

## 2015 LEGISLATION DIRECTLY AFFECTING THE LEGISLATIVE MANAGEMENT AND THE LEGISLATIVE ASSEMBLY

This memorandum identifies 2015 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 that each heading contains a comprehensive list of applicable provisions. This memorandum:

- Does not describe discretionary Legislative Management study directives that are contained in concurrent resolutions.
- Does not describe those provisions in bills which require agencies to report to the Appropriations Committees of the 65<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 65<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, 2015 legislation:

- Eliminates the statutory Advisory Commission on Intergovernmental Relations and provides statutory authority for the Legislative Management to appoint task forces to study intergovernmental issues;
- Establishes a statutory requirement for the Legislative Management to assign to an interim committee the analysis of existing economic development incentives in an ongoing cycle;
- Establishes an Incarceration Issues Committee for the 2015-16 interim;
- Requires 16 interim studies to be conducted;
- Establishes 56 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 20 reporting requirements to the Budget Section;
- Establishes five new approval authorities by the Budget Section;
- Establishes seven new reporting requirements to the Legislative Assembly;
- Establishes 13 new reporting requirements to the Appropriations Committees of the Legislative Assembly; and
- Establishes two new requirements for legislative confirmation of tribal-state tax agreements.

### LEGISLATIVE MANAGEMENT Appointments

**Senate Bill No. 2031** - Section 28 establishes a school district reporting review committee chaired by the Superintendent of Public Instruction and including 13 members, including three legislative members consisting of the Chairmen of the Senate and House Education Committees and one legislative member of the minority party appointed by the Chairman of the Legislative Management.

**House Bill No. 1015** - Section 4 creates a committee to study pretrial services, sentencing alternatives, treatment options, and other related issues and requires the Legislative Management to appoint two members of the House Appropriations Committee, two members of the Senate Appropriations Committee, one member of the House Judiciary Committee, and one member of the Senate Judiciary Committee.

**House Bill No. 1432** - Section 1 creates a statutory Federal Environmental Law Impact Review Committee of 11 members, including the House and Senate Majority Leaders, or their designees, and one Legislative Assembly member from the minority party, selected by the Chairman of the Legislative Management.

**Senate Bill No. 2367** - Section 1 creates a 20-member task force chaired by the Attorney General and staffed by the Department of Human Services. The Legislative Management is to appoint as members, one member of the Senate and one member of the House of Representatives.

**House Bill No. 1406** - Section 3 eliminates the requirement that the Chairman of the Legislative Management appoint one member of the House of Representatives and one member of the Senate to represent North Dakota on the Streamlined Sales Tax State and Local Advisory Council. The bill retains the requirement that the Chairman of the Legislative Management appoint two members of the House of Representatives and two members of the Senate to the Streamlined Sales Tax Governing Board.

### **Public Records**

**Senate Bill No. 2015** - Section 25 creates a new section to North Dakota Century Code Chapter 44-04 providing that any record of the Legislative Council relating to a request for public records made by the Legislative Council on behalf of a legislator is a public record.

### **Statutory Legislative Committees**

#### **Advisory Commission on Intergovernmental Relations**

**Senate Bill No. 2300** - Eliminates the Advisory Commission on Intergovernmental Relations and allows the Legislative Management to appoint task forces on intergovernmental issues. The Legislative Management is to appoint task force members, the majority of whom must be members of the Legislative Assembly.

#### **Energy Development and Transmission Committee**

**House Bill No. 1358** - Section 8 requires the Energy Development and Transmission Committee to receive a report from the Energy and Environmental Research Center by December 1, 2015, regarding recommendations on existing regulations on construction and monitoring of crude oil and produced water pipelines, to determine the feasibility and cost-effectiveness of requiring leak detection and monitoring technology on new and existing pipeline systems.

**Senate Bill No. 2037** - Section 5 requires the Energy Development and Transmission Committee to receive a report from the Public Service Commission at least once each year of the 2015-16 interim, on the most current information available on the status of retail sales of electricity in the state meeting or exceeding the state renewable and recycled energy objective established in Section 49-02-28 and a comparison of the amount of renewable and recycled energy produced in the state with the amount sold at retail in the state.

#### **Information Technology Committee**

**House Bill No. 1021** - Section 3 requires the Information Technology Committee to receive a report from the Information Technology Department before July 1, 2016, on the findings of the consultant hired by the Health Information Technology Office to provide for a health data study.

**House Bill No. 1330** - Section 1 requires the Information Technology Committee to receive a report from the Secretary of State certifying that the information technology components of the electronic filing system are ready for implementation before August 1, 2016.

#### **Water Topics Overview Committee**

**House Bill No. 1061** - Allows the Water Topics Overview Committee to meet with the State Water Commission.

**Senate Bill No. 2020** - Section 14 requires the Water Topics Overview Committee to receive reports from the Garrison Conservancy District to review its progress in planning and designing the Red River Valley Water Supply Project.

Section 18 requires the committee to receive notification from the State Water Commission of funding transfers authorized under this section and approved by the Budget Section.

