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## LEGISLATIVE MANAGEMENT

Tuesday and Wednesday, November 15-16, 2022  
House Chamber, State Capitol  
Bismarck, North Dakota

Representative Chet Pollert, Chairman, called the meeting to order at 9:05 a.m.

**Members present:** Representatives Chet Pollert, Glenn Bosch, Joshua A. Boschee, Kim Koppelman, Mike Lefor, Alisa Mitskog, Jim Schmidt, Robin Weisz; Senators Jessica Bell, Randy A. Burckhard, Joan Heckaman, Jerry Klein, Merrill Piepkorn, Donald Schaible, Terry M. Wanzek, Rich Wardner

**Members absent:** None

### OPENING REMARKS

Chairman Pollert recognized the members of the 67<sup>th</sup> Legislative Assembly who will not return to serve in the 68<sup>th</sup> Legislative Assembly and thanked them for their service. He also thanked those legislators who served as interim committee chairmen and legislators and the Legislative Council staff for their work during the interim.

Chairman Pollert called on Mr. John Bjornson, Director, Legislative Council, who welcomed returning and new legislators. Mr. Bjornson noted:

- There will be 25 reports from 26 committees presented.
- There were 163 committee meetings held during the interim, which is 23 more than the previous interim.
- Committees are recommending 31 bills and 2 resolutions.

### BUDGET SECTION

Representative Don Vigesaa, Chairman, Budget Section, presented the committee [report](#). He noted the committee:

- Received updates regarding the status of the general fund and selected special funds.
- Considered state agency requests authorized by the Emergency Commission for increased federal and special funds authority.
- Received updates regarding the revised 2021-23 biennium revenue forecast and the preliminary 2023-25 biennium revenue forecast.

**It was moved by Senator Wardner, seconded by Representative Boschee, and carried on a roll call vote that the report of the Budget Section be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### LEGISLATIVE AUDIT AND FISCAL REVIEW COMMITTEE

Senator Klein, Chairman, Legislative Audit and Fiscal Review Committee, presented the committee [report](#). He noted the committee:

- Reviewed the state's financial transactions to ensure the collection of state revenues and the expenditures of state money complied with the law, legislative intent, and sound financial practices.
- Reviewed 55 operational audits conducted using performance audit standards and 73 financial or information technology (IT) application audit reports. An additional 18 audit reports were filed with the committee, but not formally presented.

- Reviewed guidelines developed by prior Legislative Audit and Fiscal Review Committees relating to state agency and institution audits performed by the State Auditor's office and independent certified public accountants. The committee approved, for audit periods on or after June 30, 2022, except for audits currently under contract, that auditors conducting financial statement audits of state agencies replace the six audit-related questions and responses and eight audit-related communications within the audit report with a separate audit summary.
- Received the Attorney General Leased Facility Investigative Report from the State Auditor's office identifying cost overruns relating to the remodeling and construction associated with the leased facility at 1720 Burlington Drive, Bismarck, and provided the report to the Attorney General for additional investigation and encouraged the Attorney General to arrange for an independent organization to conduct the investigation.

**It was moved by Senator Wanzek, seconded by Senator Schaible, and carried on a roll call vote that the report of the Legislative Audit and Fiscal Review Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### HIGHER EDUCATION COMMITTEE

Representative Mark Sanford, Chairman, Higher Education Committee, presented the committee [report](#). He noted the committee:

- Studied higher education student affordability, including all forms of financial assistance available for students enrolled at institutions of higher education in the state.
- Studied the higher education funding formula, including instructional program classification factors.
- Studied the professional student exchange program.
- Received reports from the State Board of Higher Education regarding the skilled workforce student loan repayment program, the skilled workforce scholarship program, the number of North Dakota academic scholarships and career and technical education scholarships provided and demographic information pertaining to the recipients, the use of funding in the North Dakota University System capital building fund, grants to tribally controlled community colleges, and any transfer of funds from the operations to the capital assets line item of an institution under the control of the State Board of Higher Education.
- Received a report from the University of North Dakota School of Medicine and Health Sciences Advisory Council regarding the strategic plan, programs, and facilities of the University of North Dakota School of Medicine and Health Sciences.

