



## LEGISLATIVE MANAGEMENT

Wednesday, November 13, 2024  
House Chamber, State Capitol  
Bismarck, North Dakota

Representative Mike Lefor, Chairman, called the meeting to order at 9:03 a.m.

**Members present:** Representatives Mike Lefor, Glenn Bosch, Josh Bosch, Zachary Ista, Ben Koppelman, Emily O'Brien, Paul J. Thomas, Robin Weisz; Senators Brad Bekkedahl, Kathy Hogan, David Hogue, Jerry Klein, Tim Mathern, Janne Myrdal, Donald Schaible

**Members absent:** Representative Dennis Johnson; Senator Kyle Davison

**Others present:** Representatives Jared C. Hagert, Emerado; Brandy L. Pyle, Casselton; Shannon Roers Jones, Fargo; Matthew Ruby, Minot; Mark Sanford, Grand Forks; Austen Schauer, West Fargo; Gregory Stemen, Fargo; Michelle Strinden, Fargo and Senators Michelle Axtman, Bismarck; Jordan L. Kannianen, Stanley; Kristin Roers, Fargo; Dean Rummel, Dickinson; Ronald Sorvaag, Fargo

Adam Mathiak, Legislative Council, Bismarck

### OPENING REMARKS

Chairman Lefor recognized the members of the 68<sup>th</sup> Legislative Assembly who will not return for the 69<sup>th</sup> Legislative Assembly and thanked them for their service. He also thanked those legislators who served as committee chairmen and legislators and the Legislative Council staff for their work during the interim.

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

- There will be 25 reports ~~will be~~ presented.
- There were 127 total interim committee meetings, 36 fewer than last interim.
- Committees are recommending 27 bills and 1 resolution, compared to 31 bills and 2 resolutions last interim.

### BUDGET SECTION

Senator ~~Brad~~ Bekkedahl, 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 other reports including updates regarding the revised 2023-25 biennium revenue forecast and the preliminary 2025-27 biennium revenue forecast.

**It was moved by Senator Bekkedahl, seconded by Senator Schaible, and carried on a roll call vote that the report of the Budget Section be accepted.** Representatives Lefor, Bosch, Bosch, Koppelman, O'Brien, Thomas, and Weisz and Senators Bekkedahl, Hogan, Hogue, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

## LEGISLATIVE AUDIT AND FISCAL REVIEW COMMITTEE

Representative ~~Emily~~ O'Brien, Chairman, Legislative Audit and Fiscal Review Committee, presented the committee report. She 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 32 operational audits conducted using performance auditing standards, 1 performance audit report, and 68 financial audit reports. An additional 13 audit reports were filed with the committee, but not formally presented.
- Received the performance audit report on the prescription drug coverage of the main Public Employees Retirement System health benefit plan from the State Auditor's office. The State Auditor's office contracted with Myers and Stauffer, LC, to conduct the audit. Recommendations included adjusting the Sanford Health Plan contract to have a more conservative retained dollar amount and adjusting monthly premiums to reduce the likelihood of significant overfunding of the plan.
- Received a fact-finding investigative report from the Montana Department of Justice on the facilities leased by the Attorney General located at 1720 Burlington Drive, Bismarck.

**It was moved by Representative O'Brien, seconded by Representative Thomas, and carried on a roll call vote that the report of the Legislative Audit and Fiscal Review Committee be accepted.** Representatives Lefor, Bosch, Boschee, Koppelman, O'Brien, and Thomas and Senators Bekkedahl, Hogan, Hogue, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

## HIGHER EDUCATION COMMITTEE

Representative Mark Sanford, Chairman, Higher Education Committee, presented a summary (~~Appendix~~appendix) of the committee report. He noted the committee:

- Studied funding for dual-credit courses, including the higher education funding formula, elementary and secondary education integrated formula payments, scholarships, and the Bank of North Dakota.
- 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, grants awarded from the economic diversification research fund, trends in higher education, 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.
- Toured the campuses of Dickinson State University, Bismarck State College, Valley City State University, Williston State College, Minot State University, the North Dakota State College of Science, North Dakota State University, Lake Region State College, and the University of North Dakota.