Section 26 requires the committee to receive a report from the State Water Commission every six months during the 2015-16 interim regarding any changes made to the State Water Commission priority projects list presented to the 64<sup>th</sup> Legislative Assembly for the 2015-17 biennium.

Section 27 requires the committee to receive a report from the F-M Diversion Authority Board biannually regarding an update on congressional authorization of the diversion project and the status of the self-insured crop insurance pool; mitigation efforts, alternatives, and costs; easements; and the project budget. The MNDak Upstream Coalition shall report biannually regarding an update on the impacts of the Fargo flood control project and mitigation efforts, alternatives, and costs.

#### **Workers' Compensation Review Committee**

**House Bill No. 1416** - Section 3 requires the committee to receive a report from Workforce Safety and Insurance before August 1, 2016, on whether there is an industry interest in using safety programs under Section 65-03-04 to provide grants to an industry association to provide alcohol server training to employees of bars and restaurants in order to address workplace safety and public safety.

#### **Mandatory Studies**

**House Bill No. 1012** - Section 10 requires the Legislative Management to study the truck size and weight provisions under Chapter 39-12 relating to size, width, and height restrictions, in order to ensure the state of North Dakota may harmonize its truck size and weight regulations with the regulations of the states in the Western States Transportation Alliance, and shall utilize the findings of the collaborative study of the Department of Transportation and the Upper Great Plains Transportation Institute to determine appropriate changes to state law.

**House Bill No. 1015** - Section 4 requires the Legislative Management shall create an Incarceration Issues Committee which shall study pretrial services, sentencing alternatives, treatment options, and other related issues. Section 3 provides an appropriation of \$50,000 to the Legislative Council for 2015-17 biennium consulting services to assist with a Legislative Management study of incarceration issues.

**House Bill No. 1028** - Section 1 requires the Legislative Management to study provisions of Century Code that relate to agriculture, for the purposes of eliminating provisions that are irrelevant or duplicative, clarifying provisions that are inconsistent or unclear in their intent and direction, and rearranging provisions in a logical order.

**House Bill No. 1081** - Section 5 requires the Legislative Management to study Game and Fish Department licenses provided to entities for the purpose of fundraising.

**House Bill No. 1083** - Section 1 requires the Legislative Management to study the statutory and regulatory requirements placed on North Dakota state government agencies by United States government agencies as a condition of the receipt of federal funding to determine whether there are viable options to meet the needs of our state without having the federal government's oversight and involvement, which state needs can be met if federal funding associated with undesirable regulation or excessive direct and indirect costs is refused, and whether the benefit of accepting certain federal funds outweighs the benefit of participation in the federal programs.

**House Bill No. 1095** - Section 4 requires the Legislative Management to assign to the Water Topics Overview Committee the responsibility of studying the use of quick take in eminent domain by water resource districts. The study must include input from stakeholders, including the State Water Commission, water resource districts, and landowners.

**House Bill No. 1165** - Section 1 requires the Legislative Management to study, in conjunction with representatives of the executive and judicial branches and other stakeholders, justice reinvestment reforms. The Legislative Management shall participate with representatives of the executive and judicial branches and other stakeholders such as judges, prosecutors, defense attorneys, victims' advocates, corrections staff, law enforcement agencies, and service providers to seek cost-effective and evidence-based strategies to enhance public safety and properly manage corrections and supervision populations. The Legislative Management shall cooperate with representatives of the executive and judicial branches to seek technical assistance as appropriate from the United States Bureau of Justice Assistance, The PEW Charitable Trusts, and the Council of State Governments' Justice Center to conduct the reform initiative.

**House Bill No. 1377** - Section 5 requires the Legislative Management to study truck permitting systems in oil- and gas-producing counties. The study must review the North Dakota Association of Oil and Gas Producing Counties' uniform county truck permit program, including the system's integration with the Highway Patrol's online electronic truck permitting and routing system and the communications between county representatives and industry representatives regarding road conditions. The study must evaluate the appropriateness of additional fees assessed by the board of county commissioners and other local authorities to the oil and gas industry related to additional road permitting fees and analyze other relevant data regarding uniform truck permitting fees and procedures. The study must include input from representatives of the North Dakota Petroleum Council, representatives of the North Dakota Association of Oil and Gas Producing Counties, and other interested persons.

**House Bill No. 1378** - Section 1 requires the Legislative Management to study the proposed and final federal rules issued by the federal Health and Human Services Department relating to the essential health benefits under the federal Affordable Care Act. Specifically, the study must include a review of the rules relating to the state's ability to participate in defining the state-based essential health benefits package for plan years 2017 and beyond, how the state may be authorized to select a benchmark plan for plan years 2017 and beyond, and the deadlines related to these rules and related decisions.

**Senate Bill No. 2015** - Section 40 requires the Legislative Management to study the functions of the Budget Section. The study must review the duties and studies assigned to the Budget Section and the ability of the Budget Section to authorize financial decisions, including full-time equivalent (FTE) positions, North Dakota University System building projects, and project scope changes.

