



---

## LEGISLATIVE MANAGEMENT

Wednesday, May 19, 2021  
Roughrider Room, State Capitol  
Bismarck, North Dakota

Senator Ray Holmberg, Chairman, called the meeting to order at 10:00 a.m.

**Members present:** Senators Ray Holmberg, Jessica Bell, Randy A. Burckhard, Joan Heckaman, Jerry Klein, Erin Oban, Donald Schaible, Rich Wardner\*; Representatives Glenn Bosch, Joshua A. Boschee, Michael Howe, Kim Koppelman, Mike Lefor, Alisa Mitskog, Chet Pollert, Jim Schmidt, Robin Weisz

\*Attended remotely

**Members absent:** None

**Others present:** Allen H. Knudson, Vonette J. Richter, Legislative Council, Bismarck  
See [appendix](#) for additional persons present.

**It was moved by Senator Schaible, seconded by Representative Boschee, and carried on a voice vote that the minutes of the April 29, 2021, meeting be approved as distributed.**

Chairman Holmberg reviewed information regarding the number of studies under consideration and previous interim processes. He also reviewed a [memorandum](#) relating to federal fiscal recovery funds and noted there appears to be more flexibility regarding the timelines with respect to obligation of the funds and there is no need to rush to appropriate the funds. He said the Legislative Management will determine when the Legislative Assembly will meet again.

Chairman Holmberg noted if there does not appear to be a consensus with respect to prioritizing a study, a roll call vote will be held.

**It was moved by Senator Klein, seconded by Senator Burckhard, and carried on a roll call vote that House Concurrent Resolution No. 3046 not be approved for study.** Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." Representative Koppelman voted "nay." **House Concurrent Resolution No. 3046 was not approved for study.**

**It was moved by Representative Schmidt, seconded by Representative Lefor, and carried on a roll call vote that Section 22 of House Bill No. 1009 be approved for study.** Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." No negative votes were cast. **Section 22 of House Bill No. 1009 was approved for study.**

**It was moved by Representative Boschee, seconded by Senator Heckaman, and failed on a roll call vote that Section 17 of Senate Bill No. 2021 be approved for study.** Senators Heckaman and Oban and Representatives Boschee and Mitskog voted "aye." Senators Holmberg, Bell, Burckhard, Klein, Schaible, and Wardner and Representatives Bosch, Howe, Koppelman, Lefor, Pollert, Schmidt, and Weisz voted "nay." **Section 17 of Senate Bill No. 2021 was not approved for study.**

**It was moved by Senator Schaible, seconded by Senator Oban, and carried on a roll call vote that Section 14 of House Bill No. 1388 be approved for study.** Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." No negative votes were cast. **Section 14 of House Bill No. 1388 was approved for study.**

**It was moved by Representative Mitskog, seconded by Senator Oban, and carried on a roll call vote that Section 1 of House Bill No. 1159 be approved for study.** Senators Heckaman, Oban, and Schaible and Representatives Bosch, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, voted "aye." Senators Holmberg, Bell, Burckhard, Klein, and Wardner and Representative Weisz voted "nay." **Section 1 of House Bill No. 1159 was approved for study.**

**It was moved by Representative Boschee, seconded by Senator Heckaman, and carried on a roll call vote that House Concurrent Resolution No. 3043 be approved for study.** Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Boschee, Koppelman, and Mitskog vote "aye." Representatives Bosch, Howe, Lefor, Pollert, Schmidt, and Weisz voted "nay." **House Concurrent Resolution No. 3043 was approved for study.**

The committee requested the study under Section 43 of House Bill No. 1015 be broadened by removing "at the state capitol" and including the provisions of the study provided for in Section 1 of House Bill No. 1249 relating to adequately sized committee rooms and accessibility.

**It was moved by Senator Heckaman, seconded by Representative Boschee, and failed on a roll call vote that Section 15 of Senate Bill No. 2004 be approved for study.** Senators Heckaman, Oban, and Wardner and Representatives Boschee and Mitskog voted "aye." Senators Holmberg, Bell, Burckhard, Klein, and Schaible and Representatives Bosch, Howe, Koppelman, Lefor, Pollert, Schmidt, and Weisz voted "nay." **Section 15 of Senate Bill No. 2004 was not approved for study.**

**It was moved by Representative Pollert, seconded by Representative Koppelman, and carried on a roll call vote that House Concurrent Resolution No. 3021 be approved for study.** Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." Representative Boschee vote "nay." **House Concurrent Resolution No. 3021 was approved for study.**

