

The Council

Legislative Council

Administrative Rules Committee

The Administrative Rules Committee held its first meeting of the interim on September 2. The committee is responsible for studying and reviewing administrative rules and related statutes to determine whether administrative agencies are properly implementing legislative purpose and intent, there is dissatisfaction with administrative rules or with statutes relating to administrative rules, and there are unclear or ambiguous statutes relating to administrative rules. The membership of the committee includes at least one of the members who served during the most recently completed regular session of the Legislative Assembly from each of the standing committees of either the House of Representatives or the Senate.

The committee reviewed the October 2025 rules of the Board of Addiction Counseling Examiners (related to licensure and academic requirements), the Department of Health and Human Services (related to home health agencies, community health workers, and medical marijuana), the Department of Public Instruction (related to accreditation and special education), and the Secretary of State as the Commissioner of Combative Sports (related to boxing and mixed fighting styles).

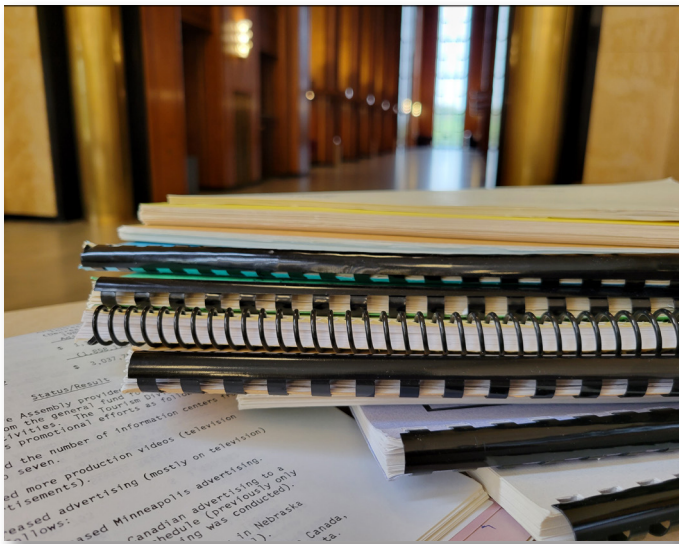
Upcoming Meetings

September

- 11 Agriculture and Water Management
- 18 Water Topics Overview
- 23 Legislative Procedure and Arrangements
 - Tax Reform and Relief Advisory
- 24 Budget Section (including all subdivisions)
 - Child Custody Review Task Force
- 25 Government Finance
- 30 Protection and Victim Services

October

- 30 Employee Benefits Programs



The committee reviewed background and historical information related to the powers and duties of the statutory committee. North Dakota Century Code Section 28-32-18 allows the committee to find all or a portion of a rule is void if the rule initially is considered by the committee within the proper time and the committee makes the specific finding there is an absence of statutory authority; an emergency relating to public health, safety, or welfare; a failure of the adopting agency to comply with express legislative intent or to substantially meet the procedural requirements of Chapter 28-32 regarding adoption of the rule; a conflict with state law; arbitrariness and capriciousness; or a failure of the adopting agency to make a written record of its consideration or written and oral submissions respecting the rule during the hearing process and comment period. These findings also provide a basis for an agency to amend, repeal, or create a related rule after consideration of the rules by the committee, if the agency and committee agree the rule change is necessary to address any of the considerations for which the committee may find

Advanced Nuclear Energy Committee

The interim Advanced Nuclear Energy Committee held its first meeting on September 3. The committee includes legislators, state agency representatives, and individuals representing the energy industry. After receiving background information from the Legislative Council staff, committee members heard presentations from two national organizations in the nuclear energy field, the Gateway for Accelerated Nuclear and the Nuclear Energy Institute. These organizations provided a foundational overview of advanced nuclear technology and the broader nuclear power industry.

The committee received presentations from prospective consultants that submitted proposals in response to the Legislative Management's request for proposals for consulting services to support the committee's study of advanced nuclear energy. The committee reviewed nine proposals and heard eight presentations. Ultimately, the committee recommended the selection of Nucleon Energy Inc., to provide consultant services for the study, subject to approval by the Legislative Management Chairman. According to the proposal, Nucleon Energy Inc. is a private developer, licensee, and operator of nuclear power plants, with the capability to deliver advanced nuclear siting studies and a team with expertise in nuclear licensing, quality assurance, and regulatory compliance. The committee also identified Excel Services Corporation and Envoy Public Labs as an alternative recommendation.



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Special Education Funding Committee

The interim Special Education Funding Committee held its first meeting on September 3. In addition to members of the Legislative Assembly, the committee includes citizen members representing education professionals across the state. The committee received testimony from representatives of the Department of Public Instruction (DPI) and information from the Legislative Council related to the committee's studies on the topics of reading and mathematics proficiency in students with disabilities, the special education teacher shortage, and special education funding.

North Dakota schools currently benefit from several programs and initiatives related to reading and mathematics proficiency, including the Science of Reading, dyslexia screening, Amira Learning, Comprehensive Literacy State Development (including North Dakota Comprehensive Literacy Improvement through Measured Building Systems), Language Essentials for Teachers of Reading and Spelling, and the Science of Math. The committee received information related to performance data on statewide reading and mathematics assessments and will continue to study data provided by representatives of DPI, assess existing policies and programs, research best practices in states that have effectively reduced proficiency disparities, and consider actionable policy and funding recommendations.



The committee received information regarding the special education teacher shortage. The committee will seek information from stakeholders and professionals in the state and presentations from national organizations regarding best practices in other states. The committee also received information regarding the history of special education, special education weighting factors in the state aid formula, student contracts for reimbursement, open enrollment tuition agreements, and data related to the state's receipt and distribution of Individuals with Disabilities Education Act funding from 2024-26. At future meetings, the committee will seek presentations from national organizations regarding special education funding models, including cost-based reimbursement systems, categorical grants, and resource allocation models.

Human Services Committee

The interim Human Services Committee held its first meeting on September 4. The committee received testimony on its study of homelessness in the state from the Housing Finance Agency, the Department of Health and Human Services, the Department of Corrections and Rehabilitation, the Missouri Slope Areawide United Way Center for Opportunity, and the Fargo-Moorhead Coalition to End Homelessness. Testimony provided an overview of homelessness, including the programs and funding available to address homelessness, as well as opportunities for growth of the programs. The committee discussed issues related to the data available on individuals experiencing homelessness as well as how to best allocate funding targeting homelessness.

The committee received information on its study of government service accessibility for individuals who are deaf, hard of hearing, or have hearing differences from representatives of the Department of Labor and Human Rights, the School for the Deaf, and North Dakota Assistive. Testimony emphasized both the progression in federal and state laws and the evolution of technology supporting individuals with hearing differences.

The Department of Health and Human Services also provided the committee with testimony on child care provider licensing and a general overview of the status of child care in the state. The committee discussed areas of concern related to the affordability of child care and the committee's role in the Legislative Council's program evaluation of child care. The committee's next meeting is tentatively planned for the end of November.

