

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

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

4 ~~supply project or an economic analysis for a flood control and water conveyance-~~

5 ~~project, if the project is expected to cost less than seven hundred fifty thousand-~~

6 ~~dollars.~~

7 **SECTION 1.** 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 2. 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. The state water commission  
18 shall provide periodic reports to the legislative management on the status of the state water  
19 commission's review of the economic analysis formula. Before August 1, 2026, the state water  
20 commission shall provide a final report of its findings and recommendations to the legislative  
21 management, together with any legislation and appropriation requests required to implement  
22 the recommendations.

23 **SECTION 3. EXPIRATION DATE.** Section 1 of this Act is effective through July 31, 2027,  
24 and after that date is ineffective.