**It was moved by Senator Wardner, seconded by Representative Koppelman, and carried on a roll call vote that the report of the Higher Education Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, and Mitskog and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### LEGACY FUND EARNINGS COMMITTEE

Mr. Adam Mathiak, Senior Fiscal Analyst, Legislative Council, presented the committee [report](#). He noted the committee:

- Studied the history and status of the legacy fund and the potential uses of legacy fund earnings.
- Received information on the state budget and comments for proposed uses of legacy fund earnings.

**It was moved by Representative Lefor, seconded by Representative Bosch, and carried on a roll call vote that the report of the Legacy Fund Earnings Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, and Lefor and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### TAXATION COMMITTEE

Senator Dale Patten, Chairman, Taxation Committee, presented the committee [report](#). He noted the committee:

- Studied the fiscal impact of providing a sales tax exemption for raw materials critical to the manufacturing process used to support biologic product generation, product impurity removal, chemical or physical product alteration, and analysis of in-process to final deliverable products.

- Studied the desirability and feasibility of providing a credit against the purchase of a motor vehicle in an amount not to exceed the total amount the person received for the private sale of the vehicle being replaced for purposes of calculating the motor vehicle excise tax.
- Studied economic development tax incentives pursuant to the committee's statutory responsibility.
- Received a report on statewide property tax increases from the Tax Commissioner.
- Received three reports from the Department of Commerce, including a report on renaissance zone progress, a report pertaining to cities that have renaissance zone property included in a tax increment financing district, and a report compiling and summarizing annual state grantor reports and reports of state agencies that awarded business incentives for the previous calendar year.

**It was moved by Representative Koppelman, seconded by Senator Piepkorn, and carried on a roll call vote that the report of the Taxation Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, and Mitskog and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### JUDICIARY COMMITTEE

Representative Koppelman, Chairman, Judiciary Committee, presented the committee [report](#). He noted the committee:

- Studied the types of spousal support ordered by the district court and the desirability and feasibility of providing statutory guidance for awards of spousal support.
- Studied the juvenile justice process and the necessity of licensing shelter care programs for runaway, homeless, and former foster care youth and the ability of these youth to access temporary shelter.
- Studied the economic and societal impacts of gambling addiction in the state.
- Studied the factors contributing to the nation's firearm and ammunition shortage and the impact the shortage has had on the quality of life for North Dakota citizens.
- Studied the membership of the Board of University and School Lands and the Industrial Commission and potential conflicts of interest relating to the memberships, possible changes to the composition of the membership of the Board of University and School Lands and the Industrial Commission, and possible changes to Section 3 of Article IX of the Constitution of North Dakota.
- Reviewed Uniform Acts recommended by the North Dakota Commission on Uniform State Laws.
- Reviewed executive orders issued by the President of the United States which have not been affirmed by a vote of Congress and recommended the following executive orders issued between January 2021 and August 2022 be forwarded to the Attorney General and the Governor for further review:
  - Executive Order Nos. 14076 and 14079, relating to access to reproductive and other health care services, for review and challenge by the Attorney General.
  - Executive Order Nos. 13990 and 14037, relating to public health and the environment, for review by the Attorney General.
  - Executive Order No. 14019, relating to voting rights, for review by the Attorney General.
  - Executive Order No. 14075, relating to equality for lesbian, gay, bisexual, transgender, queer, and intersex individuals, for review by the Attorney General.
- Received various reports including a report from the Director of the Commission on Legal Counsel for Indigents containing data on the indigent defense contract system and established public defender offices; a biennial report from the North Dakota Racing Commission addressing the issue of lack of revenue to the general and special funds; a report from the North Dakota Lottery regarding the operation of the lottery; a report from the Department of Human Services on services provided by the Department of Corrections and Rehabilitation for individuals at the State Hospital who have been committed to the care and custody of the Executive Director of the Department of Human Services; a report from the Attorney General relating to civil asset forfeiture cases in the preceding fiscal year; a report from the Task Force on the Prevention of Sexual Abuse of Children; a report from the State Department of Health relating to the implementation of the medical marijuana program; a report from the Supreme Court on the status of the program to assist rural counties and municipalities in recruiting attorneys; and a report from the Department of Corrections and Rehabilitation, the Juvenile Court, and the Indian Affairs Commission on the status, effectiveness, performance, and sustainability of a memorandum of understanding established under Senate Bill No. 2345 (2021).

