

NORTH DAKOTA LEGISLATIVE MANAGEMENT

Minutes of the

LEGISLATIVE MANAGEMENT

Tuesday, May 28, 2019
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative Chet Pollert, Chairman, called the meeting to order at 10:00 a.m.

Members present: Representatives Chet Pollert, Josh Boschee, Bill Devlin, Jim Grueneich, Karla Rose Hanson, Lawrence R. Klemin, Mike Lefor, Scott Louser, Karen M. Rohr; Senators Randy Burckhard, Joan Heckaman, Ray Holmberg, Jerry Klein, Erin Oban, Donald Schaible, Ronald Sorvaag, Rich Wardner

Others present: Allen H. Knudson, Vonette J. Richter, Legislative Council, Bismarck

It was moved by Senator Burckhard, seconded by Representative Boschee, and carried on a voice vote that the minutes of the April 26, 2019, meeting be approved as distributed.

At the request of Chairman Pollert, the Director reviewed information regarding the number of studies under consideration and previous interim processes. The Director said there are 65 studies under consideration--15 mandatory studies and 50 discretionary studies. He said there are 10 existing statutory committees, not including the traditional appointment of the Legislative Procedure and Arrangements Committee. In addition, he said, bills adopted by the 2019 Legislative Assembly created 6 committees that are required during this interim. He said the Legislative Assembly budgeted for 26 interim committees with an average committee membership of 14 members. He said 50 studies were prioritized during the 2017-18 interim, 44 studies were prioritized during the 2015-16 interim, 41 studies were prioritized during the 2013-14 interim, and 43 studies were prioritized during the 2011-12 interim. He said previous Legislative Management consideration of studies focused on consideration of what does the potential study do for the state, will the proposed study provide new information, and whether the issue can be resolved by introducing a bill. He said the Legislative Council staff created a list of all studies, categorized by general subject matter. He said as each study is approved or rejected, Ms. Vonette J. Richter, Legal Division Director, will work to develop a proposed committee structure so the Legislative Council staff can compile a committee survey to be sent to all legislators within a day or two and so the results can be compiled by the next meeting on June 10.

Chairman Pollert said he wants a good open discussion of the proposed studies. He said there is significant work to do because not all the proposed studies can be prioritized. He said if there does not appear to be a consensus decision regarding a study, he will call for a vote on the study proposal.

Chairman Pollert requested a roll call vote on whether to approve for study Senate Concurrent Resolution No. 4013. Representatives Boschee and Hanson and Senators Burckhard, Heckaman, Holmberg, Klein, Oban, Schaible, and Wardner voted "aye." Representatives Pollert, Devlin, Grueneich, Klemin, Lefor, Louser, and Rohr and Senator Sorvaag voted "nay." **Senate Concurrent Resolution No. 4013 was approved for study.**

Chairman Pollert requested a roll call vote on whether to approve for study House Concurrent Resolution No. 3011. Representatives Boschee, Hanson, and Louser and Senators Burckhard, Heckaman, Holmberg, Klein, Oban, Schaible, Sorvaag, and Wardner voted "aye." Representatives Pollert, Devlin, Grueneich, Klemin, Lefor, and Rohr voted "nay." **House Concurrent Resolution No. 3011 was approved for study.**

Chairman Pollert requested a roll call vote on whether to approve for study House Concurrent Resolution No. 3054. Representatives Boschee and Hanson and Senators Heckaman, Oban, and Sorvaag voted "aye." Representatives Pollert, Devlin, Grueneich, Klemin, Lefor, Louser, and Rohr and Senators Burckhard, Klein, Holmberg, Schaible, and Wardner voted "nay." **House Concurrent Resolution No. 3054 was not approved for study.**

Senator Holmberg said House Bill No. 1029 provides for a mandatory study of the higher education funding formula. He said the committee required by that bill includes representatives from the North Dakota University System. House Bill No. 1003, he said, provides for a study of University System research programs, but there is no

broader study of higher education issues. He said if there were a higher education committee to study broader higher education issues, the Higher Education Funding Formula Committee could report to the broader higher education committee.

In response to a question from Representative Klemin, Senator Holmberg said interim higher education committees generally have had broad study directives and have developed a focus as the interim proceeds.

