

**Sixty-eighth Legislative Assembly of North Dakota
In Special Session Commencing Monday, October 23, 2023**

SENATE BILL NO. 2397
(Legislative Management)

AN ACT to amend and reenact subsection 8 of section 61-16.1-11 of the North Dakota Century Code, relating to joint water resource boards; to repeal section 5 of Senate Bill No. 2020, as approved by the sixty-eighth legislative assembly, relating to a transfer of Bank of North Dakota profits to the water infrastructure revolving loan fund; to provide for a transfer; to provide for retroactive application; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 8 of section 61-16.1-11 of the North Dakota Century Code is amended and reenacted as follows:

8. All districts within the Red River, James River, Mouse River, Missouri River, and Devils Lake drainage basins shall, by agreement, form and remain a member of a joint water resource board relative to the district's respective drainage basin. All agreements and subsequent amendments must be filed with the department of water resources. Notwithstanding other provisions of law, the board of county commissioners of the member districts in the Red River, James River, Mouse River, Missouri River, and Devils Lake drainage basins shall may approve a levy of tax not to exceed two mills upon the taxable valuation of the real property within each joint board's respective drainage basin.

SECTION 2. REPEAL. Section 5 of Senate Bill No. 2020, as approved by the sixty-eighth legislative assembly, is repealed.

SECTION 3. BANK OF NORTH DAKOTA LINE OF CREDIT - WATER INFRASTRUCTURE REVOLVING LOAN FUND - TRANSFER. The Bank of North Dakota shall extend a line of credit not to exceed \$100,000,000 to the department of water resources to be transferred to the water infrastructure revolving loan fund as requested by the director of the department of water resources to provide local cost-share loans for projects approved by the state water commission pursuant to section 6-09-49.2. The interest rate associated with the line of credit must be the prevailing interest rate charged to North Dakota government entities. The department of water resources shall request a deficiency appropriation from the sixty-ninth legislative assembly to repay the line of credit.

SECTION 4. RETROACTIVE APPLICATION. This Act applies retroactively to July 1, 2023.

SECTION 5. EFFECTIVE DATE. This Act becomes effective immediately upon its filing with the secretary of state.

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-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2397.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 87 Nays 2 Absent 5

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State