**It was moved by Senator Burckhard, seconded by Senator Wardner, and carried on a roll call vote that the report of the Judiciary Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### **WORKERS' COMPENSATION REVIEW COMMITTEE**

Senator Scott Meyer, Chairman, Workers' Compensation Review Committee, presented the committee [report](#). He noted the committee:

- Reviewed claims of 11 injured workers to determine whether changes should be made to the state's workers' compensation law.
- Received reports from Workforce Safety and Insurance regarding compiled data relating to safety grants issued under North Dakota Century Code Chapter 65-03, and current pilot programs and pilot programs completed within the previous 12 months.
- Received quarterly reports from the Office of Administrative Hearings and Workforce Safety and Insurance on statistical information regarding results under the case processing standards and policies.
- Received the quadrennial performance evaluation report of Workforce Safety and Insurance and reviewed any actions taken resulting from the performance evaluation report.

**It was moved by Senator Schaible, seconded by Senator Klein, and carried on a roll call vote that the report of the Workers' Compensation Review Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### **TRIBAL AND STATE RELATIONS COMMITTEE**

Senator Wardner, Chairman, Tribal and State Relations Committee, presented the committee [report](#). He noted the committee:

- Studied tribal-state issues, including government-to-government relations, human services, education, corrections, and issues related to the promotion of economic development.
- Studied gaming; taxation issues; law enforcement issues; health care issues; and additional issues affecting the tribes, including Indian boarding schools and burial sites, a state-tribal relations policy; and legislative redistricting and tribal census data.
- Received a report from the Department of Corrections and Rehabilitation, the Juvenile Court, and the Indian Affairs Commission regarding recommendations on the status, effectiveness, performance, and sustainability of a memorandum of understanding to provide services to juveniles adjudicated in tribal court.

**It was moved by Senator Wardner, seconded by Representative Koppelman, and carried on a roll call vote that the report of the Tribal and State Relations Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### **HUMAN SERVICES COMMITTEE**

Senator Judy Lee, Chairman, Human Services Committee, presented the committee [report](#). She noted the committee:

- Studied developmental disabilities services and autism spectrum disorder programs in the state.
- Studied issues relating to employment restrictions in public assistance programs.
- Studied issues relating to employee compensation in the Department of Human Services and human service zones.
- Received various reports, including reports on early childhood programs and refugee resettlement services.

**It was moved by Senator Burckhard, seconded by Senator Heckaman, and carried on a roll call vote that the report of the Human Services Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, Schmidt, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### ACUTE PSYCHIATRIC TREATMENT COMMITTEE

Representative Jon O. Nelson, Chairman, Acute Psychiatric Treatment Committee, presented the committee [report](#). He noted:

- The committee was created to study the acute psychiatric hospitalization and related step-down residential treatment and support needs of individuals with mental illness. Three additional studies were assigned to the committee related to the implementation of expanded behavioral health services, behavioral health needs of incarcerated adults, and mental and behavioral health services of occupational boards.
- The Legislative Management entered a contract with Renee Schulte Consulting, LLC, to assist the committee in its study of acute psychiatric hospitalization and related step-down residential treatment and support needs of individuals with mental illness. In April 2022, Renee Schulte Consulting, LLC, provided the committee a list of short term and long term recommendations to improve behavioral health and acute psychiatric hospitalization services in the state.

**It was moved by Senator Wanzek, seconded by Representative Bosch, and carried on a roll call vote that the report of the Acute Psychiatric Treatment Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, Schmidt, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### INFORMATION TECHNOLOGY COMMITTEE

Representative Bosch, Chairman, Information Technology Committee, presented the committee [report](#). He noted the committee:

- Studied the effectiveness, efficiency, cost, and any cost-savings of the 2019-21 biennium and 2021-23 biennium IT unification initiatives and the feasibility and desirability of continuing the initiatives. The study included a review of changes in fees, services, operations, processes, and systems.
- Studied the costs incurred by the Information Technology Department (ITD) to deliver core technology services and cybersecurity services to state agencies and political subdivisions. The study considered the feasibility and desirability of political subdivisions paying their share of the cost of these services.
- Reviewed large IT projects of state agencies, including the Department of Trust Lands IT project and ITD's statewide interoperable radio network project.
- Received reports regarding elementary and secondary IT initiatives, health IT initiatives, the statewide longitudinal data system, distributed ledger technology projects, the status of the Veterans' Home IT, cybersecurity incidents, IT security audits of ITD and the University System, the Chief Information Officer's records management statutory requirements, and federal funding ITD may receive as a result of the federal Infrastructure Investment and Jobs Act.

**It was moved by Senator Wardner, seconded by Senator Piepkorn, and carried on a roll call vote that the report of the Information Technology Committee be accepted.** Representatives Pollert, Bosch, Boschee, Lefor, Mitskog, Schmidt, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### EDUCATION FUNDING COMMITTEE

Senator Schaible, Chairman, Education Funding Committee, presented the committee [report](#). He noted the committee:

- Studied K-12 school funding, including transition minimum reduction impacts to reorganized and consolidated school districts.
- Studied career and technical education, including the statewide area career center initiative grant program.
- Received three reports from the Superintendent of Public Instruction, including a report on the financial condition of school districts, an annual school district employee compensation report, and an aggregated report of school districts receiving funds from the federal Elementary and Secondary School Emergency Relief fund.
- Received reports from ITD regarding the status of Project Lighthouse, the IT project sponsored by the Department of Public Instruction and the Department of Health and Human Services to upgrade the state automated reporting system and the statewide longitudinal data system; the Tax Department regarding school district budget timelines, budget deadlines, and the availability of budget information; and the Department of Public Instruction regarding student enrollment, including the status of state school aid for

the 2021-23 biennium and the cost to continue funding for state school aid during the 2023-25 biennium, and school districts' maximum responsibility for high-cost students, including special education contract reimbursements made to school districts.

**It was moved by Senator Schaible, seconded by Senator Burckhard, and carried on a roll call vote that the report of the Education Funding Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, Schmidt, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### EDUCATION POLICY COMMITTEE

Representative Cynthia Schreiber-Beck, Chairman, Education Policy Committee, presented the committee [report](#). She noted the committee:

- Studied competency-based learning and schools participating in innovative education programs.
- Studied criteria for alternative teacher licensure.
- Studied provisions of the Century Code relating to compulsory school attendance, including a comparison of compulsory school attendance laws in other states.
- Received numerous reports from the Superintendent of Public Instruction, the Education Standards and Practices Board, and the Kindergarten Through Grade Twelve Education Coordination Council.

**It was moved by Senator Wardner, seconded by Representative Boschee, and carried on a roll call vote that the report of the Education Policy Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Mitskog, Schmidt, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### NATURAL RESOURCES COMMITTEE

Senator Robert Erbele, Chairman, Natural Resources Committee, presented the committee [report](#). He noted the committee continued the 2019-20 interim study of access to public and private lands for hunting, trapping, fishing, and related issues, which included an evaluation of the state's electronic land access database and online application developed during the 2019-20 interim to allow landowners to post their land electronically and hunters to identify posted land, and the expansion of the database and application to all counties in the state.

In response to a question from Chairman Pollert, Senator Erbele said additional work on this topic could be addressed by a more general Agriculture and Natural Resources Committee next interim, rather than forming a separate Natural Resources Committee.

**It was moved by Senator Piepkorn, seconded by Senator Klein, and carried on a roll call vote that the report of the Natural Resources Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, Schmidt, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### AGRICULTURE AND NATURAL RESOURCES COMMITTEE

Senator Randy Lemm, Chairman, Agriculture and Natural Resources Committee, presented the committee [report](#). He noted the committee:

- Studied how the North Dakota Beef Commission operates and selects commission members, along with possible reforms to the state beef checkoff.
- Studied the fiscal and safety impacts of United States Fish and Wildlife Service easements in North Dakota on the Department of Transportation (DOT), Department of Agriculture, and counties, along with federal legislation aiming to reform existing United States Fish and Wildlife Service easements.
- Received a report from the Advisory Committee on Sustainable Agriculture on the status of the committee's activities.
- Received a biennial report from the Federal Environmental Law Impact Review Committee.
- Received a report from the State Board of Agricultural Research and Education on its annual evaluation of research activities and expenditures.
- Received the final report from DOT regarding information collected from transportation network companies during the biennium under Section 39-34-05, prior to its repeal.

- Received a report from DOT on the findings and recommendations of its study and pilot projects on the feasibility and impact of long combination vehicle operations on North Dakota roadways.

**It was moved by Senator Klein, seconded by Senator Wanzek, and carried on a roll call vote that the report of the Agriculture and Natural Resources Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, Schmidt, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### **WATER TOPICS OVERVIEW COMMITTEE**

Representative Schmidt, Chairman, Water Topics Overview Committee, presented the committee [report](#). He noted the committee:

- Studied, with input from the State Water Commission (SWC) and from stakeholders of the Red River Valley Water Supply Project (RRVWSP), the management and operation of the RRVWSP.
- Heard testimony from landowners affected by the RRVWSP regarding the process for negotiating and obtaining pipeline easements.
- Studied, with input from SWC, the Northwest Area Water Supply (NAWS) Project. The study required consideration of an entity, other than the state, to own, manage, and operate the project.
- Received a report from the NAWS Advisory Committee regarding recommendations for the transition of the long-term operation and management of the NAWS Project.
- Received a report from the NAWS Advisory Committee regarding the status of the advisory committee's responsibilities under Section 61-24.6-03.
- Received quarterly reports from SWC regarding the projects designated as carryover projects that have had a cost-share agreement in place for at least 4 years, the amount of funds committed for each carryover project, and the total amount of funds reallocated or made available from carryover projects.
- Received a report from SWC on the results of the basinwide water plan pilot project.
- Received a written report from the Onsite Wastewater Recycling Technical Committee regarding the status of the statewide technical guide and the committee's recommendations.
- Discussed the transition from appropriating forecasted funds to appropriating actual funds into the water project stabilization fund.
- Discussed the urgent need to use more water from the portion of the Missouri River flowing through North Dakota and expand irrigation along the river.
- Discussed the limitations hindering expansion, including inadequate power supply and lack of existing infrastructure.
- Discussed funding distribution within the Department of Water Resources, specifically as it relates to rural water systems.
- Discussed continued efforts to regionalize water systems for smaller communities.
- Discussed water supply issues on North Dakota trust lands as a result of severe drought.
- Discussed impacts of dam rehabilitation and changes to the dam hazard classification system.
- Discussed issues facing the Department of Environmental Quality as it relates to lead-based water pipes.
- Discussed recent flooding in Valley City and Walsh County.
- Discussed the FM Area Diversion and the Souris River flood control project in and around Minot.
- Discussed the status of the repair and extraordinary maintenance procedures adopted by the Southwest Pipeline Project.
- Discussed the successes of restructuring debt for the Western Area Water Supply Authority.

**It was moved by Representative Schmidt, seconded by Senator Burkhard, and carried on a roll call vote that the report of the Water Topics Overview Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, Schmidt, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### WATER DRAINAGE COMMITTEE

Senator Larry Luick, Chairman, Water Drainage Committee, presented the committee [report](#). He noted the committee:

- Studied Chapters 61-16.1, 61-21, and 61-32 to eliminate redundancy and conflicts and to provide for uniform assessment procedures for all water projects.
- Studied procedures to appeal water resource board decisions.
- Studied the structural relationship between SWC and water resource boards and identified methods for improving water resource board accountability.
- Studied methods, including the use of an independent organization, for assessing the cost of a water project in relation to the benefits received.