**It was moved by Senator Schaible, seconded by Representative O'Brien, and carried on a roll call vote that the report of the Higher Education Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Bekkedahl, Hogan, Hogue, Klein, Mathern, Myrdal, and Schaible 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 emergence of artificial intelligence (AI) and the potential impacts on the state's institutions, agencies, businesses, citizens, and youth.
- Studied emergency and interoperable public safety communications system governance needs and options.
- Reviewed large information technology (IT) projects of state agencies, including the Department of Public Instruction's NDFoods project and Information Technology Department's (ITD) statewide interoperable radio network project.
- Received reports regarding elementary and secondary IT initiatives, health IT initiatives, higher education IT projects and activities, the statewide longitudinal data system, distributed ledger technology projects, disclosed cybersecurity incidents, IT security audits of ITD and the North Dakota University System, and federal funding received and spent by ITD for broadband and cybersecurity programs.

**It was moved by Representative Bosch, seconded by Senator Myrdal, and carried on a roll call vote that the report of the Information Technology Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Bekkedahl, Hogue, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

## SCHOOL FUNDING TASK FORCE

Senator ~~Donald~~ Schaible, Chairman, School Funding Task Force, presented the committee report. He noted the committee:

- Reviewed selected provisions of the elementary and secondary education state aid formula, including school districts not on the formula, impacts to reorganized and consolidated school districts, local contributions to the formula, and excess ending fund balance deductions.
- Reviewed transportation aid for elementary and secondary education, including a proposed transportation aid formula linking transportation aid to the state school aid per student payment rate.
- Reviewed special education contract reimbursements.
- Reviewed school construction challenges and funding models, including the Bank of North Dakota school construction assistance revolving loan fund, a proposal allowing school districts to retain additional local in lieu of property tax revenue to fund construction, school construction state aid grants provided in Kansas, and state responsibility for school construction in Wyoming.
- Received other reports including reports from the Education Commission of the States regarding state funding models, special education, and revenue sources; the Center for Distance Education regarding the cost of distance education and enrollment trends; the North Dakota Council of Educational Leaders regarding the impact of the elimination of property tax on funding for K-12 education, the fiscal impact of recent legislation on school districts, and programs school districts offer that are not measured by accountability standards; and the Department of Public Instruction regarding student enrollment, including the status of state school aid for the 2023-25 biennium and the cost to continue funding for state school aid during the 2025-27 biennium, and use of federal ESSER funds for various programs.

**It was moved by Senator Schaible, seconded by Representative Bosch, and carried on a roll call vote that the report of the School Funding Task Force be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### **TAX RELIEF ADVISORY COMMITTEE**

Representative Jordan Kannianen, Chairman, Tax Relief Advisory Committee, presented the committee report. He noted the committee studied tax relief, including income and property tax relief, including:

- The estimated and actual fiscal impact of historical income and property tax relief provided by the Legislative Assembly.
- An analysis of the tax relief provided by the 68th Legislative Assembly through individual income tax rate changes, a primary residence credit, and an expansion of the homestead credit, including the estimated fiscal impact for each method of tax relief and the effect of the income tax rate changes on passthrough income related to income reported on K-1 forms and royalty income reported on 1099-MISC forms.
- Options to adjust the individual income tax structure and options to implement a flat individual income tax rate, including the estimated fiscal impact of the options.
- The implementation of the primary residence credit.

