

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1085

Introduced by

Agriculture Committee

(At the request of the State Water Commission)

1 A BILL for an Act to amend and reenact section 61-34-04 of the North Dakota Century Code,
2 relating to the drought disaster livestock water assistance program; and to declare an
3 emergency.

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

5 **SECTION 1. AMENDMENT.** Section 61-34-04 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **61-34-04. Eligibility - Application for assistance.**

8 Applicants with livestock water supply problems caused by drought may apply for
9 assistance from the program. An applicant must first apply for water cost-share assistance from
10 the United States department of agriculture farm service agency. If cost-share assistance is
11 denied by the agency, the applicant may forward the application to the commission for
12 consideration. An application forwarded to the commission must include a document from the
13 United States department of agriculture farm service agency stating the reason for denial of
14 cost-share assistance. The state engineer shall review all applications received by the
15 commission. Notwithstanding any other provision of law, a water supply project commenced
16 after application for funding is made but without prior approval of the state engineer is eligible
17 for funding consideration from the program. ~~If the state engineer approves an application, the~~
18 ~~applicant may receive up to fifty percent of the cost but in no event more than three thousand~~
19 ~~five hundred dollars per project with a limit of three projects per applicant.~~ The state engineer
20 shall provide funds for approved applications in accordance with rules and criteria for eligibility
21 and only to the extent that funding is available. A drought disaster livestock water assistance
22 program project located on Indian land is eligible for the program.

23 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.