

## 2019 LEGISLATION DIRECTLY AFFECTING THE LEGISLATIVE MANAGEMENT AND THE LEGISLATIVE ASSEMBLY

This memorandum identifies 2019 legislation that directly affects the responsibilities of the Legislative Management, Legislative Council, or the Legislative Assembly. Some provisions are listed under more than one heading to ensure each heading contains a comprehensive list of applicable provisions. This memorandum:

- Does not describe those provisions in bills which require agencies to report to the Appropriations Committees of the 67<sup>th</sup> Legislative Assembly regarding one-time funding items.
- Does not describe those provisions in bills which require the Governor to submit to the 67<sup>th</sup> Legislative Assembly proposed appropriations acts in separate appropriations bills.
- Does not describe those provisions in bills which require agencies to introduce legislation seeking state funding for certain projects.

In summary, 2019 legislation:

- Suspends the Committee on Tribal and State Relations through July 31, 2021;
- Requires 15 interim studies to be conducted;
- Directs the Legislative Management to consider 50 studies;
- Establishes 48 new reporting requirements to the Legislative Management, specific committees of the Legislative Management (other than the Budget Section), or to the Legislative Council;
- Establishes or extends 12 reporting requirements to the Budget Section;
- Establishes 9 new approval authorities by the Budget Section;
- Establishes 4 new reporting requirements to the Legislative Assembly; and
- Establishes 9 new reporting requirements to the Appropriations Committees of the Legislative Assembly.

### LEGISLATIVE MANAGEMENT

#### Appointments

**House Bill No. 1003** - Section 6 establishes the Midwestern Higher Education Commission that includes one member of the Senate and one member of the House of Representatives, appointed by the Chairman of the Legislative Management.

**House Bill No. 1015** - Section 9, which creates a Department of Corrections and Rehabilitation Review Committee, directs the Chairman of the Legislative Management to appoint the committee chairman and vice chairman.

**Senate Bill No. 2015** - Section 32, which creates a Legacy Fund Earnings Committee, directs the Chairman of the Legislative Management to appoint the committee chairman and vice chairman.

**Senate Bill No. 2055** - Section 15 directs the Chairman of the Legislative Management to appoint the chairman of the Budget Section.

**Senate Bill No. 2312** - Section 4 establishes a Tribal Taxation Issues Committee to study tribal taxation issues. The bill provides the committee includes the House and Senate Majority and Minority Leaders and the Chairmen of the House and Senate Finance and Taxation Committees and requires the Legislative Management to designate the chairman of the committee.

#### Powers or Duties

**Senate Bill No. 2004** - Section 3 directs the State Auditor to perform performance audits, as determined necessary by Legislative Assembly; the Legislative Audit and Fiscal Review Committee; or the State Auditor, subject to approval by the Legislative Audit and Fiscal Review Committee.

**Senate Bill No. 2055** - Section 15 provides for creation of and the powers, and duties, and membership of the Budget Section.

**Senate Bill No. 2313** - Section 3 directs the Chairman of the Legislative Management to serve as the presiding officer of the Children's Cabinet.

## Statutory Legislative Committees

### Energy Development and Transmission Committee

**Senate Bill No. 2249** - Section 1 requires the State Energy Research Center to report annually to the interim Energy Development and Transmission Committee on all research activities and accomplishments (NDCC § 15-11-40(2)).

### Information Technology Committee

**House Bill No. 1013** - Section 10 requires the Commissioner of University and Schools Lands to report to the interim Information Technology Committee regarding the status of the information technology project undertaken by the Commissioner of University and School Lands.

### Tribal and State Relations Committee

**Senate Bill No. 2313** - Section 3 suspends the Committee on Tribal and State Relations through July 31, 2021.

### Water Topics Overview Committee

**Senate Bill No. 2020** - Section 12 requires the Garrison Diversion Conservancy District to provide regular reports to the Water Topics Overview Committee during the 2019-20 interim regarding the progress of the Red River Valley Water Supply Project.

Section 14 requires the Garrison Diversion Conservancy District to provide quarterly progress reports to the Water Topics Overview Committee during the 2019-21 interim on the Red River Valley Water Supply Project.

## Mandatory Studies

**House Bill No. 1015** - Section 9 requires the Legislative Management to conduct a comprehensive study of the Department of Corrections and Rehabilitation, including a review of gender-responsive correctional and rehabilitation facility and service needs and the preferable location of facilities.

**House Bill No. 1021** - Section 6 requires the Legislative Management to study access to public and private lands for hunting, trapping, fishing, and related issues, including trespass violations and penalties, and provide recommendations regarding a land access database with the capability of electronic posting.

Section 7 requires the Legislative Management to study the Information Technology Department's transition to the run-grow-transform model and the information technology unification initiative.

Section 10 requires the Legislative Management to study consolidated emergency and interoperable public safety communications system governance and funding options.

**House Bill No. 1029** - Section 1 requires the Legislative Management to review the higher education funding formula, including only the appropriateness of certain credit-hour weighting factors and the potential or need for additional weighting factors.

**House Bill No. 1106** - Section 3 requires the Legislative Management to study ways the state may be able to positively affect the current trend of health insurance premium rates increasing, with a focus on the high-risk and subsidized markets.