**It was moved by Senator Klein, seconded by Senator Myrdal, and carried on a roll call vote that the report of the Tax Relief Advisory Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### **TAXATION COMMITTEE**

Representative Jared [C. Hagert](#), Chairman, Taxation Committee, presented the committee report. He noted the committee:

- Studied providing a property tax exemption for elevators, warehouses, and other farm structures classified as commercial property, which are privately owned and used to store agricultural products produced by the owner or an individual related to the owner.
- Studied the impact of political subdivisions levying special assessments against other political subdivisions and the overall impact on taxpayers.
- 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 two reports from the Department of Commerce, including a report on renaissance zone progress and a report pertaining to cities that have renaissance zone property included in a tax increment financing district.
- Received a report from the Tax Department summarizing the information provided by taxpayers that received a sales tax exemption for raw materials, single-use product contact systems, and reagents used for biologic manufacturing.
- Received a report from the Tax Commissioner, State Supervisor of Assessments, and the Chairmen of the Finance and Taxation Standing Committees of the House of Representatives and the Senate regarding their findings and recommendations on a study of property tax transparency.

In response to a question from a committee member, Representative Hagert provided additional background regarding the reasoning for the committee's recommendation for a bill draft relating to the ability of the Tax Commissioner to make disclosures regarding taxpayers receiving tax incentives.

**It was moved by Representative O'Brien, seconded by Representative Bosch, and carried on a roll call vote that the report of the Taxation Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### TRIBAL AND STATE RELATIONS COMMITTEE

Representative Ista, 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.
- ~~Traveled to and held~~ meetings at four tribal nations located within the state.
- Received information on education, law enforcement, health care, foster care, economic development, infrastructure, water, natural resources, agriculture, justice, elections, and repatriation of remains.

**It was moved by Representative Ista, seconded by Senator Bekkedahl, and carried on a roll call vote that the report of the Tribal and State Relations Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### EMPLOYEE BENEFITS PROGRAMS COMMITTEE

Representative Austen Schauer, Chairman, Employee Benefits Programs Committee, presented the committee report. He noted the committee:

- Received annual actuarial valuations of the Teachers' Fund for Retirement and Public Employees Retirement System funds.
- Received reports from the Office of Management and Budget on 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 plans.
- Adopted a procedure for identifying measures and proposed measures mandating health insurance coverage of services or payments for specified providers of services.
- Received periodic reports from representatives of the Public Employees Retirement System regarding the status of the closure of the main system defined benefit retirement plan and the transition to the new defined contribution retirement plan.

**It was moved by Representative O'Brien, seconded by Senator Myrdal, and carried on a roll call vote that the report of the Employee Benefits Programs Committee be accepted.** Representatives Lefor, Bosch, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

## RETIREMENT COMMITTEE

Representative Dockter, Chairman, Retirement Committee, presented the committee report. He noted the committee:

- Studied the Public Employees Retirement System main system plan, including funding options and contributions by political subdivisions.
- Studied best practices for public employee retirement plans, including defined benefit (DB), defined contribution, and hybrid plans.
- Received information from the Public Employees Retirement System, political subdivisions, and interested organizations regarding the closure of the main system DB retirement plan and start of the new defined contribution retirement plan, which will be effective January 1, 2025.

**It was moved by Representative Bosch, seconded by Representative O'Brien, and carried on a roll call vote that the report of the Retirement Committee be accepted.** Representatives Lefor, Bosch, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Bekkedahl, Hogue, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

## AGRICULTURE AND NATURAL RESOURCES COMMITTEE

Representative Thomas, Chairman, Agriculture and Natural Resources Committee, presented the committee report. He noted the committee:

- Studied the roles of the Insurance Commissioner, Department of Emergency Services, and Department of Water Resources in relation to the tracking and updating of the relevant primary land use authority on lands outside a municipality's jurisdiction.
- Studied the number of persons that own or control any real estate or commercial assets or operate a business within this state ~~that~~which is owned by, controlled by, or subject to the jurisdiction or direction of foreign adversaries or individuals acting on behalf of or in conjunction with foreign adversaries or persons listed on the Office of Foreign Assets Control sanctions list.
- Studied the plans for mitigating adverse wildlife and environmental impacts and monetary payments made to state agencies, contractors, nongovernmental organizations, and others by applicants or other persons for mitigation during the siting and operation of energy conversion or transmission facilities.
- Received reports regarding the progress of the Model Zoning Review Task Force on developing model zoning ordinances for animal feeding operations, the balance of and disbursements from the Environmental Impact Mitigation Fund, and the status of the State Board of Agricultural Research and Education's activities and expenditures.

