

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1415

Introduced by

Representatives Carlson, Beadle, Belter, Kasper, Porter, Thoreson

Senators Casper, Davison, Flakoll

1 A BILL ~~for an Act to provide legislative intent.~~ for an Act to provide an appropriation to the state
2 water commission; to provide legislative intent; to provide an exemption; and to declare an
3 emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 ~~— SECTION 1. LEGISLATIVE INTENT – FARGO FLOOD CONTROL PROJECT FUNDING. It~~
6 ~~is the intent of the sixty-fourth legislative assembly that the state provide one-half of the local~~
7 ~~cost share of Fargo flood control projects, including constructing a federally authorized Fargo~~
8 ~~flood control project and that total Fargo flood control project funding to be provided by the state~~
9 ~~not exceed \$570,000,000. It is further the intent of the sixty-fourth legislative assembly that the~~
10 ~~state water commission reallocate water project funding within its 2015-17 biennium~~
11 ~~appropriation as necessary to provide funding for eligible Fargo flood control project~~
12 ~~commitments.~~

13 **SECTION 1. APPROPRIATION.** There is appropriated out of any moneys in the strategic
14 investment and improvements fund in the state treasury, not otherwise appropriated, the sum of
15 \$30,000,000, or so much of the sum as may be necessary, and out of any moneys in the state
16 disaster relief fund in the state treasury, not otherwise appropriated, the sum of \$30,000,000, or
17 so much of the sum as may be necessary, to the state water commission for the purpose of
18 providing funding for flood protection projects within city limits of Fargo for the period beginning
19 with the effective date of this Act and ending June 30, 2017. The city of Fargo must apply for
20 flood protection project funding, but the state water commission may not deny an application
21 unless the funds are not intended to be used in accordance with provisions of this section. The
22 city of Fargo may use the funds for costs directly associated with completion of interior flood
23 protection projects within its city limits, including engineering and legal fees, right of way

1 acquisition costs, land purchases, home buyouts, and construction costs. Funds may not be
2 used for general operations or administrative costs.

3 **SECTION 2. LEGISLATIVE INTENT - FARGO INTERIOR FLOOD PROTECTION.** It is the
4 intent of the sixty-fourth legislative assembly that a total of \$120,000,000 be provided by the
5 state for flood protection projects within the city limits of Fargo during the 2015-17 and 2017-19
6 bienniums.

7 **SECTION 3. EXEMPTION.** The funds appropriated in section 1 of this Act are not subject to
8 section 54-44.1-11, and any unexpended funds must be continued into the 2017-19 or
9 subsequent bienniums and may be spent only for flood protection projects within city limits of
10 Fargo.

11 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.