**House Bill No. 1374** - Section 3 requires a study of the feasibility and desirability of the Public Employees Retirement System entering a separate contract for prescription drug coverage under the uniform group insurance program. The Legislative Management may contract with a private third party to assist in conducting the study and identifying pros and cons relating to a carve out for prescription drug coverage under the uniform group insurance program.

**House Bill No. 1485** - Section 1 requires the Legislative Management to study protections, enforcement, and remedies regarding the disclosure of consumers' personal data. The study must include a review of privacy laws of other states and applicable federal law.

**Senate Bill No. 2015** - Section 32 requires the Legislative Management to study the potential uses of legacy fund earnings, including the use of earnings to provide tax relief, provide for reinvestment of legacy fund earnings, fund research and technological advancements, promote economic growth and diversification, and promote workforce development and career and technical education.

**Senate Bill No. 2019** - Section 14 requires the Legislative Management to study the feasibility and desirability of reducing Lewis and Clark Interpretive Center fees and consider alternatives to address the sustainability of the Parks and Recreation Department's operations of the Lewis and Clark Interpretive Center.

Section 15 requires the Legislative Management to study the public access and use of real property located between the Missouri River and the Missouri River Correctional Center, owned by the State of North Dakota, under the control of the Department of Corrections and Rehabilitation, and the impact of transferring the property to the Parks and Recreation Department.

**Senate Bill No. 2130** - Section 1 requires the Legislative Management to study the provisions of the North Dakota Century Code relating to state agency fees, including a review of the dates state agency fee provisions were created and modified, the revenue generated by the fee as compared to the expenditures related to the purpose or purposes for which the fee is imposed, and the fund or funds in which fee revenue is deposited and from which fee revenue is expended; consideration of whether the amounts of fees should be changed and whether the imposition of a fee is appropriate or if other government revenues should be used to fund the provision of services.

**Senate Bill No. 2148** - Section 1 requires the Legislative Management to study the implementation and requirements of Article XIV of the Constitution of North Dakota concerning the transparency of funding sources, lobbyists, conflicts of interest, and related matters, the responsibilities of the Legislative Assembly and the Ethics Commission, and potential issues under the Constitution of the United States and the Constitution of North Dakota.

**Senate Bill No. 2265** - Section 23 requires the Legislative Management to study the K-12 education funding formula, including the components, adjustments, and weighting factors of the formula.

**Senate Bill No. 2312** - Section 4 requires the Legislative Management to study tribal taxation issues, including the tax collection agreements that exist between the tribes and the state, the interaction between tribal sovereignty and state law, consideration of how statutory changes may affect provisions in existing agreements, the amount and manner of revenue sharing under the agreements, the costs and benefits to the state and the tribes if tax compacts are implemented, implementation models used in other states for tax compacts, best practices for negotiating and ratifying tax compacts, the procedure for withdrawal from an agreement and how to handle disputed funds; and methods for sourcing revenue generated from wells located inside or outside of the external boundaries of a reservation in this state when a horizontal lateral enters a spacing unit that is located both inside and outside of the external boundaries of a reservation in this state.

### **Discretionary Studies**

**House Bill No. 1003** - Section 34 directs the Legislative Management to consider studying North Dakota University System competitive research programs, including the established program to stimulate competitive research. (Not prioritized)

**House Bill No. 1018** - Section 14 directs the Legislative Management to consider studying the future administration and regulation of the unmanned aircraft systems industry in North Dakota, including beyond visual line of sight unmanned aircraft system.

Section 15 directs the Legislative Management to consider studying motion picture incentives. (Not prioritized)

**House Bill No. 1050** - Section 6 directs the Legislative Management to consider studying the implications of the potential adoption of an initiated measure allowing the use of recreational marijuana.

**House Bill No. 1220** - Section 1 directs the Legislative Management to consider studying how the state's central indexing system can be used to provide notification to a secured lender when a super priority lien is filed on the collateral of a secured lender.

**House Bill No. 1246** - Section 2 directs the Legislative Management to consider studying gratis licenses to hunt deer, antelope, elk, and moose. (Not prioritized)

**House Bill No. 1265** - Section 1 directs the Legislative Management to consider studying the purpose, value, and benefits of each state park. The study must include a review of each state park's usage, annual attendance figures, overhead, and the cost to operate and maintain each state park. (Not prioritized)

**House Bill No. 1298** - Section 1 directs the Legislative Management to consider studying accessibility of the state Capitol grounds as related to the Americans with Disabilities Act of 1990 [104 Stat. 327; 42 U.S.C. 12101 et seq.].

**House Bill No. 1367** - Section 1 directs the Legislative Management to consider studying railroad crossings to determine whether adequate safety measures exist to prevent collisions between trains and motor vehicles. (Not prioritized)

**House Bill No. 1401** - Section 1 directs the Legislative Management to consider studying the use of technology to enable remote attendance at interim legislative committee meetings as a cost-saving measure. (Not prioritized)

**House Bill No. 1435** - Section 1 directs the Legislative Management to consider studying consolidated emergency and interoperable public safety communications system governance and funding options. (Not prioritized)

**House Bill No. 1453** - Section 6 directs the Legislative Management to consider studying the state's civil commitment laws and procedures under Chapters 25-03.1 and 25-03.2 and the behavioral health and civil justice systems to determine whether steps could be taken to prevent and to decrease the incidence of violence committed by persons who are mentally ill.