**It was moved by Representative Thomas, seconded by Senator Myrdal, and carried on a roll call vote that the report of the Agriculture and Natural Resources Committee be accepted.** Representatives Lefor, Bosch, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

## GOVERNMENT FINANCE COMMITTEE

Senator Dean Rummel, Chairman, Government Finance Committee, presented the committee report. He noted the committee:

- Studied appropriation procedures for the Department of Financial Institutions, the administration of the state bonding fund and the state fire and tornado fund, the state's guardianship programs, state agency

fees, and the need to modernize the fleet of state-owned aircraft.

- Reviewed and monitored the state budget, including a consultant's preliminary revenue forecast for the 2025-27 biennium.
- Received reports regarding the Department of Transportation's plan to complete the US Highway 85 four-lane project, the status of selected Department of Commerce grant programs, funding to defray inflationary costs for projects under the statewide area career center initiative grant program, grants for autonomous technology, legacy fund earnings exceeding the percent of market value, the Department of Health and Human Services' use of funding for the full-time equivalent position block grant program, snow removal grants, and the results of the Office of Management and Budget's cash management study.

**It was moved by Senator Klein, seconded by Senator Bekkedahl, and carried on a roll call vote that the report of the Government Finance Committee be accepted.** Representatives Lefor, Bosch, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Bekkedahl, Hogan, Hogue, Klein, Mathern, and Schaible voted "aye." No negative votes were cast.

### GOVERNMENT SERVICES COMMITTEE

Representative ~~Ben~~ Koppelman, Chairman, Government Services Committee, presented the committee report. He noted the committee:

- Studied the services and needs of the State Crime Laboratory, including staffing and equipment needs.
- Studied infrastructure development and construction management procurement methods.
- Studied homelessness and barriers to housing.
- Studied accessible transportation for older adults and individuals with disabilities in the state.
- Studied the feasibility and desirability of creating a statutory committee to assist in the design and oversight of the remodel or construction of state-owned buildings.
- 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 Veterans' Home on the status of implementing recommendations included in the Veterans' Home strategic plan

**It was moved by Representative Koppelman, seconded by Senator Mathern, and carried on a roll call vote that the report of the Government Services Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Bekkedahl, Hogan, Hogue, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### HUMAN SERVICES COMMITTEE

Representative Matthew Ruby, Chairman, Human Services Committee, presented the committee report. He noted the committee:

- Studied the status of the implementation of recommendations of the 2018 and 2022 studies relating to behavioral health needs and acute psychiatric and residential care needs.
- Studied early childhood care programs and services.
- Studied the payment rates for intermediate care facilities.



- Studied options to expand federally qualified health centers.
- Studied the need for inpatient mental health care for children.
- Received various reports, including reports on foster care and adoption child welfare redesign, the family caregiver service pilot project, and the tribal health\_care coordination fund.

**It was moved by Representative O'Brien, seconded by Senator Hogan, and carried on a roll call vote that the report of the Human Services Committee be accepted.** Representatives Lefor, Bosch, Boschee, O'Brien, Thomas, and Weisz and Senators Hogan, Hogue, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### HEALTH SERVICES COMMITTEE

Senator Kristin Roers, Chairman, Health Services Committee, presented the committee report. She noted the committee:

- Studied options to discontinue the Comprehensive Health Association of North Dakota program.
- Studied the delivery of emergency medical services in the state.
- Studied whether services provided in the state for the care and treatment of individuals with brain injury are adequate.

