

HOUSE BILL NO. 1385

Introduced by

Representatives Nelson, Davis, Fegley, Finley-DeVille, D. Johnson

Senators Dwyer, Kannianen, Schaible, Sorvaag

1 A BILL for an Act to amend and reenact sections 61-02-24 and 61-02-24.1 of the North Dakota
2 Century Code, relating to tribal contracts with the state water commission.

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

4 **SECTION 1. AMENDMENT.** Section 61-02-24 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **61-02-24. Cooperation and coordination with ~~all existing agencies~~ entities.**

7 1. The commission may investigate, plan, cooperate, and make all contracts or compacts
8 necessary or requisite:

9 ~~1.~~ a. With the United States and any department, agency, or officer thereof.

10 ~~2.~~ b. With the states of Minnesota, South Dakota, Montana, and Wyoming, or any
11 political subdivision thereof, and with any other state, and with any department or
12 officer or political subdivision of any state.

13 ~~3.~~ c. With Canada or any of its provinces, and with any agency, department, or officer
14 of Canada or any of its provinces.

15 d. With federally recognized Indian tribes, or any agency, department, or officer
16 thereof.

17 2. The powers granted by this section shall extend to all waters, whether considered as
18 intrastate, interstate, or international. The commission is specially authorized and
19 empowered to cooperate with the United States or any of its agencies concerned with
20 investigating, planning, conserving, utilizing, developing, and handling water in any
21 form for purposes of water conservation, flood control, prevention of water pollution, or
22 soil reclamation, or with any other resources of the state, and concerned with the
23 administration of the public works program of the state or any part thereof. The
24 commission is authorized to act and to contract fully with the United States, or with any

1 department, agency, or officer thereof, with full power of purchase, sale, or lease to
2 carry out, develop, or administer any federal project within this state or partly within the
3 state, and also to accept and to use any funds provided by the United States or any
4 agency thereof for any such purposes.

5 **SECTION 2. AMENDMENT.** Section 61-02-24.1 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **61-02-24.1. Cooperation and participation of political subdivisions and federally**
8 **recognized Indian tribes.**

9 ~~All~~Any political subdivisions~~subdivision~~, including ~~counties~~a county, ~~township~~township,
10 ~~cities~~city, ~~park districts~~district, and water resource ~~districts~~district, and federally recognized
11 Indian tribes, may separately or jointly, with ~~other political subdivisions~~each other, the state of
12 North Dakota through the commission, or federal departments or agencies, investigate, plan,
13 and do all things necessary for participating in or undertaking underground or surface water
14 surveys, development, construction, reconstruction, and maintenance of works, dams, and
15 projects for the beneficial utilization and control of water resources, and may enter into
16 contracts with the commission to pay rents, charges, or other payments for the use of works of
17 the commission.