**House Bill No. 1467** - Section 1 directs the Legislative Management to consider studying agricultural issues in the state, including studying grain buyers, roving grain buyers, grain brokers, and grain handling facilities under Title 60; and issues related to prepayment for fertilizer, soil amendments, seed, and fuel in situations of insolvency.

**House Bill No. 1470** - Section 4 directs the Legislative Management to consider studying leave policies for state employees. (Not prioritized)

**House Bill No. 1474** - Section 1 directs the Legislative Management to consider studying options for replacing revenue generated by special assessments with revenue from an alternative local funding source.

**House Bill No. 1487** - Section 1 directs the Legislative Management to consider studying the homestead tax credit, a credit that reduces the property taxes of individuals who are 65 years of age or older or individuals who are permanently and totally disabled and whose income is \$42,000 or less per year. (Not prioritized)

**House Bill No. 1519** - Section 2 directs the Legislative Management to consider studying the list of debilitating medical conditions under the medical marijuana program to determine the appropriateness of the list, including whether conditions should be added to or removed from the list. (Not prioritized)

**Senate Bill No. 2010** - Section 17 directs the Legislative Management to consider studying the feasibility and desirability of state guaranteed issue provisions for health insurance.

Section 18 directs the Legislative Management to consider studying the feasibility and desirability of establishing a pension for volunteer firefighters. (Not prioritized)

**Senate Bill No. 2012** - Section 48 directs the Legislative Management to consider studying the delivery of health care in the state. The study must review the needs and future challenges of the North Dakota health care delivery system, including rural access to primary health care, the use of emergency medical services, strategies to better serve residents, and the role of health care services in the future development of the state.

**Senate Bill No. 2013** - Section 20 directs the Legislative Management to consider studying school transportation, including district routes, expenditures, reimbursement, and possible efficiencies.

Section 21 directs the Legislative Management to consider studying dual-credit, advanced placement, and distance education courses.

**Senate Bill No. 2015** - Section 33 directs the Legislative Management to consider studying issues related to the Olmstead Commission.

Section 34 directs the Legislative Management to consider studying the state's charitable gaming laws.

Section 35 directs the Legislative Management to consider studying the feasibility and desirability of developing other allowable revenue generating uses of the Veterans' Home facilities and grounds in addition to the purposes identified in Section 37-15-02.

**Senate Bill No. 2042** - Section 1 directs the Legislative Management to consider studying the feasibility and desirability of developing standard procedures and classification of accounts to provide a means of accumulating financial information that is uniform for all counties, regardless of the county's size or various approaches to budgeting and accounting which may be in use, with the objective of achieving uniformity of financial information to guide preparation of financial reports required by law. (Not prioritized)

**Senate Bill No. 2061** - Section 2 directs the Legislative Management to consider studying current methods, using the electric vehicle infrastructure coalition, led by the Department of Transportation, to collaborate with the North Dakota utility industry, and North Dakota electric vehicle stakeholder groups, to design a jointly owned public and private network of electric vehicle infrastructure to support both commercial and noncommercial vehicles and make recommendations regarding electric vehicle charging infrastructure.

**Senate Bill No. 2176** - Section 2 directs the Legislative Management to consider studying the feasibility and desirability of creating a road train pilot program.

**Senate Bill No. 2217** - Section 1 directs the Legislative Management to consider studying the feasibility and desirability of creating a teacher incentive for leadership program.

**Senate Bill No. 2241** - Section 1 directs the Legislative Management to consider studying the regulation of sewage treatment system installation, maintenance, testing, and repair.

**Senate Bill No. 2317** - Section 3 directs the Legislative Management to consider studying the State Department of Health licensing process for health facility construction and renovation projects, including consideration of the appropriate role of the State Department of Health.

**Senate Bill No. 2355** - Section 1 directs the Legislative Management to consider studying the feasibility and desirability of applying an alternative or additional tax on liquid nicotine and electronic smoking devices.

**Senate Bill No. 2359** - Section 1 directs the Legislative Management to consider studying the regulation of and scope of practice of electricians. The study must include consideration of scope of practice and regulation as they relate to power limited systems and must include receipt of information from stakeholders, including trade groups. (Not prioritized)

**House Concurrent Resolution No. 3004** - Section 1 directs the Legislative Management to consider studying the potential benefit value of blockchain technology implementation and utilization in state government administration and affairs, including a comprehensive assessment of government areas in which blockchain technology can assist with agency affairs and administration, accounting and budgeting, transactions, creating necessary audit trails, authorizing a decision, authenticating authority, and establishing a system of record; and an analytical evaluation of implementing smart contracts to improve efficiencies in contract enforcement, the cost-effectiveness and increased security of utilizing a blockchain technology electronic voting system, and the exploration of other eGovernment services and applications, such as identity management, tax collection, land registry, distribution of benefits, and digital exchanges.

**House Concurrent Resolution No. 3011** - Section 1 directs the Legislative Management to consider those provisions of Century Code which relate to the provision of elementary and secondary education to recommend changes to any laws found to be irrelevant, duplicative, inconsistent, or unclear.