**It was moved by Senator Myrdal, seconded by Senator Schaible, and carried on a roll call vote that the report of the Health Services Committee be accepted.** Representatives Lefor, Bosch, Boschee, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogan, Hogue, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### HEALTH CARE COMMITTEE

Representative Gregory Stemen, Vice Chairman, Health Care Committee, presented the committee report. He noted the committee:

- Studied the benefits of basing provider reimbursement rates for the Medicaid program in accordance with a provider's performance under established and accepted value-based care metrics. The study reviewed value-based care programs implemented by the Department of Health and Human Services (DHHS) in prospective payment system hospitals and nursing facilities.
- Studied the impact of entities that receive Medicaid and Medicaid Expansion funding using contract nursing agencies. The study considered the value of establishing a regulatory framework relating to nursing services agencies.
- Studied prior authorization in health benefit plans. The study considered the extent to which prior authorization is used by health insurance companies and the impact on health care providers and patient care, including the effects on patient health outcomes, patient satisfaction, health care costs, and patient access to care.
- Received ~~reports~~~~repets~~ 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; DHHS, Indian Affairs Commission, and Public Employees Retirement System 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; DHHS regarding progress made toward the recommendations provided in North Dakota



Century Code Section 23-43-04 regarding stroke centers and stroke care and any recommendation for future legislation; and the Maternal Mortality Review Committee regarding the identification of patterns, trends, and policy issues related to maternal mortality.

- Received a recommendation from the Insurance Commissioner regarding a private entity with which to contract to provide a cost-benefit analysis of every legislative measure or amendment mandating health insurance coverage of services or payment for specified providers of services.

**It was moved by Senator Myrdal, seconded by Senator Klein, and carried on a roll call vote that the report of the Health Care Committee be accepted.** Representatives Lefor, Bosch, Boschee, Koppelman, O'Brien, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### ADMINISTRATIVE RULES COMMITTEE

Representative Brandy L. Pyle, Chairman, Administrative Rules Committee, presented the committee report. She noted the committee:

- Reviewed all administrative rules adopted by state administrative agencies from January 2023 through October 2024, covering 1,939 pages of rules and 1,531 rules sections.
- Voided a rule of DHHS relating to a list of acceptable reassignment surgeries for failing to comply with express legislative intent.
- Voided a rule of DHHS relating to the proposed replacement of the terms "woman" and "mother" because the rule change was arbitrary and capricious.
- Voided a rule of DHHS relating to the review of applications for licensure to operate a child-placing agency for failing to comply with express legislative intent.
- Voided a rule of the Marriage and Family Licensure Board relating to conversion therapy for failure to comply with express legislative intent.
- Repealed obsolete rules and amended other rules when agreement was reached with the agency.

**It was moved by Representative O'Brien, seconded by Senator Myrdal, and carried on a roll call vote that the report of the Administrative Rules Committee be accepted.** Representatives Lefor, Bosch, Boschee, Koppelman, O'Brien, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### EDUCATION COMMITTEE

Senator Michelle Axtman, Chairman, Education Committee, presented the committee report. She noted the committee:

- Studied the history and moratorium on school district ending fund balances, including consideration of the disparate impact of ending fund balance restrictions among small and large schools.
- Studied school choice models, including consideration of input from stakeholders, including public and nonpublic teachers and administrators, parents of students, representatives from the Department of Public Instruction (DPI), a representative from the Governor's office, and representatives from regional education associations.
- Studied the feasibility, desirability, and impact of replacing storm days with virtual instruction days and received input from DPI, public school administrators and teachers, and other stakeholders.

