The Council

Water Topics Overview Committee

The Water Topics Overview Committee held its fifth meeting of the interim on September 17 to receive information from the Department of Water Resources (DWR) regarding water project funding, plans to implement the recommendations of the department's studies relating to the state's cost-share policies and governance and finance of regional water systems, an update on Missouri River water usage, and an update on the Northwest Area Water Supply Project and other water-related projects.

The DWR reported the State Water Commission (SWC) recommends accepting the following options provided by Deloitte US related to major water projects in the state:

- Southwest Pipeline Project - Option 2, related to keeping the current governance and leveraging capital repayment.
- Northwest Area Water Supply Project - Option 1, related to keeping the current model with suggested improvements.
- Red River Valley Water Supply Project - Option 3, related to transferring ownership of the project and operations and maintenance of the system to the SWC.

The committee reviewed requests for water projects in which the state cost-share is estimated to be $10 million or more during the 2027-29 biennium. The committee recommended the SWC and DWR review water projects estimated to be $10 million or more, which were submitted to the committee pursuant to North Dakota Century Code Section 54-35-02.7 to determine the feasibility of funding the projects based on available funding and water needs throughout the state, and that any recommendations be forwarded to the Appropriations Committees of the 70th Legislative Assembly.

The committee also received information from the Lake Agassiz Water Authority, Garrison Diversion Conservancy District, Southwest Water Authority, Department of Environmental Quality, Department of Emergency Services, and Information Technology Department.

Education Committee

The Education Committee held its final meeting of the interim on September 15. The committee received information from representatives of the Department of Health and Human Services and Waterford regarding the Waterford Upstart Program, which was funded by the 69th Legislative Assembly with a $1.5 million appropriation. The program is an interactive learning program administered through a computer with Internet access for children in prekindergarten through second grade. The program is based on research and aligned with the science of reading to build critical skills in reading, mathematics, and science at a rate that adapts to a child's skill level.

The committee received reports from representatives of the Department of Public Instruction related to statute waivers, the Innovation Education Program, the status of public charter schools, proposed changes to the state accountability plan, the PK-12 Education Strategic Vision Framework, and students participating in virtual instruction. The committee also received an update from the chair of the Kindergarten Through Grade Twelve Education Coordination Council regarding student attendance.

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Legislative Procedure and Arrangements Committee

The Legislative Procedure and Arrangements Committee held its final meeting of the interim on September 14. The committee received information regarding the legislative compensation adjustment process and the history of legislative compensation and expenses. The committee recommended a legislative compensation adjustment of 3 percent for the 1st year and 3 percent for the 2nd year of the 2027-29 biennium be included in the appropriation bill for the legislative branch, to be adjusted during the 2027 legislative session to the appropriate level as compared to state employee salary adjustments.

The committee received an update on recruitment efforts for the Legislative Assembly internship program, approved an orientation and training schedule for legislative session employees, recommended a technical rule change to account for permanent staff taking over some session staff duties, authorized the Employment Committee Chairmen to begin recruitment and hiring activities for the 70th Legislative Assembly, and approved a motion to recommend the inclusion of language in the session employee pay resolution to offer an additional monthly stipend for session staff who live more than 50 miles from the State Capitol.

The committee approved the legislative organizational session agenda, a new legislator training agenda, the 2027 legislative deadlines, and a motion to recommend the three bill drafts approved by the committee during the interim to the Legislative Management for introduction during the upcoming legislative session. The committee also received information regarding the grant funding received from the National Conference of State Legislatures for legislator security expenditures and the spending authority being requested at the upcoming Emergency Commission meeting on September 23 to expend the funds.

Administrative Rules Committee

The Administrative Rules Committee met on September 14 for its quarterly review of proposed administrative rules. The committee reviewed the October 2026 rules of the Department of Environmental Quality, the Department of Health and Human Services, and the Department of Public Instruction. The committee approved a request from the Office of Guardianship and Conservatorship for an extension to adopt rules to implement Senate Bill 2029 (2025).

The committee held over to the next meeting consideration of the Department of Environmental Quality's rules related to the technical requirements and licensing of installers of onsite wastewater treatment systems, or septic systems (North Dakota Administrative Code Chapter 33.1-21-01), and the Department of Health and Human Service's rules related to tattoo and body art (Chapters 33-41-01 and 33-41-01.1). The next meeting of the Administrative Rules Committee will be held in December.

Upcoming Meetings

September

21-22 Higher Education Institutions
22 Legislative Audit and Fiscal Review
24 Information Technology
Tribal and State Relations
29 Legislative Task Force on Government Efficiency
Tax Reform and Relief Advisory
30 Budget Section
(including divisions)

October

1 Employee Benefits Programs
Government Finance
Protection and Victim Services
6 Artificial Intelligence and Data Center
Health Care
Higher Education Funding Review

Special Education Funding Committee

The Special Education Funding Committee held its final meeting of the interim on September 16. The committee received information from representatives of the Department of Public Instruction regarding the per student payment rate provided through the state school aid formula and the special education contracts line item, special education contract reimbursements, and rates for services charged by residential facilities and school districts.

The committee was informed that special education expenses are funded by the state at a lower rate than general education expenses. The committee heard testimony from special education teachers across the state who shared their experiences and suggestions to improve the recruitment and retention of quality special education teachers and paraprofessionals.

The committee recommended adjusting the average student cost threshold used to determine high-cost reimbursement from the state from four times the state average cost to three times the state average cost. The committee also discussed providing state assistance and authorization to school districts to train and certify special education technicians, providing additional grants for paraprofessional-to-teacher programs, amending the restrictions on Medicaid refund grants, and eliminating the practice of reducing a school district's state aid by the amount of Medicaid matching funds.

The committee received information from a representative of the Department of Public Instruction related to student achievement data for students with disabilities as compared with students without disabilities.