**House Concurrent Resolution No. 3015** - Section 1 directs the Legislative Management to consider best practices to reduce offender recidivism, increase educational opportunities, prepare incarcerated offenders to rejoin their communities, establish and implement a community transitional housing program, including independent host homes, and encourage communities to reintegrate previously incarcerated individuals into society; and may seek technical assistance, as appropriate, from the Council of State Governments' Justice Center.

**House Concurrent Resolution No. 3027** - Section 1 directs the Legislative Management to consider studying the expansion of the Public Employees Retirement System's uniform group insurance health benefits for long-term state employees who separate from employment due to reduction in force or retirement. (Not prioritized)

**House Concurrent Resolution No. 3031** - Section 1 directs the Legislative Management to consider studying the juvenile justice process, levels of collaboration among various service systems, implementation of dispositional alternatives, and methods for improving outcomes for juveniles involved in the process.

**House Concurrent Resolution No. 3044** - Section 1 directs the Legislative Management to consider studying, in consultation with the Department of Commerce, Department of Human Services, and the private sector, the desirability and feasibility of developing and expanding asset-building opportunities, including a review of state and federal policies associated with government assistance which impede or improve low-income workers' ability to earn more income. (Not prioritized)

**House Concurrent Resolution No. 3047** - Section 1 directs the Legislative Management to consider studying state and federal veterans' programs, the programs' eligibility requirements, and the efficiency of public or private entities responsible for the administration of state and federal veterans' programs to ensure all current and future North Dakota veterans receive the care, assistance, and benefits to which the veterans are entitled.

**House Concurrent Resolution No. 3048** - Section 1 directs the Legislative Management to consider studying the feasibility and desirability of establishing a wind reclamation fund and whether the statutorily required minimum wind turbine setback distances provide adequate protections to nonparticipating landowners and their property. (Not prioritized)

**House Concurrent Resolution No. 3051** - Section 1 directs the Legislative Management to consider studying the feasibility, desirability, and benefits of expanding the goods and services produced by Rough Rider Industries into additional noncompetitive markets to provide inmates with the training and skills to successfully reintegrate the inmates into society; and must include consultation with the Department of Corrections and Rehabilitation and any private North Dakota business seeking to provide input. (Not prioritized)

**House Concurrent Resolution No. 3052** - Section 1 directs the Legislative Management to consider studying the traffic fines and penalties imposed by state and local governments and conduct a complete analysis of Title 39. (Not prioritized)

**House Concurrent Resolution No. 3054** - Section 1 directs the Legislative Management to consider studying the necessary steps and resources, including funding, to eliminate HIV and AIDS in North Dakota. (Not prioritized)

**House Concurrent Resolution No. 3056** - Section 1 directs the Legislative Management to consider studying the issues and data reporting challenges related to missing and murdered indigenous people and human trafficking cases. (Not prioritized)

**Senate Concurrent Resolution No. 4004** - Section 1 directs the Legislative Management to consider studying the impact of students who experience behavioral health crisis or who engage in intense and aggressive behavior for communication purposes, both of which result in behaviors that make learning environments unsafe for other students, teachers, and other school personnel, and the need to implement a uniform reporting system.

**Senate Concurrent Resolution No. 4009** - Directs the Legislative Management to consider studying the feasibility and desirability of the water resource boards in each drainage basin forming a joint water resource board to plan and construct water conveyance projects based on basinwide needs.

**Senate Concurrent Resolution No. 4010** - Section 1 directs the Legislative Management to consider studying postproduction deductions from royalty payments. The study must include consideration of the methods used to calculate the value of oil and gas, the point of sale used to determine the value, oil and gas sales in the absence of an arm's-length contract, any deductions or incentives applied to the value, and the methods used to report any deductions or incentives on mineral royalty statements; and must include input from representatives from the oil and gas industry, representatives from an organization representing royalty owners, the Department of Mineral Resources, the Department of Trust Lands, the Attorney General's office, and other state agencies. (Not prioritized)

**Senate Concurrent Resolution No. 4013** - Section 1 directs the Legislative Management to consider studying the distribution and transportation of food in the state necessary to the lives of individuals in rural communities, and the roles of state entities in facilitating the movement of food to rural areas of the state.

**Senate Concurrent Resolution No. 4014** - Section 1 directs the Legislative Management to consider studying the implementation of the recommendations of the Human Services Research Institute's study of North Dakota's behavioral health system.

### **New Reports to Legislative Management**

**House Bill No. 1003** - Section 23 requires the State Board of Higher Education to report to the Legislative Management any transfer of funds from the operations to the capital assets and capital building fund line items.

Section 31 requires the University System to report to the Legislative Management on the use of funding in each institutions' capital building fund line item, the source of matching funds, and each institutions' 5-year plan for capital construction spending.

**House Bill No. 1004** - Section 7 requires the State Department of Health to report to the Legislative Management before July 1, 2020, regarding the implementation of electronic access to vital records.

**House Bill No. 1012** - Section 10 requires the Department of Transportation to report to the Legislative Management regarding its study of public transportation services within the state.

**House Bill No. 1014** - Section 19 requires reports on the status of the Industrial Commission's study on recycling produced water in oil and gas operations from the study contractor at the request of the Legislative Management and requires a final report to the Legislative Management by October 1, 2020.