Section 42 requires the Legislative Management to study the current scientific and economic information regarding oil and gas recovery and enhanced recovery techniques, including the use of carbon dioxide, the timeline for implementing the techniques, and the estimated future annual economic impact, to evaluate existing and alternative tax incentives and recommend tax incentives that under current and foreseeable conditions, and within different oil formations, would best serve the interests of the state, political subdivisions, and fossil fuel energy production industries. Section 11 provides an appropriation of \$400,000 to the Legislative Council for a 2015-17 biennium consultant study of oil and gas tax incentives and recovery techniques.

**Senate Bill No. 2020** - Section 22 requires the Legislative Management to study options available for providing a sustainable water supply to central and eastern North Dakota.

**Senate Bill No. 2031** - Section 29 requires the Legislative Management to study content standards and assessments. The study must provide for a review of the content standards applicable to all grade levels in this state, from kindergarten through grade 12, in the areas of English language arts and mathematics; compare the content standards of this state to those of other states that are recognized as having high academic achievement levels; and review the standards development process. The study must review the purpose of general and alternate student assessments, examine the availability of existing and proposed assessment models, and examine the assessments utilized by other states that are recognized as having high academic achievement levels. The study must review those sections of the Elementary and Secondary Education Act [20 U.S.C. 6301, et seq.] that address standards, assessments, accountability, and local flexibility, and any recent pertinent regulatory changes or policy statements issued by the United States Department of Education. The Legislative Council may seek assistance from individuals who are content specialists at the higher education level, individuals who are content and assessment specialists at the elementary or high school level, and other professionals, as necessary, to complete the directives of this section.

**Senate Bill No. 2057** - Section 1 requires the Legislative Management to study the analysis of economic development tax incentives as provided in Section 54-35-26.

**Senate Bill No. 2206** - Section 12 requires the Legislative Management to conduct a study to develop a proposed transition plan for transferring the costs of operating social services programs from county property tax levies to state general fund appropriations. A proposed transition plan must include a timeline for the major milestones of the transition plan, considerations for the transition, estimated costs, a plan to require a property tax reduction for the amount of the budgeted savings brought about by the transfer of county social services costs to the state, a plan resulting in the elimination of the county social services levy under Section 50-06.2-05, and potential legislation to implement recommended changes. The study must include consideration of the feasibility of implementing the proposed transition plan.

**Senate Bill No. 2318** - Section 4 requires the Legislative Management to study the oil extraction tax exemption available for incremental production from a tertiary recovery project that uses carbon dioxide. The study must include consideration of the potential benefits and costs to industry, the state, and the environment of using carbon dioxide enhanced recovery methods. The Legislative Management shall secure assistance from the Energy and Environmental Research Center to analyze potential future usage of carbon dioxide in oil recovery operations in the Bakken and Three Forks Formations, the potential production and environmental benefits of that usage for energy industries in this state, the economic conditions in which that usage is feasible for oil producers, and the estimated fiscal effect of that usage for the state and political subdivisions.

#### **Interim Committee Consultant Services**

**Senate Bill No. 2015** - Section 11 appropriates \$400,000 to the Legislative Council for consultants to study oil and gas tax incentives and oil and gas recovery techniques.

**Senate Bill No. 2318** - Section 4 requires study of the oil extraction tax exemption for a tertiary recovery project using carbon dioxide. The section provides that the Legislative Management shall secure assistance from the Energy and Environmental Research Center to analyze potential future usage of carbon dioxide in oil recovery operations in the Bakken and Three Forks Formations, the potential production and environmental benefits of that usage for energy industries in this state, the economic conditions in which that usage is feasible for oil producers, and the estimated fiscal effect of that usage for the state and political subdivisions.

**House Bill No. 1015** - Section 3 appropriates \$50,000 to the Legislative Council for consulting services for a study of incarceration issues.

### Reports to the Legislative Management

**House Bill No. 1003** - Section 3 requires the State Board of Higher Education to report to the Legislative Management on the status of development of a unified workforce, vocational, and technical program system under the appropriation provided for that purpose.

Section 12 requires the State Board of Higher Education to provide an annual report to the Legislative Management on the number of North Dakota academic scholarships and career and technical education scholarships.

Section 25 requires the State Board of Higher Education to provide reports to the Legislative Management regarding distributions from the deferred maintenance, campus security, and internal audit funding pools.

Section 38 provides for funding for institution extraordinary repairs and provision of matching funds and requires the State Board of Higher Education to report to Legislative Management regarding use of extraordinary repairs funding and relating matching funds.

Section 40 requires the State Board of Higher Education to report to the Legislative Management regarding operations of Dickinson State University. The report must detail the financial condition and plans to improve the financial stability of the institution.

**House Bill No. 1012** - Section 12 requires the Department of Transportation to report to Legislative Management by June 30, 2016, on a study of state funding distributions and allocations to public transportation providers.

