

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

ENGROSSED HOUSE BILL NO. 1218

Introduced by

Representatives Schreiber-Beck, D. Anderson, Beltz, Brandenburg, Headland, Nelson,
Weisz

Senators Meyer, Thomas, Wanzek, Weber

*In place of amendment (25.0817.02002) adopted by the Senate, Engrossed House Bill
No. 1218 is amended by amendment (25.0817.02005) as follows:*

1 A BILL for an Act to create and enact a new section to chapter 61-02 of the North Dakota
2 Century Code, relating to a temporary moratorium on conducting an economic analysis for
3 assessment drain projects; to amend and reenact section 61-02-01.3 of the North Dakota
4 Century Code, relating to comprehensive water development plans; to provide for a study by
5 the state water commission; to provide for a legislative management report; and to provide an
6 expiration date.

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

8 **SECTION 1. AMENDMENT.** Section 61-02-01.3 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **61-02-01.3. Comprehensive water development plan.**

11 1. Biennially, the commission shall develop and maintain a comprehensive water
12 development plan organized on a river basin perspective, including an inventory of
13 future water projects for budgeting and planning purposes.

14 2. As part of the commission's planning process, to~~to~~ facilitate local project sponsor
15 participation and project prioritization and to assist in education regarding life cycle
16 analyses for municipal water supply projects, and economic analyses for flood control
17 and water conveyance projects expected to cost more than one million dollars, the
18 commission shall develop a policy that outlines procedures for~~hold~~
19 commissioner-hosted meetings within the upper Missouri River, lower Missouri River,

1 James River, upper Red River, lower Red River, Mouse River, Devils Lake, Little
2 Missouri River, upper Heart River, and upper Cannonball River drainage basins.

3 3. The commission may not require ~~or conduct a life cycle~~an economic analysis for a
4 ~~municipal water supply project or an economic analysis for a flood control and water~~
5 ~~conveyance project~~an assessment drain project, if the project is expected to cost less
6 than ~~seven hundred fifty thousand~~one million dollars.

7 **SECTION 2.** A new section to chapter 61-02 of the North Dakota Century Code is created
8 and enacted as follows:

9 **Economic analysis for assessment drain projects - Moratorium.**

10 Notwithstanding the state water commission's authority to conduct an economic analysis for
11 an assessment drain project under section 61-02-01.3, between August 1, 2025, and July 31,
12 2027, the state water commission or the department of water resources may not conduct an
13 economic analysis for an assessment drain project within the state.

14 **SECTION 3. STATE WATER COMMISSION STUDY - FORMULA FOR ECONOMIC**
15 **ANALYSIS FOR ASSESSMENT DRAIN PROJECTS - LEGISLATIVE MANAGEMENT**

16 **REPORT.** During the 2025-26 interim, the state water commission shall study its formula for
17 conducting an economic analysis for assessment drain projects and the projected cost
18 threshold for conducting economic analyses. The state water commission shall provide periodic
19 reports to the legislative management on the status of the state water commission's review of
20 the economic analysis formula. Before August 1, 2026, the state water commission shall
21 provide a final report of its findings and recommendations to the legislative management,
22 together with any legislation and appropriation requests required to implement the
23 recommendations.

24 **SECTION 4. EXPIRATION DATE.** Section 2 of this Act is effective through July 31, 2027,
25 and after that date is ineffective.