Section 25 requires the Energy and Environmental Research Center to report to the Legislative Management regarding the results and recommendations of the underground gas storage pilot project.

**House Bill No. 1018** - Section 13 requires the Department of Commerce to provide semiannual reports to the Legislative Management regarding the development of the beyond visual line of sight unmanned aircraft system program and the total amount deposited by the State Treasurer in the general fund.

**House Bill No. 1021** - Section 9 requires the Information Technology Department to report to the Legislative Management before September 1, 2020, regarding its review of service rate charges to state agencies.

**House Bill No. 1024** - Section 32 requires the Department of Environmental Quality to report to the Legislative Management before June 30, 2020, regarding the department's plan for boiler inspection fees to meet program expenses.

**House Bill No. 1027** - Section 2 requires that before the Superintendent of Public Instruction may submit proposed changes to the state accountability plan, the Superintendent must present changes to an interim committee designated by the Legislative Management (NDCC § 15.1-02-17). The report previously was to be made to the No Child Left Behind Committee.

**House Bill No. 1048** - Section 1 requires the Chief Information Officer to report to the Legislative Management regarding the implementation of distributed ledger technologies before June 1 of each even-numbered year.

**House Bill No. 1064** - Section 1 requires the Office of Administrative Hearings and Workforce Safety and Insurance to report to the Legislative Management on statistical information regarding results under the case processing standards and policies each quarter.

**House Bill No. 1171** - Section 1 requires the State Board of Higher Education to provide a biennial report to the Legislative Management by September 1 of each even-numbered year regarding the skilled workforce student loan repayment program.

Section 2 requires the State Board of Higher Education to provide a biennial report to the Legislative Management by September 1 of each even-numbered year regarding the skilled workforce scholarship program.

**House Bill No. 1194** - Section 1 requires the Department of Human Services to provide a biennial report to the Legislative Management before August 1 of each even-numbered year regarding the tribal health care coordination fund and tribal government use of money distributed from the fund (NDCC § 50-24.1-40(4)).

**House Bill No. 1237** - Section 1 requires the Task Force on the Prevention of Sexual Abuse of Children to report to the Legislative Management before July 1 of each even-numbered year with any findings and recommendations. Before July 1, 2024, the task force shall submit a final report to the Legislative Management.

**House Bill No. 1240** - Section 1 requires Workforce Safety and Insurance to annually report to the Legislative Management on the status, including a summary of findings and recommendations, of any current pilot programs and pilot programs completed within the previous 12 months.

Section 2 requires the annual report from Workforce Safety and Insurance to include reports on pilot programs to assess alternative methods of providing rehabilitation services (NDCC § 65-05.1-06.3).

**House Bill No. 1285** - Section 2 requires the State Department of Health, before July 1, 2020, to report to the Legislative Management on the status and progress of implementing a public awareness campaign to provide information, public service announcements, and educational materials regarding abandoned infants and approved locations for abandoned infants.

**House Bill No. 1286** - Section 4 requires the Attorney General to provide a written report to the Legislative Management by November 1 of each year summarizing activity of any civilly forfeited property (NDCC § 19-03.1-36.8(4)).

**House Bill No. 1287** - Section 2 requires the Education Standards and Practices Board to report to the Legislative Management during the 2019-20 and 2021-22 interims regarding the status of the alternative teacher certification program.

**House Bill No. 1383** - Section 2 requires the Federal Environmental Law Impact Review Committee to provide a biennial report to the Legislative Management.

**House Bill No. 1461** - Section 2 requires the Superintendent of Public Instruction to report to the Legislative Management before July 1, 2021, with a recommendation whether to continue the dyslexia screening pilot program beyond the 2022-23 school year.

**House Bill No. 1517** - Section 5 requires the Department of Human Services to report to the Legislative Management on the ongoing work of the department to improve community provider capacity and the system of services for individuals with an intellectual or developmental disability.

**House Bill No. 1531** - Section 2 requires the Education Standards and Practices Board to report to the Legislative Management during the 2019-20 and 2021-22 interims regarding the status of the alternative teacher certification program.

**Senate Bill No. 2003** - Section 10 requires the Attorney General report to the Legislative Management during the 2019-20 interim regarding the status and results of the human trafficking victims grant program.

**Senate Bill No. 2010** - Section 15 requires the Insurance Department to report to Legislative Management regarding a detailed analysis of health care in the state.

**Senate Bill No. 2012** - Section 18 requires the Department of Human Services to report to the Legislative Management before October 1, 2020, on the statewide plan to address acute psychiatric and residential care needs.

Section 19 requires the Department of Human Services to report to the Legislative Management before October 1, 2020, on the plan to implement the revised payment methodology for nursing facility services.

Section 22 requires the Department of Human Services, in cooperation with permanent housing program grant recipients, to provide reports to the Legislative Management during the 2019-20 interim regarding the services provided by the programs, the nonidentifiable demographics of the individuals receiving services, and the other funding or reimbursement used to support the programs.

Section 47 requires the Department of Human Services to report to the Legislative Management before August 1, 2020, regarding the implementation of the Human Services Research Institute report recommendations.

**Senate Bill No. 2020** - Section 15 requires the State Water Commission to report to the Legislative Management no later than August 1, 2020, on the results of the basinwide water plan funding pilot project.

**Senate Bill No. 2025** - Section 1 requires the Superintendent of Public Instruction to provide to the Legislative Management during each interim the collaborative report on the statewide prekindergarten through grade twelve education strategic vision and any updates to the strategic vision.

**Senate Bill No. 2037** - Section 3 requires the High-Level Radioactive Waste Advisory Council to report its findings biennially to the Legislative Management (NDCC § 38-23-08(5)).

**Senate Bill No. 2106** - Section 2 requires the Department of Human Services to report to the Legislative Management, as requested, regarding enrollment statistics, program costs of the children's health insurance program, and any operational updates (NDCC § 50-29-02(1)).

**Senate Bill No. 2153** - Section 1 requires the Department of Corrections and Rehabilitation, the Juvenile Court, and the Indian Affairs Commission to report and make recommendations to the Legislative Management before July 1 of each even-numbered year on the status, effectiveness, performance, and sustainability of a memorandum of understanding.

**Senate Bill No. 2176** - Section 1 requires the Department of Transportation to report to the Legislative Management, as requested, on the road train pilot program.

**Senate Bill No. 2215** - Section 1 requires the Kindergarten Through Grade Twelve Education Coordination Council prepare and present an annual report of council activities to the State Board of Public School Education and to the Legislative Management.

**Senate Bill No. 2247** - Section 1 requires the Department of Human Services and the Developmental Disabilities System Reimbursement Project Steering Committee report to an interim legislative committee on development activities and status information.

Section 3 requires the Department of Human Services to report to the Legislative Management on the ongoing work of the department to improve community provider capacity and a report regarding the system of services for individuals with an intellectual or developmental disability.

**Senate Bill No. 2265** - Section 25 requires the Education Standards and Practices Board to report to the Legislative Management during the 2019-20 and 2021-22 interims regarding the status of the alternative teacher certification program.

**Senate Bill No. 2313** - Section 4 requires the Commission on Juvenile Justice to submit annually a report to the Legislative Management with the commission's findings and recommendations.

**Senate Bill No. 2317** - Section 4 requires the State Department of Health to report to the Legislative Management before July 1, 2020, on the implementation of innovation waivers for health facilities construction or renovation projects.

**Senate Bill No. 2318** - Section 1 requires the Information Technology Department to report to the Legislative Management during the 2019-20 interim regarding the internal local area network services provided in the bill.

**Senate Bill No. 2320** - Section 1 requires the State Board of Higher Education to provide to the Legislative Management a copy of the campus free speech policies of the board and of each institution under the control of the board.

**Senate Bill No. 2345** - Section 7 requires the Department of Environmental Quality to report to the Legislative Management on all animal feeding operation permit applications approved or denied by the department, including



the relevant county and township zoning and setback determinations, and related issues during the 1<sup>st</sup> full year of the 2019-21 biennium.

## **New Reports to Budget Section and Budget Section Approvals**

### **Reports to the Budget Section**

**House Bill No. 1002** - Section 18 requires the judicial branch to report to the Budget Section regarding its study of the need for 1 full-time equivalent court reporter position for each district court judgeship.

**House Bill No. 1013** - Section 6 requires the Commissioner of University and Schools Lands to report annually to the Budget Section on the investment performance of each fund under its control.

**House Bill No. 1014** - Section 21 amends Section 54-17-40 relating to the Housing Finance Agency's report to the Budget Section on the housing incentive fund.

**House Bill No. 1020** - Section 8 requires the State Board of Higher Education to annually report to the Budget Section regarding any adjustments or increases in full-time employees.

**House Bill No. 1101** - Section 1 requires the Adjutant General to annually report to the Budget Section regarding the income and expenditures made from the North Dakota National Guard service member, veteran, family, and survivor support fund (NDCC § 37-03-18).

**Senate Bill No. 2001** - Section 3 requires the Governor's office to report to the Legislative Management regarding the source, amount, and purpose of any additional income from federal or other funds received.

Section 5 requires the Governor to report to the Budget Section regarding the donations related to the Theodore Roosevelt Presidential Library and Museum.

Section 5 also requires the Governor to report to the Budget Section within 30 days of applying for the loan outlined in Section 8 of the bill and include all completed loan application documents.

**Senate Bill No. 2004** - Section 3 provides an agency, upon approval of the Legislative Assembly, or the Budget Section if the Legislative Assembly is not in session, may use general fund money to pay for audits performed by the State Auditor (NDCC § 54-10-01).

**Senate Bill No. 2012** - Section 10 requires the Department of Human Services to report to the Budget Section after June 30, 2020, regarding any transfer in excess of \$50,000 made during the 2019-21 biennium between line items within subdivisions 1, 2, and 3 of Section 1 of the bill.

Section 11 requires the Department of Human Services to report to the Budget Section after June 30, 2020, regarding any transfer in excess of \$50,000 made during the 2019-21 biennium between line items within subdivisions 1, 2, and 3 of Section 1 to subdivision 4 of Section 1 of the bill.

**Senate Bill No. 2124** - Section 141 requires the Department of Human Services to notify the Office of Management and Budget and report to the Budget Section after June 30, 2020, if one or more full-time equivalent positions are authorized under this section. The department is required to include in the notification and report the amount of salaries, wages, and operating costs withheld from human service zone formula payments because of a transfer of powers and duties and the corresponding full-time equivalent positions.

### **Budget Section Approval Requirements**

**House Bill No. 1003** - Section 7 requires the Budget Section to give approval to the State Board of Higher Education to authorize building construction or campus improvements and building maintenance of more than \$700,000, if financed by donations (NDCC § 15-10-12.1).

Section 33 requires the Budget Section to approve any tuition rate increases over 4 percent by the State Board of Higher Education for the 2019-20 or 2020-21 academic years.

**House Bill No. 1014** - Section 7 requires Budget Section approval for the Industrial Commission's expenditure for 2 full-time equivalent positions if the total number of oil wells capable of production and injection exceeds 20,800.

**House Bill No. 1101** - Section 1 requires the Budget Section to authorize any expenditures from the North Dakota National Guard service member, veteran, family, and survivor support fund that exceed \$500,000 total per biennium (NDCC § 37-03-18).

**House Bill No. 1230** - Section 1 requires Budget Section approval of the purchase or lease of an airworthy aircraft not otherwise replacing an aircraft with only insurance proceeds by a state agency or entity of state government, other than the Adjutant General or the University of North Dakota School of Aviation, if the Legislative Assembly is not in session (NDCC § 54-06-37).

**Senate Bill No. 2004** - Section 3 provides if nongeneral fund money is not available, the agency may, upon approval of the Budget Section if the Legislative Assembly is not in session, use general fund money to pay for audits performed by the State Auditor.

**Senate Bill No. 2020** - Section 4 requires Budget Section approval of State Water Commission expenditure of funds that become available in the resources trust fund and the water development trust fund in excess of 2019-21 biennium appropriations.

Section 14 requires the Budget Section to receive and approve certification from the State Water Commission and the State Engineer that the items listed in subsection 1 of Section 14 of the bill have been accomplished before construction of Phase 1 of the Red River Valley Water Supply Project may begin.

**Senate Bill No. 2055** - codifies the establishment of and the powers and duties of the Budget Section and updates codified references to the Budget Section, updates Budget Section approval for authorization to purchase or lease aircraft, consulting and planning fees for capital improvements, cyclical cashflow financing of state government, apportionment of reductions in spending authority caused by an initiative or referendum action, and the purchase or lease of equipment, software, or implementation services by the Information Technology Department.

### Reports to Legislative Council

**House Bill No. 1106** - requires the Insurance Commissioner to certify to the Legislative Council when the state's innovation waiver application has been approved by the federal government pursuant to the federal Patient Protection and Affordable Care Act (NDCC § 26.1-36.7-03(2)(a)).

**Senate Bill No. 2003** - Section 7 requires the Attorney General to notify the Legislative Council of any funding made available under Section 7 of the bill.

**Senate Bill No. 2318** - Section 1 requires the Information Technology Department to submit a copy of any related contract to the Legislative Council regarding campus internal local area network services.

## LEGISLATIVE ASSEMBLY

### Appointments

**House Bill No. 1015** - Section 9 creates a Department of Corrections and Rehabilitation Review Committee that includes three members of the House selected by the House Majority Leader, two of whom must represent the majority faction of the House and one of whom must represent the minority faction of the House; and three members of the Senate selected by the Senate Majority Leader, two of whom must represent the majority faction of the Senate and one of whom must represent the minority faction of the Senate. This section also directs the Chairman of the Legislative Management to appoint the committee chairman and vice chairman.

**House Bill No. 1029** - Section 1 provides the Higher Education Funding Formula Review Committee includes two members of the House appointed by the House Majority Leader, one member appointed by the House Minority Leader, two members of the Senate appointed by the Senate Majority Leader, and one member appointed by the Senate Minority Leader.

**House Bill No. 1106** - Section 2, which creates the Reinsurance Association of North Dakota, is codified as Chapter 26.1-36.7. This section requires the Speaker of the House and the Senate Majority Leader to each appoint one member of their respective chambers to this association.

**House Bill No. 1214** - Section 57-39.4-31, as amendment by Section 1 of the bill, establishes the Streamlined Sales Tax Governing Board, which includes one member appointed by the House Majority Leader and one member appointed by the Senate Majority Leader.

**House Bill No. 1237** - Section 1 provides the Task Force on the Prevention of Sexual Abuse of Children includes one member appointed by the House Majority Leader, one member appointed by the Senate Majority Leader, and one member appointed by the House and Senate Minority Leaders.

**Senate Bill No. 2015** - Section 32, which creates a Legacy Fund Earnings Committee, includes two members of the Legacy and Budget Stabilization Fund Advisory Board, appointed by their respective Majority Leaders. In addition, each of the following members of the committee may appoint a designee--the Majority and Minority Leaders of the House and Senate; the Chairmen of the standing Finance and Taxation Committees of the House and Senate; the Chairmen of the Appropriations Committees of the House and Senate; and the Chairman of the Legislative Management. The Chairman of the Legislative Management appoints the committee chairman and vice chairman.

**Senate Bill No. 2037** - Section 2 creates the High-Level Radioactive Waste Advisory Council, which includes two members of the House appointed by the House Majority Leader and two members of the Senate appointed by the Senate Majority Leader.

**Senate Bill No. 2215** - Section 1 creates the Kindergarten Through Grade Twelve Education Coordination Council, which includes one member of the majority party appointed by the House Majority Leader, one member of the majority party appointed by the Senate Majority Leader, and one member of the minority party appointed through collaboration between the respective Minority Leaders.

**Senate Bill No. 2265** - Section 23 provides the Education Funding Formula Review Committee includes three members of the Senate, two appointed by the Senate Majority Leader and one appointed by the Senate Minority Leader; and three members of the House, two appointed by the House Majority Leader and one appointed by the House Minority Leader.

**Senate Bill No. 2313** - Section 4 provides the Commission on Juvenile Justice includes three members of the House, two selected by the House Majority Leader and one selected by the House Minority Leader, and three members of the Senate, two selected by the Senate Majority Leader and one selected by the Senate Minority Leader.

**Senate Bill No. 2342** - Section 3 provides the Speaker of the House and the President Pro Tempore of the Senate, who are members of the Children's Cabinet, may appoint a designee.

**Section 3 of Article XIV of the Constitution of North Dakota** - Section 3, which creates the North Dakota Ethics Commission, provides the commission consists of five members appointed by consensus agreement of the Governor, the Senate Majority Leader, and the Senate Minority Leader.

#### **Powers or Duties**

**Senate Bill No. 2004** - Section 3 directs the State Auditor to perform performance audits, as determined necessary by the Legislative Assembly, the Legislative Audit and Fiscal Review Committee, or the State Auditor subject to approval by the Legislative Audit and Fiscal Review Committee. Section 3 also provides an agency, upon approval of the Legislative Assembly, or the Budget Section if the Legislative Assembly is not in session, may use general fund money to pay for audits performed by the State Auditor (NDCC § 54-10-01).

**Senate Bill No. 2055** - authorizes the Legislative Assembly, by law, to provide for the authority of the Budget Section to approve specific actions, projects, and transfers.

#### **New Reports to Legislative Assembly**

**House Bill No. 1015** - Section 5 requires the Department of Corrections and Rehabilitation and the judicial branch to report to the Legislative Assembly regarding the process and outcome measures of the pretrial services program pilot project.

**Senate Bill No. 2025** - Section 1 requires the Superintendent of Public Instruction to provide the collaborative report on the statewide prekindergarten through grade twelve education strategic vision and any updates to the strategic vision to a joint meeting of the standing Education Committees during each regular legislative session.

**Senate Bill No. 2244** - Section 1 requires the Department of Transportation to provide a biennial report to the Legislative Assembly on the revenues collected, funds expended, and balance of the state highway fund.

**Senate Bill No. 2265** - Section 24 requires the Department of Public Instruction, the Indian Affairs Commission, and the Kindergarten Through Grade Twelve Education Coordination Council to report on the study of the effect of impact aid on the funding formula to the 67<sup>th</sup> Legislative Assembly.

#### **New Reports to Appropriations Committees**

**House Bill No. 1003** - Section 31 requires the University System to report to the Appropriations Committees of the 67<sup>th</sup> Legislative Assembly on the use of funding in each institutions' capital building fund line item, the source of matching funds, and each institutions' 5-year plan for capital construction spending.

**House Bill No. 1011** - Section 8 requires the Highway Patrol to report to the Appropriations Committees of the 67<sup>th</sup> Legislative Assembly regarding the alternatives to relocate the training academy.

**Senate Bill No. 2003** - Section 11 requires the Attorney General to report to the Appropriations Committees of the 67<sup>th</sup> Legislative Assembly on the number of nurses trained, the number and locations of nurses providing services related to sexual assault nurse examiner programs, and documentation of collaborative efforts to assist victims which includes nurses, the hospital or clinic, law enforcement, and state's attorneys.

**Senate Bill No. 2004** - Section 5 requires the State Auditor to report to the Appropriations Committees of the 67<sup>th</sup> Legislative Assembly regarding the number of audit staff hours dedicated to each of these audit functions and any other functions of the State Auditor's office during the biennium beginning July 1, 2019, and ending June 30, 2021.

**Senate Bill No. 2008** - Section 7 requires the Public Service Commission to report the findings of its railroad inspection study and any related budget recommendations to the Appropriations Committees of the 67<sup>th</sup> Legislative Assembly.

**Senate Bill No. 2023** - Section 4 requires the Public Employees Retirement System Board to report to the Chairmen of the Appropriations Committees and the House Majority Leader and Senate Majority Leader when bids are received during the biennium beginning July 1, 2019, and ending June 30, 2021, for the hospital benefits coverage and medical benefits coverage for state employees.

**Senate Bill No. 2124** - Section 140 requires the Department of Human Services to submit to the Appropriations Committees of the 67<sup>th</sup> Legislative Assembly a report with metrics that include the cost per unit of work for transactional services or caseloads and other performance metrics as available.

Section 141 requires the Department of Human Services to notify the Appropriations Committees of the 67<sup>th</sup> Legislative Assembly of any full-time equivalent positions transferred pursuant to this section.

**Senate Bill No. 2249** - Section 1 requires the State Energy Research Center to report to the Appropriations Committees, upon request, on all research activities and accomplishments (NDCC § 15-11-40(2)).