

February 18, 2021

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1437

Page 1, line 2, after "reenact" insert "subsection 3 of section 61-02-01.4 and"

Page 1, line 4, after "permits" insert " and the state water commission cost-share policy"

Page 1, after line 5, insert:

"SECTION 1. AMENDMENT. Subsection 3 of section 61-02-01.4 of the North Dakota Century Code is amended and reenacted as follows:

3. Must consider all project costs potentially eligible for reimbursement, except the commission shall exclude operations expense, regular maintenance, and removal of vegetative materials and sediment, for assessment drains, and may exclude operations expense and regular maintenance for other projects. Snagging and clearing of watercourses are not regular maintenance and deepening or widening of existing drains are not eligible for reimbursement. The commission shall require a water project sponsor to maintain a capital improvement fund from the rates charged customers for future extraordinary maintenance projects as condition of funding an extraordinary maintenance project."

Page 1, line 8, remove the overstrike over "~~Penalty~~"

Page 5, line 26, replace "A public official may not disclose knowingly and willfully a project design" with "Project designs"

Page 5, line 28, remove ", and acquired by the public servant in an official"

Page 5, remove lines 29 and 30

Page 5, line 31, replace "disclosures prohibited under this subdivision" with "are exempt records under section 44-04-18 and may be provided to individuals only as necessary to make a decision whether to approve the permit"

Page 6, line 26, after "repair" insert "erosion and scour"

Page 6, line 31, after "or" insert "erosion and scour"

Page 7, line 11, replace "or" with an underscored comma

Page 7, line 12, replace "or other damages" with "erosion, or scouring"

Page 7, line 13, after the second "the" insert "erosion and scour"

Page 7, line 21, replace "copies" with "notice"

Page 7, line 21, remove ", any"

Page 7, line 22, remove "notice of decision containing the conditions attached to the approved permit."

Page 7, line 22, after "and" insert "of"

Page 8, line 16, after "conditions" insert "~~Penalty~~"

Page 8, line 28, remove "and"

Page 8, line 29, replace "Control" with "Proper erosion controls are installed and maintained at all outlets; and

c. Pumps and control"

Page 8, line 29, remove "installed and capable of being"

Page 9, line 9, after "4." insert "The board of the water resource district within which the subsurface water management system is located may order the system's owner or operator to bring the system into compliance with subsection 2 if the board finds the system violates that subsection.

5."

Renumber accordingly