- 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 Representative O'Brien, seconded by Senator Bosch, and carried on a roll call vote that the report of the Education Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

## WORKFORCE COMMITTEE

Representative Shannon Roers Jones, Chairman, Workforce Committee, presented the committee report. She noted the committee:

- Studied the model by which the Department of Career and Technical Education allocates funds to the workforce training centers at Bismarck State College, Lake Region State College, North Dakota State College of Science, and Williston State College.
- Studied the state's existing autonomous system capabilities and infrastructure to provide safety and workforce solutions.
- Studied the feasibility and desirability of enacting the social work licensure compact.
- Studied the feasibility and desirability of creating a state office of apprenticeship.
- Received reports regarding an employee recruitment and retention program at the Bank of North Dakota, grants awarded to a tribally controlled community college; the liability of general contractors or the payment of premiums for subcontractors that fail to pay Workforce Safety and Insurance premiums; environmental, social, and governance trends and policies; and the Labor Commissioner's strategy to expedite licensure of out-of-state practitioners and revise continuing education requirements.

**It was moved by Representative O'Brien, seconded by Representative Ista, and carried on a roll call vote that the report of the Workforce Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

## JUDICIARY COMMITTEE

Senator Myrdal, Chairman, Judiciary Committee, presented the committee report. She noted the committee:

- Studied those provisions of the North Dakota Century Code ~~that~~which place restrictions on carrying firearms and dangerous weapons. The study examined the state's ~~current~~ firearm and weapon possession prohibitions as compared to the nation's historical regulations and restrictions on the time, place, and manner in which firearms and dangerous weapons may be restricted; assessed recent federal court cases relating to firearm restrictions, including public carry; and examined the definition of a dangerous weapon and whether the ~~current~~ definition of a dangerous weapon should be maintained, narrowed, or expanded.
- Studied statewide charitable gaming, including the economic impact of charitable gaming on the state in urban and rural areas, gambling addiction and treatment services, the civic benefit of charitable gaming to the communities most closely related to the gaming sites, and the manner in which site authorization is approved and renewed.
- Studied the recording practices of local and state law enforcement during custodial interrogations to determine the feasibility and desirability of uniform implementation of recording practices. The study

considered the number of law enforcement agencies recording custodial interrogations and policies regarding how the recording of interrogations is conducted, the storage and retention practices associated with recording interrogations, and the types of equipment used to record interrogations.

- Studied the laws and procedures relating to municipal courts, including the number and geographic location of existing municipal courts, access to municipal court ordinances, jurisdiction of the municipal courts, and municipal court judge qualifications and training.
- Received reports regarding uniform laws recommended by the North Dakota Commission on Uniform State Laws, civilly forfeited property, operation of the state lottery, the status of the program to assist rural counties and municipalities in recruiting attorneys, and the implementation of a uniform bail schedule and the standard amount of bail for each state offense.

**It was moved by Senator Myrdal, Seconded by Representative O'Brien, and carried on a roll call vote that the report of the Judiciary Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### JUVENILE JUSTICE COMMITTEE

Representative Michelle Strinden, Chairman, Juvenile Justice Committee, presented the committee report. She noted the committee:

- Studied the criminal code to ensure equitable application to youths charged with juvenile delinquencies, including whether a separate and unique classification of criminal offenses for juveniles should be created, and which criminal offenses should receive a distinct classification for juvenile offenders, if any.
- Studied the laws and practices of the child welfare system, including juvenile court procedures, the foster care and adoption systems, and the timeliness of termination of parental rights.
- Studied the statewide criminal history record check process, including a comparison between the statewide and nationwide criminal history record check standards, a review of the average processing time of a requested criminal history record check, and an evaluation of methods to improve efficiency and processing times of the statewide criminal history record check process.
- Studied re-entry outcomes for incarcerated adults and youth, including examining re-entry services in the areas of correctional supervision, employment, job training, housing, transportation, support services, behavioral health services, and current disparities in re-entry outcomes.
- Received reports regarding the status and results of the human trafficking victims grant program, the Department of Health and Human Services' progress of the study to review the option of reinstating parental rights that have been terminated by a court, and the implementation of collection development and relocation of materials policies to ensure explicit sexual material is not maintained in a public library's children's collection inventory.