Section 18 requires the Department of Transportation to report to a committee designated by the Legislative Management regarding the department's updated North Dakota state rail plan.

**House Bill No. 1014** - Section 25 requires the Industrial Commission to report to the Legislative Management and the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly on the use of funding provided for the core library project.

Section 26 requires the Bank of North Dakota to report to the Legislative Management and the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly on the use of funds appropriated from the Bank of North Dakota for construction of the North Dakota Financial Center and the progress of the project.

**House Bill No. 1021** - Section 3 requires the Health Information Technology Department to report to the Information Technology Committee on the findings of a consultant hired by the Health Information Technology Department to provide a health data study.

**House Bill No. 1024** - Section 2 requires the Comprehensive Tobacco Control Advisory Committee and the State Department of Health to report to the Legislative Management by September 1, 2016, regarding grant expenditures, the granting process, and reporting requirements included in the funding appropriated by the bill.

**House Bill No. 1036** - Section 1 requires the State Department of Health to study health professional assistance programs, with a focus on state loan repayment programs for health professionals, and to report periodically to the Legislative Management on the status of the study and report on the outcome of the study before July 1, 2016, including any recommended legislation.

**House Bill No. 1037** - Section 1 requires the Department of Human Services to study options for implementing income-based cost-sharing provisions for the Medicaid and Medicaid Expansion programs. The bill requires the Department of Human Services to report to the Legislative Management before July 1, 2016, on the outcome of the study and legislative recommendations.

**House Bill No. 1046** - Section 1 provides an appropriation to the Department of Human Services to provide life skills services for individuals with a traumatic brain injury and requires the department to report to the Legislative Management on use of the funds by July 1, 2016.

**House Bill No. 1048** - Section 1 requires the Board of Addiction Counseling Examiners, Board of Counselor Examiners, Board of Social Work Examiners, State Board of Psychologist Examiners, State Board of Medical Examiners, and Marriage and Family Therapy Licensure Board to collaborate to develop a plan for administration and implementation of licensing and reciprocity standards for licensees. Before July 1, 2016, each board shall present its findings, proposed plans, and legislative changes to the Legislative Management.

**House Bill No. 1049** - Section 4 requires the Board of Addiction Counseling Examiners to evaluate initial licensure coursework requirements and clinical training requirements and report on the status of the evaluation to the Legislative Management before July 1, 2016.

**House Bill No. 1052** - Section 2 amends Section 54-59-12 to require the Information Technology Department Chief Information Officer to meet at least twice each year to plan and coordinate information technology and areas in which joint or coordinated information technology may be more efficient and effective. Upon request, the Chief Information Officer shall report to the Legislative Management regarding coordination of services with political subdivisions and the Chief Information Officer and the Chief Information Officer of the University System shall report to the Legislative Management regarding findings and recommendations.

**House Bill No. 1085** - Section 1 creates a statutory provision to require biennial reporting by each executive branch agency, excluding higher education entities, which receives federal funds to report to the Office of Management and Budget a plan to operate the agency if federal funds are reduced by 5 percent or more and whether the agency would request state funds to offset such a decrease. The Office of Management and Budget is required to report to the Legislative Management by October 15 of each even-numbered year on the reports received.

**House Bill No. 1111** - Section 15 requires the Department of Human Services to report to the Legislative Management before July 1, 2016, regarding the number of revoked obligor driver's licenses, duration and effectiveness of revocations, including comparison with other rural states, and present a specific proposal that may limit the use of revocation of driver's licenses as a tool of enforcement.

**House Bill No. 1144** - Section 2 authorizes operation of transportation network companies. The statutory provision requires the Department of Transportation to report information collected from transportation network companies during each biennium to the Legislative Management.

**House Bill No. 1323** - Section 4 requires the State Department of Health to maintain a statewide stroke database and establish and implement a plan for achieving continuous quality improvement in care provided under the state comprehensive stroke system for stroke response and treatment. The statutory provision requires that before June 1 of each even-numbered year, the State Department of Health shall provide a progress report to the Legislative Management.

**House Bill No. 1330** - Section 1 extends the deadline to August 1, 2016, for the Secretary of State to trigger effectiveness of the electronic use of the central indexing system by reporting to the Legislative Management and the Information Technology Committee that the information technology components of the electronic filing system are ready for implementation.

**House Bill No. 1358** - Section 8 requires the Industrial Commission to contract with the Energy and Environmental Research Center for an analysis of crude oil and produced water pipelines, including construction standards, depths, pressures, monitoring systems, maintenance, types of materials and backfill, and analysis of the ratio of spills and leaks occurring in this state compared to other large oil- and gas-producing states with substantial volumes of produced water. The Energy and Environmental

Research Center is required to compile the information, analyze existing regulations, determine feasibility and cost-effectiveness of requiring leak detection and monitoring technology, and provide a report with recommendations to the Industrial Commission and the Energy Development and Transmission Committee by December 1, 2015.

**House Bill No. 1416** - Section 3 requires Workforce Safety and Insurance to investigate whether there is industry interest in using safety programs to provide alcohol server training to bar and restaurant employees that serve alcohol, in order to address workplace safety and public safety. Before August 1, 2016, Workforce Safety and Insurance shall report to the Legislative Management on its findings.

**House Concurrent Resolution No. 3052** - Requests the State Board of Higher Education to provide a report to the Legislative Management before July 1, 2016, regarding the policies, procedures, supports, and services available to public institutions of higher education in the state regarding sexual assault and related incidents.

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

**Senate Bill No. 2012** - Section 13 removes the sunset clause for Section 50-06-32.1, which requires the Department of Human Services to report to the Legislative Management regarding the autism spectrum disorder program pilot project.

Section 14 requires the Department of Human Services to report to an interim legislative committee on the development activities and status information of the developmental disabilities system reimbursement project.

Section 19 requires a report regarding use of grant funds from the general fund to a statewide family-controlled parent-to-parent support organization for caring for a child with a mental health disorder. The report must be made by the organization receiving a grant to the Legislative Management.

Section 20 requires a report regarding use of grant funds for family-related information and education services to a statewide family-to-family health information and education organization that provides parent-to-parent support for families and is located in a county with a population of fewer than 6,000 and requires the organization receiving a grant to report to the Legislative Management.

Section 23 requires the Department of Human Services to report to the Legislative Management on the adult protective services program.

Section 26 requires the Department of Human Services to report to the Legislative Management on quarterly behavioral health services.

**Senate Bill No. 2015** - Section 4 requires the Office of Management and Budget to report on its statewide plan regarding state agency targeted market equity funding pool compensation adjustments for state employees to the Legislative Management.

Section 5 requires a report on distributions from the state agency energy development impact funding pool from the Office of Management and Budget to the Legislative Management and from each agency receiving a distribution from the funding pool to the Legislative Management regarding its plan to discontinue energy impact adjustments for employees at the end of the biennium.



Section 10 requires periodic reports on status of the facility space expansion authorized under House Bill No. 1002 for legislative meeting rooms, from the state court administrator to the Legislative Procedure and Arrangements Committee.

**Senate Bill No. 2020** - Section 14 requires the Garrison Diversion Conservancy District to report to the Legislative Management Water Topics Overview Committee on progress in planning and designing the Red River Valley Water Supply Project.

Section 25 requires the State Water Commission to report to the Water Topics Overview Committee every six months during the interim regarding any changes made to the priority projects list presented to the 64<sup>th</sup> Legislative Assembly.

Section 26 requires biannual reporting regarding an update on congressional authorization of the diversion project and the status of the self-insured crop insurance pool; mitigation efforts, alternatives, and costs; easements; and the project budget and an update on impacts of the Fargo flood control project and requires the report from the F-M Area Diversion Authority Board to the Water Topics Overview Committee and from the MNDak Upstream Coalition to the Water Topics Overview Committee.

Section 27 requires a report on water usage, rates, engineering contract procedures, market share, and recommendations to ensure Western Area Water Supply Authority's ability to maintain its payments schedule of the state's loan and requires the report to be made from the independent water providers and the Western Area Water Supply Authority to the Water Topics Overview Committee.

Section 31 requires a report on the project prioritization process, updates on allocated program expenditures, and fund balances of projects, grants, and contracts.

**Senate Bill No. 2031** - Section 7 requires the Education Standards and Practices Board to report to a committee designated by the Legislative Management regarding results of an electronic survey instrument that the board shall utilize at the conclusion of all interactions with individuals seeking information or services from the board.

Section 28 requires the Superintendent of Public Instruction to report to the Legislative Management on the findings and recommendations of the school district reporting review committee regarding statutory and regulatory reporting requirements imposed upon school districts.

**Senate Bill No. 2037** - Section 5 requires the Public Service Commission to report to the interim committee designated by the Legislative Management on the most current information available on the status of retail sales of electricity in the state meeting or exceeding the state renewable and recycled energy objective and comparison of the amount of renewable and recycled energy produced in the state and the amount sold at retail in the state.

**Senate Bill No. 2039** - Section 5 provides that for school construction loans administered by the Bank of North Dakota, applications are to be prioritized with consideration of several listed factors and any other criteria established by rule of the Superintendent of Public Instruction, after consultation with an interim committee appointed by the Legislative Management.

**Senate Bill No. 2048** - Section 4 requires the Department of Human Services to report to the Legislative Management on the rules adopted to establish and administer the voucher system to assist in the payment of addiction treatment services provided by private licensed substance abuse treatment programs.

Section 5 requires the Department of Public Instruction to report to the Legislative Management regarding mental health training provided by school districts.

**Senate Bill No. 2049** - Section 1 requires the Department of Human Services to report to the Legislative Management on the outcome of the mandatory study regarding statutory references to mental health professionals to determine whether changes in the law may help to more fully utilize these professionals within their scopes of practice.

**Senate Bill No. 2057** - Section 1 creates statutory requirements for interim committee review of economic development tax incentives and to provide a report on its findings and recommendations to the Legislative Management.

**Senate Bill No. 2150** - Section 2 requires the State Board of Higher Education to report to the Legislative Management on status of implementation of the uniform procedure for student and student organization disciplinary proceedings.

**Senate Bill No. 2234** - Section 1 requires the Department of Human Services to report to the Legislative Management on the eligibility for developmental disability waivers.

**Senate Bill No. 2300** - Section 5 requires any task force on intergovernmental issues established by the Legislative Management to provide its report to the Legislative Management. No task force has been appointed for the 2015-16 interim.

**Senate Bill No. 2304** - Section 1 requires the Friends of the Residence and the Capitol Grounds Planning Commission to report to the Legislative Management on the fundraising plans of the task force and the progress of fundraising efforts for the new Governor's residence.

**Senate Bill No. 2326** - Section 5 requires the Statewide Longitudinal Data System Committee to report to one or more committees designated by the Legislative Management regarding the statewide longitudinal data system and recommendations for further development, cost proposals, proposals for legislation, and recommendation for data sharing governance.

**Senate Bill No. 2367** - Section 1 requires the task force on substance exposed newborns to report its findings and recommendations to the Legislative Management.

### **Reports to the Legislative Management Budget Section**

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

**House Bill No. 1003** - Section 27 requires North Dakota State University to report to the Budget Section on the status of the Minard Hall project and to request increased spending authorization from the Budget Section for the project.

**House Bill No. 1014** - Section 17 extends for two additional years the housing incentive fund at the Bank of North Dakota under Section 54-17-40 and the requirement in that section for quarterly reports by the Housing Finance Agency to the Budget Section on progress being made to reduce the overall number of housing units owned, master leased, or subsidized by cities, counties, school districts, or other employers of essential service workers.

**House Bill No. 1020** - Section 7 amends Section 4-05.1-05 to allow the Director of the North Dakota State University Main Research Center to adjust or increase FTE positions and requires the Station Director to provide an annual report to the Office of Management and Budget and to the Budget Section.

Section 8 allows the Director of the North Dakota State University Extension Service to adjust or increase FTE positions and requires the Director to make an annual report to the Office of Management and Budget and to the Budget Section on any adjustments or increases.

Section 15 allows the State Board of Higher Education to adjust or increase FTE positions. The board is required to make annual reports to the Office of Management and Budget and to the Budget Section on any adjustments.

Section 16 requires the Main Research Center to report to the Budget Section during the 2015-17 biennium on the status of the flooded lands study and spending related to the study.

**House Bill No. 1176** - Section 4 requires the Department of Transportation to report to the Budget Section and the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly on the use of one-time funding appropriated for allocation among non-oil-producing counties.

Section 5 requires a report to the Budget Section by the Commissioner of the Board of University and School Lands on the use of funding provided for oil and gas impact grants.

**House Bill No. 1358** - Section 6 continues the requirement for a report to the Budget Section by the Industrial Commission on the balance of the abandoned oil and gas well plugging and site reclamation fund and expenditures from the fund. The bill adds authority for the Industrial Commission to expend up to \$1.5 million per biennium for specified reclamation and restoration projects.

**House Bill No. 1406** - Authorizes the Governor and the governing body of the Standing Rock Sioux Tribe for administration and allocation of state and tribal sales, use, and gross receipts taxes within the Standing Rock Sioux Reservation. Section 5 requires the agreement to require the governing body of the Standing Rock Sioux Tribe to report annually to the Budget Section to identify projects totaling investment in essential infrastructure of at least 10 percent of tribal receipts under the agreement for the year.

**Senate Bill No. 2003** - Section 3 provides targeted market equity funding to the Attorney General for gaming audit and criminal investigators staff and requires the Attorney General to report to the Office of Management and Budget and the Office of Management and Budget to report to the Budget Section in September 2015 and September 2016 regarding the salary savings used to reduce funding from the general fund and the number and duration of vacant FTE positions.

Section 13 requires the Attorney General to report to the Budget Section by September 30, 2016, regarding legal fees charged to a campus in excess of the listed campus assessments in this section for legal fees charged by the Attorney General.

**Senate Bill No. 2012** - Section 3 requires the Department of Human Services to report to the Budget Section after June 30, 2016, any transfers in excess of \$50,000 under the authority provided by the bill to transfer appropriation authority between line items.

**Senate Bill No. 2015** - Section 8 provides contingent funding with appropriations and transfers to the State Board of Higher Education and Department of Transportation for specified projects. If the appropriations and transfers become available, the board is required to report to the Budget Section regarding the status of the Valley City State University fine arts building project.

**Senate Bill No. 2020** - Section 18 requires the State Water Commission to report to the Water Topics Overview Committee and the Budget Section on any funding transfers by the State Water Commission for project funding designations.

**Senate Bill No. 2103** - Section 2 appropriates \$352 million to the Department of Transportation for distribution to counties for road and bridge infrastructure needs. This section requires the Department of Transportation to report to the Budget Section and the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly on the use of this one-time funding.

**Senate Bill No. 2190** - Section 1 amends Section 38-08-04.5 relating to the abandoned oil and gas well plugging and site reclamation fund. The statutory provision already requires a report by the Industrial Commission to the Budget Section on the balance and expenditures from the fund each biennium. The bill adds authority to use money in the fund for transfer by the Office of Management and Budget, upon request by the Industrial Commission, to the environmental quality restoration fund for use by the State Department of Health to address environmental emergencies relating to oil and natural gas development, including disposal of oil field waste, oil or natural gas production, transportation of oil or natural gas by rail, road, or pipeline.

**Senate Bill No. 2206** - Section 6 allows the Department of Human Services to establish a grant program to assist certain counties with unusual and unanticipated demands on the county human services fund. This section requires the department to report to the Budget Section annually and to the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly and each succeeding Legislative Assembly on any funding provided to counties under this authority.

Section 4 expands the authority under Chapter 57-51.2 for the Governor to enter agreements with tribal governments to include, along with the current authority to enter agreements with the Three Affiliated Tribes, to enter agreements with the Standing Rock Sioux Tribe and the Turtle Mountain Band of Chippewa Indians. The current requirement of an annual report to the Budget Section is expanded to include requiring the tribal governing body of any tribe that is party to an agreement and that the report must identify projects totaling investment of at least 10 percent of tribal oil and gas gross production and oil extraction tax receipts in essential infrastructure and informs the Budget Section of tribal investments in essential infrastructure and fees, expenses, and charges the tribe imposes on the oil industry.

**Senate Bill No. 2343** - Section 1 requires a report on the fiscal impact of any order, regulation, or policy of the Industrial Commission under Chapter 38-08, governing gas and oil resources, which has a fiscal effect on state revenues and expenditures exceeding \$20 million in a biennium. The report is to be made to the Legislative Assembly when in session, or otherwise to the Budget Section.

#### **Budget Section Approval Requirements**

**House Bill No. 1003** - Section 4 requires Budget Section approval for the State Board of Higher Education to use up to \$1 million for reorganizing the office of the Commissioner of Higher Education. The funds are available only if the board submits to the Budget Section a plan to reorganize the office and the Budget Section approves all or part of the appropriation for that purpose.

Section 5 requires the Budget Section to receive certification from the State Board of Higher Education that the Dunbar Hall project conforms to the University System campus master plan and state space utilization study and receives Budget Section approval to proceed with the project and if general fund revenues exceed forecast by stated amounts.

Section 38 requires Budget Section approval for any higher education tuition rate increase exceeding 2.5 percent in 2015-16 or 2016-17 academic years.

**Senate Bill No. 2015** - Section 8 provides contingent funding with appropriations to the State Board of Higher Education and the Department of Transportation. Some of the contingent appropriations and transfers are also subject to Budget Section approval.

**Senate Bill No. 2020** - Section 30 requires the State Water Commission to obtain Budget Section approval prior to issuing any revenue bonds during the biennium.

#### **Budget Section Block Grant Hearings**

**House Concurrent Resolution No. 3001** - Authorizes the Budget Section to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants passed by Congress.

### Reports to the Legislative Council

**House Bill No. 1012** - Section 18 requires the Department of Transportation to report to a committee designated by the Legislative Management on the department's updated state rail plan and to provide an electronic copy to the Legislative Council for placement on the legislative branch public website.

The Tax Commissioner shall provide reports to the Legislative Council to provide a compilation of information from reports of counties receiving allocations.

**House Bill No. 1176** - Section 3 also amends Section 57-51-15 to retain the reporting requirements from counties and also adds a requirement that each school district that receives allocations from the gross production tax file a report of revenues, expenditures, and ending fund balances with the Tax Commissioner, who is required to provide the reports compiling the information to the Legislative Council.

**Senate Bill No. 2012** - Section 3 requires the Department of Human Services to report to the Legislative Council on any transfers between line items in its appropriations bill.

## LEGISLATIVE ASSEMBLY

### Appointments

**Senate Concurrent Resolution No. 4004** - Designates Senate and House employment positions and fixes compensation for those positions.

### Confirmation of Tribal-State Tax Agreements

**House Bill No. 1406** - Authorizes a tribal-state sales, use, and gross receipts tax agreement with the Standing Rock Sioux Tribe. Such an agreement is also subject to the legislative confirmation requirements of Senate Bill No. 2226.

**Senate Bill No. 2226** - Expands authority for tribal-state agreements on taxation and regulation of oil and gas exploration and production within Indian reservations. The bill requires each such agreement to be confirmed by the House of Representatives and Senate.

### Members

**House Bill No. 1001** - Sections 6, 7, and 10 amend Sections 54-03-20 and 54-35-10 to increase the per diem during legislative sessions and for interim meetings to \$172 and the monthly compensation to \$481, effective July 1, 2015, and to \$177 and \$495, respectively, effective July 1, 2016.

**House Bill No. 1199** - Allows legislators to obtain legislative session housing reimbursement up front upon submission of a voucher and appropriate documentation.