**It was moved by Representative Lefor, seconded by Senator Wardner, and carried on a roll call vote that the report of the Water Drainage Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, and Mitskog and Senators Burckhard, Heckaman, Klein, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### ADMINISTRATIVE RULES COMMITTEE

Senator Nicole Poolman, Chairman, Administrative Rules Committee, presented the committee [report](#). She noted the committee:

- Reviewed all administrative rules adopted by state administrative agencies from January 2021 through October 2022, covering 1,716 pages of rules and 1,218 rules sections.
- Did not void any rules but repealed obsolete rules and amended other rules when agreement was reached with the agency.

**It was moved by Representative Koppelman, seconded by Senator Burckhard, and carried on a roll call vote that the report of the Administrative Rules Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, Schmidt, and Weisz and Senators Burckhard, Heckaman, Klein, Piepkorn, Wanzek, and Wardner voted "aye." No negative votes were cast.

### GOVERNMENT ADMINISTRATION COMMITTEE

Senator Burckhard, Chairman, Government Administration Committee, presented the committee [report](#). He noted the committee:

- Studied the feasibility and desirability of consolidating attorney and legal-related positions in state government.
- Studied space needs of the executive, judicial, and legislative branches and the Ethics Commission.
- Studied funding sources for the budget of the Racing Commission.
- Studied the amount, type, cost, and occupancy of property leased by the state or any state agency since January 1, 2018.
- Received a report from the Office of Management and Budget (OMB) regarding the reports received by OMB from each executive branch state agency, excluding entities under the control of the State Board of Higher Education, receiving federal funds, of plans to operate the state agency when federal funds are reduced by 5 percent or more of the total federal funds the state agency receives.
- Received a report from the Adjutant General regarding any land purchased for the expansion of Camp Grafton.

**It was moved by Senator Schaible, seconded by Senator Wanzek, and carried on a roll call vote that the report of the Government Administration Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, Schmidt, and Weisz and Senators Bell, Burckhard, Heckaman, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

### GOVERNMENT FINANCE COMMITTEE

Mr. Mathiak presented the Government Finance Committee [report](#). He noted the committee:

- Studied the classified state employee compensation system, state agency fees, law enforcement and correctional officer recruitment and retention, IT budgeting, state revenues and state revenue forecasts, the

Emergency Commission and Budget Section spending approval process, and cash management of state funds.

- Reviewed and monitored the state budget, including a report from a consultant with a preliminary revenue forecast for the 2023-25 biennium.
- Received reports regarding executive branch employees who had a cumulative salary increase of 15 percent or more; the status of the unmanned aircraft systems test site and beyond visual line of sight program; the status of infrastructure funds; and environmental, social, and governance policies.

**It was moved by Senator Wardner, seconded by Senator Bell, and carried on a roll call vote that the report of the Government Finance Committee be accepted.** Representatives Pollert, Bosch, Boschee, Lefor, Mitskog, Schmidt, and Weisz and Senators Bell, Burckhard, Heckaman, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

## ENERGY DEVELOPMENT AND TRANSMISSION COMMITTEE

Senator Bell, Chairman, Energy Development and Transmission Committee, presented the committee [report](#). She noted the committee:

- Studied natural gas and propane infrastructure development in the state, including challenges related to the development of natural gas and propane infrastructure and community needs for natural gas and propane infrastructure.
- Studied the need, cost, effect, and appropriate process for bonding and ensuring reclamation of coal conversion facilities, including examining and assessing the methods and amounts of financial assurance and schedules.
- Studied deductions for postproduction costs under oil and gas leases, including the methods used to calculate the value of oil and gas and the point of sale used to determine the value.
- Studied the impact of a comprehensive energy policy for the state.
- Received reports regarding the Energy Policy Commission's policy recommendations, the North Dakota Transmission Authority's activities, the North Dakota Pipeline Authority's activities, the State Energy Research Center's research activities and accomplishments, a status report from the Department of Mineral Resources on the carbon dioxide storage facility trust fund, the Clean Sustainable Energy Authority's activities, the Energy and Environmental Research Center's results and recommendations of the underground gas storage study, the Energy and Environmental Research Center's study on the development and implementation of hydrogen energy, the Department of Environmental Quality's carbon reduction initiatives, the High-Level Radioactive Waste Advisory Council's findings, and the Insurance Commissioner's assessment of the availability, cost, and risks associated with insurance coverage in the lignite coal industry.

**It was moved by Senator Piepkorn, seconded by Senator Burckhard, and carried on a roll call vote that the report of the Energy Development and Transmission Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, Schmidt, and Weisz and Senators Bell, Burckhard, Heckaman, Piepkorn, Schaible, Wanzek, and Wardner voted "aye." No negative votes were cast.

## HEALTH CARE COMMITTEE

Representative Weisz, Chairman, Health Care Committee, presented the committee [report](#). He noted the committee:

- Studied medication optimization, including a review of the implementation of clinical pharmacist-led medication optimization programs in individual, large group, and small group plans, including provider credentialing, billing standards and procedures, providing standards of care, patient monitoring, consistent documentation of outcomes and efforts related to deprescribing, and structuring an outcome reporting system for medication optimization programs.
- Studied prescription drug pricing, importation, reference pricing, and the role pharmacy benefit managers play in drug pricing.
- Studied health insurance networks, including narrow networks.
- Studied solutions to provider and end-user barriers to access to and utilization of telehealth services in this state.

- Studied the feasibility and desirability of implementing a community health worker program, including recommendations regarding a definition of a community health worker, the scope of work of a community health worker, the infrastructure for training of community health workers, the development of a community health worker certification process and related training curriculum and continuing education requirements, a strategy for community health worker services being Medicaid-reimbursed services, and private insurers' use of community health workers.
- Received reports from the State Fire Marshal on the State Fire Marshal's findings and any recommendation for legislation to improve the effectiveness of the law on reduced ignition propensity standards for cigarettes; the Department of Human Services, State Department of Health, Indian Affairs Commission, and Public Employees Retirement System (PERS) on their collaboration to identify goals and benchmarks while also developing individual agency plans to reduce the incidence of diabetes in the state, improve diabetes care, and correct complications associated with diabetes; the State Department of Health regarding progress made toward the recommendations provided in Section 23-43-04 regarding stroke centers and stroke care and any recommendation for future legislation; the Maternal Mortality Review Committee regarding the identification of patterns, trends, and policy issues related to maternal mortality.

**It was moved by Senator Burckhard, seconded by Senator Wardner, and carried on a roll call vote that the report of the Health Care Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, Schmidt, and Weisz and Senators Bell, Burckhard, Heckaman, Piepkorn, Wanzek, and Wardner voted "aye." No negative votes were cast.

### EMPLOYEE BENEFITS PROGRAMS COMMITTEE

Representative Boschee, Chairman, Employee Benefits Programs Committee, presented the committee [report](#). He noted the committee:

- Received annual actuarial valuations of the Teachers' Fund for Retirement and PERS retirement funds.
- Received reports from OMB on the bonuses provided by state agencies to recruit and retain employees, payment by state agencies of employee membership dues for professional organizations and service clubs, and payment by state agencies of training or educational courses for employees.
- Reviewed legislative proposals affecting public employees retirement programs and health and retiree health plans.
- Adopted a procedure for identifying measures and proposed measures mandating health insurance coverage of services or payments for specified providers of services.

**It was moved by Representative Boschee, seconded by Senator Heckaman, and carried on a roll call vote that the report of the Employee Benefits Programs Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, Schmidt, and Weisz and Senators Bell, Burckhard, Heckaman, Piepkorn, Schaible, and Wardner voted "aye." No negative votes were cast.

### RETIREMENT COMMITTEE

Representative Lefor, Chairman, Retirement Committee, presented the committee [report](#). He noted:

- The committee was created to develop a plan for new hires under the PERS main system to participate in the defined contribution (DC) plan and to close the defined benefit (DB) plan to new entries effective January 1, 2024. The committee received authorization from the Legislative Management to develop a plan for new hires under the PERS main system to participate in a DC, cash benefit, or hybrid plan and to close the DB plan to hires effective on a date certain.
- Testimony was received from PERS, TIAA, the Reason Foundation, North Dakota United, the Retirement and Investment Office, OMB, North Dakota Association of Counties, North Dakota League of Cities, and other stakeholders regarding the committee's study.
- The Legislative Management entered a contract with Milliman, Inc., to provide the committee actuarial estimates and consultation services regarding options for a DC plan and potential alternatives to a DC plan. Milliman, Inc., provided the committee 14 DB, DC, and actuarially determined employer contribution plan scenarios based on assumption of investment returns of 6.5 or 5.5 percent.