**It was moved by Senator Myrdal, Seconded by Representative Bosch, and carried on a roll call vote that the report of the Juvenile Justice Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### ENERGY DEVELOPMENT AND TRANSMISSION COMMITTEE

Senator Hogue, Chairman, Energy Development and Transmission Committee, presented the committee report.

He noted the committee:

- Studied the development of a comprehensive statewide energy policy, including sustainable energy policies to maximize the economic viability of existing energy sources, future demands on electricity in the state, and the feasibility of advanced nuclear energy development and transmission in the state.
- Studied the accessibility of natural gas in small communities, including a review of existing programs to assist small communities with gaining access to natural gas.
- Studied the effect of electric vehicles in the state, including the impact on motor fuel tax revenues and demands on the electrical grid.
- Reviewed proposed federal regulations and potential impacts on regional transmission organizations including the Midcontinent Independent System Operator and Southwest Power Pool.
- Received numerous energy-related reports including reports from the Department of Transportation, State Energy Research Center, Energy and Environmental Research Center, Agriculture Commissioner, Bank of North Dakota, North Dakota Transmission Authority, Energy Policy Commission, Industrial Commission, High-Level Radioactive Waste Advisory Council, and North Dakota Pipeline Authority.

**It was moved by Senator Hogue, seconded by Representative O'Brien, and carried on a roll call vote that the report of the Energy Development and Transmission Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### **WATER TOPICS OVERVIEW COMMITTEE**

Senator Ronald Sorvaag, Chairman, Water Topics Overview Committee, presented the committee report. He noted the committee:

- Received quarterly reports from the State Water Commission regarding designated carryover projects, quarterly reports from the Garrison Diversion Conservancy District regarding the status of the Red River Valley Water Supply Project, and a report from the Department of Water Resources regarding options for the use of the Missouri River intake constructed near Washburn.
- Reviewed state government operations and water related projects in North Dakota including the duties of the Department of Water Resources, Fargo-Moorhead Area Diversion Project, Mouse River Enhanced Flood Protection Project, Western Area Water Supply, Southwest Pipeline Project, Northwest Area Water Supply, and the Red River Valley Supply Project.
- Reviewed ongoing and planned projects from the Missouri River Joint Water Board, North Dakota Rural Water Systems Association, North Dakota League of Cities, Game and Fish Department, and regional water resource boards.

**It was moved by Senator Schaible, seconded by Representative Thomas, and carried on a roll call vote that the report of the Water Topics Overview Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### **REDISTRICTING COMMITTEE**

Senator Sorvaag, Chairman, Redistricting Committee, presented the committee report. He noted the committee:

- Was appointed by the Legislative Management on December 5, 2023, in response to an order by the United States District Court to adopt a remedial redistricting map.

- First met on December 13, 2024, to review the redistricting map that was adopted by the Legislative Assembly in 2021, and the ensuing litigation in *Walen v. Burgum* and *Turtle Mountain Band of Chippewa Indians et al. v. Howe*.
- Reviewed the objective of the committee, which was to propose a new redistricting map to remedy the court's holding in *Turtle Mountain Band of Chippewa Indians et al. v. Howe*, which found certain districts in the originally adopted map violated Section 2 of the Voting Rights Act.
- Met for a second time on December 20, 2024, and considered several maps, including the two maps proposed by the plaintiff.
- ~~The committee adjourned~~ **Adjourned** with the intention to review "Proposed Map #3" and "Proposed Map #4" more carefully at the next meeting scheduled for January 9, 2024.
- Did not reconvene following the imposition of "Plaintiff's Map #2" by the district court on January 8, 2024.

**It was moved by Senator Bekkedahl, seconded by Senator Klein, and carried on a roll call vote that the report of the Redistricting Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

## LEGISLATIVE PROCEDURE AND ARRANGEMENTS COMMITTEE

Senator Klein, Chairman, Legislative Procedure and Arrangements Committee, presented the committee report.