It was moved by Senator Holmberg, seconded by Representative Boshcee, and carried on a roll call vote, that the Legislative Management study higher education institutions under the control of the State Board of Higher Education; higher education trends, including enrollment, space needs, and distance education, and their impact on higher education institutions and the state; higher education research relating to agriculture, energy, and other sections, including its economic impact, available funding, and the impact of institution and systemwide administrative structures on research; higher education facilities, including campus and legislative funding expectations and the role of the new three-tier capital building fund program; and the role of higher education in meeting the state's workforce needs, including TrainND, dual missions, and interstate cooperation. Representatives Pollert, Boschee, Devlin, Grueneich, Hanson, Klemin, Lefor, Louser, and Rohr and Senators Burckhard, Heckaman, Holmberg, Klein, Oban, Schaible, Sorvaag, and Wardner voted "aye." No negative votes were cast.

Chairman Pollert requested a roll call vote on whether to approve for study House Concurrent Resolution No. 3044. Representatives Boschee and Hanson and Senators Heckaman, Klein, Oban, Schaible, and Sorvaag voted "aye." Representatives Pollert, Devlin, Grueneich, Klemin, Lefor, Louser, and Rohr and Senators Burckhard, Holmberg, and Wardner voted "nay." **House Concurrent Resolution No. 3044 was not approved for study.**

Chairman Pollert requested a roll call vote on whether to approve for study House Concurrent Resolution No. 3051. Representatives Boschee, Lefor, and Louser and Senators Burckhard, Heckaman, and Klein voted "aye." Representatives Pollert, Devlin, Grueneich, Hanson, Klemin, and Rohr and Senators Holmberg, Schaible, Sorvaag, and Wardner voted "nay." **House Concurrent Resolution No. 3051 was not approved for study.**

Chairman Pollert requested a roll call vote on whether to approve for study Section 4 of House Bill No. 1470. Representatives Boschee, Hanson, and Louser and Senators Burckhard, Heckaman, Holmberg, Oban, and Sorvaag voted "aye." Representatives Pollert, Devlin, Grueneich, Klemin, Lefor, and Rohr and Senators Klein, Schaible, and Wardner voted "nay." **Section 4 of House Bill No. 1470 was not approved for study.**

Chairman Pollert requested a roll call vote on whether to approve for study House Concurrent Resolution No. 3027. Representatives Boschee and Hanson and Senators Heckaman, Klein, and Oban voted "aye." Representatives Pollert, Devlin, Grueneich, Klemin, Lefor, Louser, and Rohr and Senators Burckhard, Holmberg, Schaible, Sorvaag, and Wardner voted "nay." **House Concurrent Resolution No. 3027 was not approved for study.**

Chairman Pollert requested a roll call vote on whether to approve for study Section 1 of House Bill No. 1367. Representatives Boschee, Devlin, and Hanson and Senators Heckaman, Klein, Oban, Sorvaag, and Wardner voted "aye." Representatives Pollert, Grueneich, Klemin, Lefor, Louser, and Rohr and Senators Burckhard, Holmberg, and Schaible voted "nay." **Section 1 of House Bill No. 1367 was not approved for study.**

It was moved by Representative Hanson, seconded by Senator Oban, and failed on a roll call vote that the study provided for in Section 6 of House Bill No. 1050 be revised to provide the study consider the potential benefits and detriments of legalizing recreational marijuana, including potential tax revenues, drug treatment options, and impacts on local zoning, law enforcement agencies, public health and safety, and the medical marijuana program. Representatives Boschee, Hanson, and Louser and Senators Heckaman, Oban, and Wardner voted "aye." Representatives Pollert, Devlin, Grueneich, Klemin, Lefor, and Rohr and Senators Burckhard, Holmberg, Klein, Schaible, and Sorvaag voted "nay."

It was moved by Representative Devlin, seconded by Senator Wardner, and carried on a roll vote that the study provided for in Section 6 of House Bill No. 1050 be revised to study the implications of potential adoption of an initiated measure allowing the use of recreational marijuana and that the study must consider the potential benefits and detriments of legalizing recreational marijuana. Representatives Boschee, Devlin, Hanson, and Rohr and Senators Burckhard, Heckaman, Holmberg, Klein, Oban, Schaible, Sorvaag, and Wardner voted "aye." Representatives Pollert, Grueneich, Klemin, and Rohr voted "nay."

It was moved by Representative Lefor, seconded by Representative Klemin, and carried on a roll call vote that the study provided for in House Bill No. 1220 be revised to remove the second sentence of the

study language. Representatives Pollert, Boschee, Devlin, Grueneich, Hanson, Klemin, Lefor, Louser, and Rohr and Senators Burckhard, Heckaman, Holmberg, Klein, Oban, Schaible, Sorvaag, and Wardner voted "aye." No negative votes were cast.

It was moved by Representative Lefor, seconded by Senator Burckhard, and carried on a roll call vote that the study provided for in Section 6 of House Bill No. 1453 be revised to provide for a study of the state's civil commitment laws and procedures under North Dakota Century Code Chapters 25-03.1 and 25-03.2 and the behavioral health and civil justice systems to determine whether steps could be taken to decrease the incidence of violence committed by persons who are mentally ill. Representatives Pollert, Boschee, Devlin, Grueneich, Hanson, Klemin, Lefor, Louser, and Rohr and Senators Burckhard, Heckaman, Holmberg, Klein, Oban, Schaible, Sorvaag, and Wardner voted "aye." No negative votes were cast.

Representative Hanson said the committee conducting the study needs to examine issues related to suicide and the risk to law enforcement.

Senator Oban said it is unfortunate a grown-up conversation could not be held regarding the study simply because the word "firearm" was included in the study directive.

Senator Holmberg said the Senate reinstated \$60,000 in the legislative budget for professional fees to allow for a request for proposals to select a consultant to provide a revenue forecast. He said the forecast is useful in comparing with the forecast provided to the executive branch.

It was moved by Senator Holmberg, seconded by Senator Burckhard, and carried on a roll call vote that the Legislative Management study state revenue forecasts, including monitoring state revenues and state economic activity, reviewing forecasting data and models, and reviewing and analyzing executive revenue forecasts and alternative revenue forecasts. Representatives Pollert, Boschee, Devlin, Grueneich, Hanson, Klemin, Lefor, Louser, and Rohr and Senators Burckhard, Heckaman, Holmberg, Klein, Oban, Schaible, Sorvaag, and Wardner voted "aye." No negative votes were cast.

Representative Louser said by not prioritizing the study provided for under House Bill No. 1401, the Legislative Management is missing an opportunity to discuss the use of technology already available and accessible. He said all members of the Legislative Management are entitled to attend interim committee meetings, but not all members may want to travel to the meeting location. He said there is potential for greater participation by utilizing technology.

Senator Holmberg said committee chairmen may request the Legislative Management Chairman to make exceptions to allow participation by remote means.

Senator Heckaman said conducting the study would not change anything, but would provide an opportunity to explore options for consideration.

Chairman Pollert said he always prefers in-person meetings.

It was moved by Representative Louser, seconded by Representative Boschee, and failed on a roll call vote that the study provided for in House Bill No. 1401 be approved for study. Representatives Boschee, Hanson, and Louser and Senators Burckhard, Heckaman, and Oban voted "aye." Representatives Pollert, Devlin, Grueneich, Klemin, Lefor, and Rohr and Senators Holmberg, Klein, Schaible, Sorvaag, and Wardner voted "nay."

It was moved by Senator Wardner, seconded by Senator Holmberg, and carried on a voice vote that Senator Terry Wanzek be appointed Chairman of the Budget Section and Representative Don Vigessaa be appointed Vice Chairman of the Budget Section.

It was moved by Representative Devlin, seconded by Representative Lefor, and carried on a voice vote that the current membership of the Administrative Rules Committee continue until after the June 11, 2019, scheduled meeting of the committee and that Representative Devlin continue as Chairman of the committee.

The following is a chart listing the Legislative Management's final action on each of the studies under consideration:

Yes	No	Bill or Resolution No.	Subject Matter
Agriculture			
X		1467 § 1	Agricultural issues 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. The study must include a review of the current law, industry practices, and background checks relating to grain buyers, roving grain buyers, grain brokers, and handling facilities and a review of any potential efficiencies that may exist, methods of maintaining financial security during the grain buying process, including consideration of facility operating capital to ensure adequate solvency during licensing, and the process of confidential financial and physical audits. The study also must include a review of the law pertaining to grain handling facility asset lists to determine if changes are required to ensure producers are protected from facility insolvency if an end product is refined and no longer reflects the original product, the indemnity fund under Title 60, and grain handling facility bonding requirements.
Commerce			
X		1485 § 1	(Required) Personal data protection Shall 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.
X		1018 § 14	Unmanned aircraft system regulation 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. The study must include a determination of the appropriate state agency or private entity to be assigned responsibility of regulating unmanned aircraft system programs, including licensing, registration, appropriate fees, and other responsibilities. The study may include a review of the audited financial statements associated with the beyond visual line of sight unmanned aircraft system of an entity receiving funding from the appropriation for the beyond visual line of sight unmanned aircraft system program in Section 9 of House Bill No. 1018.
X		2241 § 1	Sewage treatment systems Consider studying the regulation of sewage treatment system installation, maintenance, testing, and repair. The study must include consideration of a uniform set of rules; uniform occupational licensing requirements; testing and education requirements for occupations that install, maintain, test, and repair sewage treatment systems; the regulatory agency best able to regulate sewage treatment systems; options for maintaining local government control over sewage treatment system regulation; and issues relevant to these considerations.
X		2317 § 3	Health facility construction and renovation 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.
	X	2359 § 1	Electrician regulation 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.
X		4013	Rural area food concerns 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.
Education			
X		2265 § 23	(Required) Education funding formula Shall study the K-12 education funding formula, including the components, adjustments, and weighting factors of the formula. Members appointed to the committee must have a secure knowledge of the current K-12 funding formula. (Education Funding Formula Review Committee)
X		2013 § 20	School transportation Consider studying school transportation, including district routes, expenditures, reimbursement, and possible efficiencies.
X		2013 § 21	Dual-credit, advanced placement, and distance education courses Consider studying dual-credit, advanced placement, and distance education courses. The study must include a review of early enrollment placement testing and the qualifications for dual-credit and advanced placement courses. The study also must include a review of the costs and amounts of funding necessary to provide all students access to dual-credit, advanced placement, and distance education courses, as well as the types of courses available and the delivery methods necessary to provide all students with access.

Yes	No	Bill or Resolution No.	Subject Matter
X		2217 § 1	Teacher leadership incentive Consider studying the feasibility and desirability of creating a teacher incentive for leadership program. The study must include an evaluation of whether a program would improve student learning through improved instruction; reward effective teachers by providing increased leadership opportunities; attract new teachers to the state by offering competitive starting salaries and professional development; promote collaboration and new career pathways for teachers through mentoring, coaching, and project-based learning; and retain effective teachers through new career opportunities and advancement. The study also must include a review of the types of data to be tracked to determine the success of the program; the correlation and effectiveness of the program in relation to other teacher development programs; and how the program operates in relation to the statewide education strategic vision.
X		3011	Education rewrite Consider studying those provisions of the North Dakota 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.
X		4004	Student behavioral health 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.
Energy Development			
	X	3048	Wind reclamation fund 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.
	X	4010	Mineral royalty payments 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.
Government Administration			
X		1021 § 10	(Required) Emergency and interoperable public safety communications Shall study consolidated emergency and interoperable public safety communications system governance and funding options.
X		2019 § 15	(Required) Property transfer to Parks and Recreation Department Shall 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.
	X	1265 § 1	State parks 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.
X		1298 § 1	Capitol grounds accessibility 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.]. The study must include the effectiveness of the quantity and location of handicapped accessible parking spaces and the accessibility of entrances to the Capitol in consideration of security concerns. The study also must include interior considerations, including handicapped accessible restrooms with appropriate signage and seating areas on the ground floor of the Capitol for individuals to rest.
	X	1401 § 1	Interim committee remote access Consider studying the use of technology to enable remote attendance at interim legislative committee meetings as a cost-saving measure. The study must include consideration of technologies, including telephone conferences, interactive video networks, and other options for video interactions.
	X	1435 § 5	Public safety communications Consider studying consolidated emergency and interoperable public safety communications system governance and funding options.

Yes	No	Bill or Resolution No.	Subject Matter
Government Finance			
X		2015 § 32	(Required) Legacy fund earnings Shall 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. The committee may consider public input on the use of legacy fund earnings and review the operation of other funds, such as Norway's sovereign wealth fund. (Legacy Fund Earnings Committee)
X		2019 § 14	(Required) Lewis and Clark Interpretive Center Shall 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.
X		2130 § 1	(Required) State agency fees Shall study, in coordination with the State Auditor, the provisions of the North Dakota Century Code relating to state agency fees. The study must include 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.
	X	2042 § 1	County standard procedures and classification 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.
X		2015 § 35	Veterans' Home revenue potential 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. The study must include an analysis of potential revenue generating activities for the Veterans' Home facilities and grounds, including a review of the effect on any federal requirements.
X		3047	Veterans programs 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. The study must include consultation with the Administrative Committee on Veterans' Affairs, the Department of Veterans' Affairs, the Adjutant General, and any veterans organization seeking to provide input.
Health Care			
X		1106 § 3	(Required) Health insurance premium rates Shall 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. The study must be solution based to reduce costs and may include consideration of whether a strict managed care model might be effective.
	X	1519 § 2	Medical marijuana medical conditions 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.
X		2010 § 17	State guaranteed issue provisions for health insurance Consider studying the feasibility and desirability of state guaranteed issue provisions for health insurance. The study must include consideration of protections for individuals with pre-existing conditions and consideration of whether to restructure the Comprehensive Health Association of North Dakota.
X		2012 § 48	Health care delivery 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.
	X	3054	Steps to eliminate HIV and AIDS Consider studying the necessary steps and resources, including funding, to eliminate HIV and AIDS in North Dakota.

Yes	No	Bill or Resolution No.	Subject Matter
Higher Education			
X		1029 § 1	(Required) Higher education funding formula 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. (Higher Education Funding Formula Review Committee - this committee includes other state employees and officers)
	X	1003 § 34	University competitive research Consider studying North Dakota University System competitive research programs, including the established program to stimulate competitive research.
Human Services			
X		2015 § 33	Olmstead Commission Consider studying issues related to the Olmstead Commission. The study must include consideration of the implementation of the new Olmstead Commission structure and any emerging Olmstead issues related to services for elderly individuals and individuals with behavioral health issues, physical disabilities, or intellectual disabilities.
	X	3044	Asset-building for low-income workers 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.
X		4014	Behavioral health system Consider studying the implementation of the recommendations of the Human Services Research Institute's study of North Dakota's behavioral health system and that in conducting the study, the Legislative Management receive regular updates on each of the major recommendation areas from the report; identify the availability, access, and delivery of behavioral health services; seek input from stakeholders, including law enforcement, social and clinical service providers, medical providers, mental health advocacy organizations, emergency medical service providers, juvenile court personnel, educators, tribal governments, and state and local agencies; and consider options for improving access and the availability for behavioral health care.
Incarceration Issues			
X		1015 § 9	(Required) Department of Corrections and Rehabilitation review Shall conduct a comprehensive study of the Department of Corrections and Rehabilitation. The study must include a review, with input from a consultant engaged by the Department of Corrections and Rehabilitation, of gender-responsive correctional and rehabilitation facility and service needs. The review must include: the preferable location of facilities; the service needs of individuals sentenced to the Department of Corrections and Rehabilitation; and the impact on families of individuals sentenced to the Department of Corrections and Rehabilitation. The study must include an assessment of facilities at the Missouri River Correctional Center, the James River Correctional Center, and the State Hospital, with input from a consultant engaged by the Department of Corrections and Rehabilitation. The assessment must: include the Department of Corrections and Rehabilitation master plan, staffing plan, comprehensive service delivery strategy, and cost estimates; be based on providing comprehensive services to those committed to the care, custody, and control of the Department of Corrections and Rehabilitation; include options for community-based and family-involved environments; and consider the opportunity for vocational and workforce development. The study must include a review of vocational opportunities, educational opportunities, workforce development, and medical and behavioral health treatment for those committed to the care, custody, and control of the Department of Corrections and Rehabilitation. (Department of Corrections and Rehabilitation Review Committee)
X		3015	Offender release Consider studying 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.
X		3031	Juvenile justice 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. The Legislative Management may seek technical assistance, as appropriate, from the Council of State Governments' Justice Center.

Yes	No	Bill or Resolution No.	Subject Matter
	X	3051	Roughrider Industries expansion Consider studying the feasibility, desirability, and benefits of expanding the goods and services produced by Roughrider 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.
Information Technology			
X		1021 § 7	(Required) Information technology unification Shall study the Information Technology Department's transition to the run-grow-transform model and the information technology unification initiative. The study must include a review of changes in fees, services, operations, processes, and systems.
X		3004	Blockchain technology 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.
Judiciary			
X		2148 § 1	(Required) Ethics Shall 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. The members of the Ethics Commission must be invited to participate on the study committee as nonvoting members. The study must include a review of existing laws and laws enacted to implement Article XIV and consideration of whether the civil and criminal sanctions for violations of the constitutional provisions and the statutes are appropriate; whether legislative action regarding Article XIV is necessary or desirable; and an effective means to educate public officials, lobbyists, and the public on the requirements of Article XIV and other laws regarding government ethics.
X		1050 § 6	Recreational marijuana Consider studying the implications of the potential adoption of an initiated measure allowing the use of recreational marijuana. The study must consider the potential benefits and detriments of legalizing recreational marijuana.
X		1220 § 1	Central indexing system In coordination with the Secretary of State, shall 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. (Revised by the Legislative Management)
X		1453 § 6	Civil commitment laws and procedures Consider studying the state's civil commitment laws and procedures under North Dakota Century Code 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. (Revised by the Legislative Management)
X		2015 § 34	Charitable gaming Consider studying the state's charitable gaming laws. The study must include: an evaluation of whether charitable gaming is being expanded properly; whether the addition of new games, such as sports betting and historic horse racing, is appropriate; and whether such expansion should be approved by the voters; an evaluation regarding the appropriate limitations, restrictions, and oversight if new games are added; an evaluation of whether a portion of gaming proceeds should be deposited in the gambling disorder prevention and treatment fund; and a review of whether the laws regarding taxation, eligible uses for proceeds, gambling sites and locations, limitations, enforcement, conduct and play of charitable gaming are fair, adequate, and appropriate.
	X	3056	Missing and murdered indigenous people Consider studying the issues and data reporting challenges related to missing and murdered indigenous people and human trafficking cases.

Yes	No	Bill or Resolution No.	Subject Matter
Natural Resources			
X		1021 § 6	(Required) Private land access Shall 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. At the direction of the Legislative Management, before August 1, 2020, the Information Technology Department and Game and Fish Department shall establish a trial electronic posting and hunter access information system in up to three counties. The Information Technology Department and Game and Fish Department may contract with a third party to assist with the electronic posting and hunter access information system development and operation. (The committee is to include citizen members)
	X	1246 § 2	Gratis hunting licenses Consider studying gratis licenses to hunt deer, antelope, elk, and moose. The study must include consideration of the minimum acreage requirements for a gratis license, restrictions on where individuals with gratis licenses to hunt moose may hunt, how gratis licenses to hunt deer are allocated in units to ensure an adequate supply remains available for individuals with other licenses to hunt deer, and whether eligibility for a gratis license to hunt moose should be annual or once in a lifetime.
Public Employees			
X		1374 § 3	(Required) Prescription drug coverage Shall study 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.
	X	1470 § 4	State employee leave Consider studying the leave policies for state employees. The study shall include the efficacy and desirability of transitioning annual leave and sick leave into a combined paid time off system.
	X	2010 § 18	Volunteer firefighter pension Consider studying the feasibility and desirability of establishing a pension for volunteer firefighters. The study must include a review of firefighter needs in the state and benefits provided to volunteer firefighters in other states.
	X	3027	Uniform group health insurance expansion 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.
Taxation			
	X	1018 § 15	Motion picture incentives Consider studying motion picture incentives. The study must include a review of upper Midwest and neighboring states' statutes on motion picture incentives to assess their successes and challenges; an analysis of the economic impact that would benefit communities through food, lodging, supplies, and transportation; an assessment of existing industry infrastructure in the state and opportunities for growth; and an identification of unique geographic, seasonal, regulatory, and topographical assets the state has for the motion picture industry.
X		1474 § 1	Special assessment alternatives Consider studying options for replacing revenue generated by special assessments with revenue from an alternative local funding source. The study must include a review of the purposes for which special assessments are imposed, the revenue generated from the imposition of special assessments, local revenue sources that could be used as an alternative to imposing special assessments, and the manner in which fees for an alternative local revenue source would be calculated and imposed as compared to the manner in which special assessments are calculated and imposed.
	X	1487 § 1	Homestead tax credit 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. The study must include consideration of whether: the income levels and asset thresholds specified in the credit should be modified or indexed; the credit impacts property valuations; the qualifying age of 65 years of age or older is appropriate considering changing demographics; and the current criteria for qualifying for the credit is effectively targeting those most in need. The study also must include a review of the number of individuals who have claimed the credit in the past, an estimate of the number of individuals who might claim the credit in future years, and the estimated fiscal impact of making any changes to the credit.

Yes	No	Bill or Resolution No.	Subject Matter
X		2355 § 1	Alternative tax for liquid nicotine Consider studying the feasibility and desirability of applying an alternative or additional tax on liquid nicotine and electronic smoking devices. The study must include consideration of the current method of taxation applied to these products, the methods of taxation applied in other states, and the fiscal impact of applying an alternative or additional method of taxation.
Transportation			
	X	1367 § 1	Railroad crossings Consider studying railroad crossings to determine whether adequate safety measures exist to prevent collisions between trains and motor vehicles. The study must include: consultation with the Department of Transportation, Highway Patrol, and associations and organizations representing counties, cities, townships, and the agricultural community; the design and safety of railroad crossings and the feasibility of implementing design changes to increase safety and to reduce the likelihood of obstructions at the crossings, and consideration of the adequacy of traffic and pedestrian warning signals; the availability of federal funding for railroad crossing improvement projects; the feasibility of equipping trains with technology to increase safety; and data on railroad crossing accidents and incidents that have occurred within the state on an annual basis over the past 5 years.
X		2061 § 2	Electric vehicle infrastructure 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. The study must include the evaluation of the relative costs and benefits associated with various options for electric vehicle infrastructure support and estimate the future annual economic impact.
X		2176 § 2	Road train pilot program Consider studying the feasibility and desirability of creating a road train pilot program. The study must include consultation with the Department of Transportation, Highway Patrol, Agriculture Commissioner, Industrial Commission, Department of Commerce, the Upper Great Plains Transportation Institute, and the Governor. The study must include an assessment of the federal regulations impacting road train operations, the economic impact of permitting road train operations in the state, and the costs associated with implementing a road train pilot program. The Legislative Council may contract for consulting services to assist the Legislative Management in conducting the study.
	X	3052	Motor vehicle laws Consider studying the traffic fines and penalties imposed by state and local governments and conduct a complete analysis of North Dakota Century Code Title 39. The study must include a comprehensive assessment addressing any inconsistencies, conflicting chapters or sections, or lack of clarity within Title 39 and a review of North Dakota's traffic fines, fees, and penalty statutes and compare them with the fines, fees, and penalties of other states; and include an analytical evaluation of methods to improve traffic safety, decrease motor vehicle crashes, fatalities, and injuries, and discourage impaired driving, speeding, distracted driving, and lack of seatbelt use in North Dakota.
Tribal Taxation			
X		2312 § 4	(Required) Tribal taxation issues Shall 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. The committee may study tribal-state issues, including government-to-government relations, human services, education, corrections, and issues related to the promotion of economic development. (Tribal Taxation Issues Committee)
Water Topics Overview			
X		4009	Water resource boards 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.

Yes	No	Bill or Resolution No.	Subject Matter
Legislative Management Directives			
X			Higher education institutions During the 2019-20 interim, the Legislative Management shall study higher education institutions under the control of the State Board of Higher Education. The study must include: higher education trends, including enrollment, space needs, and distance education, and their impact on higher education institutions and the state; higher education research relating to agriculture, energy, and other sectors, including its economic impact, available funding, and the impact of institution and systemwide administrative structures on research; higher Education facilities, including campus and legislative funding expectations and the role of the new three tier capital building fund program; and the role of higher education in meeting the state's workforce needs, including TrainND, dual missions, and interstate cooperation.
X			Legislative revenue advisory During the 2019-20 interim, the Legislative Management shall study state revenues and state revenue forecasts, including monitoring state revenues and state economic activity reviewing forecasting data and models, and reviewing and analyzing executive revenue forecasts and alternative revenue forecasts.

It was moved by Senator Heckaman, seconded by Senator Holmberg, and carried on a roll call vote that the Legislative Management approve the list of studies and actions taken, the Chairman be authorized to prepare a proposed interim committee structure and a questionnaire containing the proposed committee structure, and the Legislative Council staff be requested to send the questionnaire to legislators to indicate their preference on interim committees. Representatives Pollert, Boschee, Devlin, Grueneich, Hanson, Klemin, Lefor, Louser, and Rohr and Senators Burckhard, Heckaman, Holmberg, Klein, Oban, Schaible, Sorvaag, and Wardner voted "aye." No negative votes were cast.

No further business appearing, Chairman Pollert adjourned the meeting at 2:30 p.m.

John Bjornson
Director