**It was moved by Representative Lefor, seconded by Senator Wardner, and carried on a roll call vote that the report of the Retirement Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, Schmidt, and Weisz and Senators Bell, Burckhard, Heckaman, Piepkorn, Schaible, and Wardner voted "aye." No negative votes were cast.

## LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE

Senator Wardner, Chairman, Legislative Procedure and Arrangements Committee, presented the committee [report](#). He noted the committee:

- Made arrangements for the 2021 special legislative session, the 2022 organizational session, and the 2023 legislative session, including scheduling required reports and legislative addresses.
- Recommended maintenance and replacement items for the legislative chambers and made arrangements for committee room and clerk workspaces.
- Made recommendations for the adjustment of legislative compensation amounts and expense reimbursements.
- Received updates on renovations required to bring committee rooms and other parts of the Capitol into compliance with the federal Americans with Disabilities Act.
- Recommended updates to the [North Dakota Legislative Assembly Policy Against Workplace Harassment](#).
- Recommended changes to legislative subscription services and Bill and Journal Room printing services.
- In consultation with the Employment Committee chairmen, made recommendations for legislative session staff positions and compensation.
- Made arrangements for photography services for the 68<sup>th</sup> Legislative Assembly.
- Approved the continuation of the legislative internship program, legislative tour guide program, chaplaincy program, legislator wellness program, and doctor of the day program.
- Recommended legislative rules changes.

**It was moved by Senator Wardner, seconded by Senator Burckhard, and carried on a roll call vote that the report of the Legislative Procedure and Arrangements Committee be accepted.** Representatives Pollert, Bosch, Boschee, Koppelman, Lefor, Mitskog, Schmidt, and Weisz and Senators Bell, Burckhard, Heckaman, Klein, Piepkorn, Schaible, and Wardner voted "aye." No negative votes were cast.

## OTHER BUSINESS

### Election of Chairman and Vice Chairman

Chairman Pollert thanked Mr. Bjornson and the Legislative Council staff for their service over the years and extended his thanks and appreciation to Senators Wanzek and Heckaman and Representatives Koppelman and Boschee.

Chairman Pollert called for nominations to replace the recently elected Secretary of State Michael Howe as a member of the Legislative Management.

**It was moved by Representative Lefor, seconded by Representative Koppelman, that Representative Don Vigesaa be appointed to replace Representative Michael Howe as a member of the Legislative Management.**

Chairman Pollert called for additional nominations.

**It was moved by Representative Koppelman, seconded by Representative Bosch, and carried on a voice vote that nominations cease, and a unanimous ballot be cast for Representative Vigesaa.**

Chairman Pollert called for nominations for a Chairman and Vice Chairman of the Legislative Management to serve between December 1, 2022, and January 3, 2023.

**It was moved by Representative Lefor, seconded by Representative Bosch, that Representative Weisz be appointed as the Chairman of the Legislative Management.**

Chairman Pollert called for additional nominations.

**It was moved by Senator Wardner, seconded by Representative Koppelman, and carried on a voice vote that nominations cease, and an unanimous ballot be cast for Representative Weisz for Chairman of the Legislative Management.**

**It was moved by Representative Lefor, seconded by Senator Wanzek, that Representative Bosch be appointed as the Vice Chairman of the Legislative Management.**

Chairman Pollert called for additional nominations.

**It was moved by Senator Wardner, seconded by Representative Koppelman, and carried on a voice vote that nominations cease, and a unanimous ballot be cast for Representative Bosch for Vice Chairman of the Legislative Management.**

On a point of personal privilege, Senator Wardner thanked Senator Heckaman for her many years of dedicated service.

No further business appearing, Chairman Pollert adjourned the meeting at 11:55 a.m.

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John Bjornson  
Director