He noted the committee:

- Made arrangements for the 2024 organizational session and the 2025 legislative session, including scheduling required reports and legislative addresses.
- Recommended maintenance and replacement items for the legislative chambers including recommending funding for accessibility improvements to the chambers.
- Made recommendations for the adjustment of legislative compensation amounts and expense reimbursements.
- Recommended updates to the *North Dakota Legislative Assembly Policy Against Workplace Harassment*.
- Recommended eliminating the legislative document subscription service and moving to on-demand printing of legislative documents.
- In consultation with the Employment Committee Chairmen, made recommendations for legislative session staff positions and compensation.
- Made arrangements for photography services for the 69th Legislative Assembly.
- Approved the continuation of the legislative legal internship program, legislative tour guide program, chaplaincy program, legislator wellness program, and doctor of the day program and created a new Legislative Assembly internship program.
- Recommended legislative rules changes.
- Studied the impact of term limits on the manner in which the Legislative Assembly conducts business and recommended funding to increase the number of Legislative Council staff.

**It was moved by Senator Klein, seconded by Representative O'Brien, and carried on a roll call vote that the report of the Legislative Procedure and Arrangements Committee be accepted.** Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### **LEGACY FUND COST-BENEFIT ANALYSIS PROCEDURE**

At the request of Chairman Lefor, Mr. Adam Mathiak, Senior Fiscal Analyst, Legislative Council, distributed a proposed policy [link 25.9346.01000] for the required analysis of measures affecting the asset allocation or investment policy of the Legacy Fund.

It was moved by Representative Bosch, seconded by Senator Klein, and carried on a roll call vote that the proposed policy for the required analysis of measures affecting the asset allocation or investment policy of the Legacy Fund be approved. Representatives Lefor, Bosch, Boschee, Ista, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Hogan, Klein, Mathern, Myrdal, and Schaible voted "aye." No negative votes were cast.

### **PAYMENT OF LEGISLATOR ATTORNEY'S FEES**

Senator Hogue reviewed details related to a lawsuit brought against Senator Myrdal which alleged Senator Myrdal unconstitutionally blocked a commenter on a social media page maintained by Senator Myrdal in her personal capacity. He noted:

- Senator Myrdal incurred \$48,391.90 in attorney's fees in defending against the lawsuit which were not covered by the state.
- Senator Myrdal prevailed in the lawsuit at the district court level and at the North Dakota Supreme Court.
- There is precedent from other states in which the legislators were defended or the cost of defense was paid by the state.
- Legislators should not be forced to pay to defend themselves against lawsuits in cases in which they are sued because they are legislators.

Members of the committee favoring reimbursement of the legal fees noted:

- It is difficult to find individuals willing to serve in the Legislative Assembly and not assisting with the defense costs related to lawsuits brought against legislators will make it harder to recruit candidates.
- The reimbursement would be for costs incurred only because Senator Myrdal was sued because she was a legislator.
- Legislators should be protected from harassment.

Other members of the committee noted:

- There is no policy in place to address situations such as this and there is no other precedent for the payment of legal costs for a legislator.
- The reimbursement could be considered a gift in violation of the anti-gifting provision in the state constitution.
- It seems inconsistent for Senator Myrdal to have argued she was acting in her personal capacity while subsequently seeking reimbursement for legal costs because she is a legislator.

Senator Myrdal noted she had a conflict that excuses her from voting on the question. The committee excused Senator Myrdal from voting.

It was moved by Senator Hogue, seconded by Representative Koppelman, and carried on a roll call vote that Senator Myrdal be reimbursed by the Legislative Assembly for legal fees in the amount of \$48,391.90. Representatives Lefor, Bosch, Koppelman, O'Brien, Thomas, and Weisz and Senators Hogue, Bekkedahl, Klein, and Schaible vote "aye." Representatives Boschee and Ista and Senators Hogan and Mathern vote "nay."

No further business appearing, Chairman Lefor adjourned the meeting at 12:00 p.m.

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John Bjornson  
Director

ATTACH: