEGISLATIVE INTENT - WATER-RELATED FUNDING PRIORITIES.** It is the intent of the sixty-second legislative assembly that the \$5,000,000 for the Red River valley water supply project identified by the state water commission as a 2011-13 biennium funding priority be used for general statewide water management and that the state water commission not spend any funding for the Red River valley water supply project during the 2011-13 biennium."

Page 4, remove line 7

Page 4, line 8, replace "6" with "7"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

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

This amendment changes the legislative intent section relating to a grant to Wildlife Services by reducing it from \$250,000 to \$100,000.

The amendment removes:

- Section 9 providing legislative intent relating to the Garrison Diversion Conservancy District.
- Section 10 repealing Section 5 of the 1999 Session Laws Chapter 535 relating to a pledge of revenues from the Grand Forks Corporate Center.

In addition, the amendment:

- Adds a section to create a new section to Chapter 61-04 relating to the metering of certain water sources.
- Provides legislative intent relating to the use of funds for water project priorities.