**Senate Concurrent Resolution No. 4010** - To be on the 2016 general election ballot, would amend Article IV, of Section 5, of the Constitution of North Dakota to provide that an individual may not serve in the Legislative Assembly unless the individual lives in the district from which selected.

### Powers or Duties

**Senate Bill No. 2015** - Section 26 places with the Legislative Council during the interim between sessions the control of use of the Pioneer room and three additional meeting rooms in the judicial wing of the Capitol.

**Senate Bill No. 2039** - Section 5 requires the Legislative Assembly to conduct a biennial review of school construction loan interest rates.

### Reports to Legislative Assembly

**House Bill No. 1020** - Section 12 requires a report from the Williston Research Extension Center to the 65<sup>th</sup> Legislative Assembly on mineral rights income received by the Williston Research Extension Center.

**House Bill No. 1022** - Section 4 requires the Commission on Legal Counsel for Indigents to report to the 65<sup>th</sup> Legislative Assembly on the effectiveness of limits and procedures used by the Commission on Legal Counsel for Indigents to ensure that defense services are provided only to indigent clients.

**House Bill No. 1038** - Section 2 requires the Public Employees Retirement System to introduce a bill in the 65<sup>th</sup> Legislative Assembly to repeal the expiration date for insurance coverage of telehealth services and extend the coverage to all group and individual health insurance policies.

**Senate Bill No. 2013** - Section 14 requires the Superintendent of Public Instruction to continue reporting to the 65<sup>th</sup> Legislative Assembly on the cost per participant and the outcomes of other grants and report regarding participation, cost, and outcomes of these grants.

**Senate Bill No. 2020** - Section 28 requires the State Water Commission and the Southwest Water Authority to report to the 65<sup>th</sup> Legislative Assembly on the actions necessary for transfer of ownership and responsibility of the Southwest Pipeline Project from the State Water Commission to the Southwest Water Authority.

**Senate Bill No. 2039** - Section 5 requires the Legislative Assembly to conduct a biennial review of interest rates applicable to new loans under the school construction loan program administered by the Bank of North Dakota. It appears the review is intended to be based on a report by the Bank.

**Senate Bill No. 2219** - Section 1 requires the Human Trafficking Commission to submit an annual report on human trafficking in this state to the Attorney General, Governor, and Legislature.

### Reports to Appropriations Committees

**House Bill No. 1003** - Section 23 extends the effective date to July 31, 2017, for Section 54-44.1-11, which requires the Office of Management and Budget to cancel unexpended appropriations at the end of the biennium. The section excludes cancellation of University System appropriations and requires the University System to report to subsequent appropriations committees on the amounts and use of funds carried over.

Section 42 requires the State Board of Higher Education to report to the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly on its evaluation of data inconsistency issues at institutions and entities under its control and proposed policies and procedures to correct the inconsistencies.

Section 43 requires the State Board of Higher Education to report to the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly regarding use of funds received by institutions under its control from permanent fund income established for the benefit of the institutions in Article IV, Section 1, of the Constitution of North Dakota.

Section 44 requires Williston State College to report to the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly on use of \$2.5 million appropriated for extraordinary campus needs.

**House Bill No. 1014** - Section 25 requires the Industrial Commission to report to the Legislative Management and the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly on use of funds appropriated from the strategic investment and improvements fund for expanding the core library.

Section 26 requires the Bank of North Dakota to report to the Legislative Management and the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly on use of funds appropriated from the Bank of North Dakota for the construction of the North Dakota Financial Center and on the progress of the project.

**House Bill No. 1020** - Section 13 requires the Main Research Center and the North Dakota State University Extension Service to report to the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly on FTE positions added.

**Senate Bill No. 2003** - Section 7 requires the Attorney General to report to the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly on the continuing appropriation and revenues and expenditures for the lottery operating fund for the current biennium and projected operating revenues and expenditures for the subsequent biennium.

**Senate Bill No. 2015** - Section 35 requires a report from the Parks and Recreation Department to the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly on the use of one-time funding amounts provided to the Parks and Recreation Department.

**Senate Bill No. 2016** - Section 5 requires the Information Technology Department to report to the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly on evaluation of the feasibility and desirability of implementing a statewide radio interoperability network.

**Senate Bill No. 2199** - Sections 1 and 2 require any organization receiving a grant from the Attorney General from funds appropriated for grants to law enforcement agencies or organizations involved in providing prevention and treatment services relating to human trafficking and the report is to be provided to the Attorney General and the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly.

**Senate Bill No. 2284** - Requires a report on use of funds and outcomes by any organization that receives a grant through the domestic violence and rape crisis program for community-based or hospital-based sexual assault examiner programs. The report is to be provided to the Attorney General and the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly.

**Senate Bill No. 2330** - Requires the Department of Human Services to report to the Appropriations Committees of the 65<sup>th</sup> Legislative Assembly on the costs and benefits of the medication therapy management program.