**It was moved by Representative Koppelman, seconded by Representative Bosch, and carried on a roll call vote that Section 26 of House Bill No. 1003 be approved for study.** Senator Heckaman and Representatives Bosch, Boschee, Koppelman, Mitskog, Pollert, and Weisz voted "aye." Senators Holmberg, Bell, Burckhard, Klein, Oban, Schaible, and Wardner and Representatives Howe, Lefor, and Schmidt vote "nay." **Section 26 of House Bill No. 1003 was not approved for study.**

**It was moved by Senator Oban, seconded by Senator Heckaman that the study provided for in Section 27 of House Bill No. 1003 be revised to include a study of the use of the net proceeds for eligible organizations and carried on a roll call vote that Section 27 of House Bill No. 1003, as revised, be approved for study.** Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." No negative votes were cast. **Section 27 of House Bill No. 1003, as revised, was approved for study.**

**It was moved by Representative Pollert, seconded by Representative Koppelman, and carried on a roll call vote that the Legislative Management approve the list of studies and actions taken.** Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." No negative votes were cast.

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
<b>Acute Psychiatric Treatment</b>			
X		1012 § 5	<b>(Required)</b> Study the acute psychiatric hospitalization and related step down residential treatment and support needs of individuals with mental illness. The Legislative Management shall create an Acute Psychiatric Treatment Committee consisting of eight members to conduct the study. The Legislative Management Chairman shall designate the committee chairman and vice chairman. The committee must complete the study by October 1, 2022. As part of the study, the committee shall gather input from stakeholders and other groups, including private hospitals, the Department of Human Services, and mental health advocates. The study must review options for a long-term plan for acute psychiatric hospitalization and related step down residential treatment and support needs in the state and short-term options during the next 2 bienniums to contract with private provider acute psychiatric care facilities to provide treatment services in four or more cities in the state, workforce needs of such specific locations, and options to replace the existing State Hospital facility with one or more treatment facilities focused on forensic psychiatric evaluation and treatment. The committee, with the approval of the Legislative Management, may obtain consulting services to determine the total number of acute care beds needed in the state and to develop recommendations for private provider contracts, treatment requirements and outcome measures, locations in the state, including private and public facilities, the future use of facilities at the State Hospital campus, including the LaHaug Building, and other items identified in subsection 3. The consulting services may also develop conceptual drawings for recommendations for a new State Hospital.
<b>Administrative Rules</b>			
	X	3046	Consider studying the administrative rules process, including a review of any relevant statutes regarding administrative rules to determine if any statutes are unclear or ambiguous, the degree to which agencies are complying with the process, which state agencies are specifically exempt from the process, and if those state agencies should remain exempt.
<b>Agriculture</b>			
X		1009 § 22	Consider studying the North Dakota Beef Commission, including its operations and the selection of commission members.
<b>Commerce</b>			
	X	2021 § 17	Consider studying the feasibility and desirability of regulating special purpose depository institutions and regulating other entities engaged in virtual currency business activities.
	X	2075 § 2	Consider, with the assistance of the Insurance Department, studying the North Dakota laws and practice of insurers making property and casualty insurance policies and related information available to insureds by electronic means; the feasibility and desirability of prohibiting insurers from restricting the conditions in which insureds may access such information, including through software and agents of their choosing; and the extent to which insurers conducting business in this state have sought to limit access to policies and related information made available to insureds, whether such restrictions restrain competition in the marketplace, balance with an analysis of the impact of such access on potential cyber breaches, and loss of trade secret or proprietary information resulting from third-party usage and software applications, and how the two competing considerations can be safely and fairly reconciled.
	X	2078 § 8	Consider studying the process for obtaining written consent under the provisions of the Violent Crime Control and Law Enforcement Act of 1994 codified at 18 U.S.C. Section 1033 [Pub. L. 103-322] for individuals otherwise excluded from licensure as insurance producers.
	X	2151 § 1	Consider studying the use of blockchain to identify an accurate and continuous count of uninsured drivers in this state. The study must be in consultation with the Department of Transportation and must consider blockchain technology that allows for a dynamic, ongoing, decentralized, secure, and immutable method of tracking uninsured drivers in this state. In addition, the study must include an analysis of the impact relating to consumer fraud that may result from a state law mandating uninsured motorist property damage coverage. The Insurance Department shall request the 30 largest auto insurers, as measured by premiums written, to provide information to facilitate the study of the use and implementation of blockchain for this purpose.

Yes	No	Bill or Resolution No.	Subject Matter
	X	2253 § 1	Consider studying the long-term care insurance market in the state. The Insurance Commissioner and, as requested, the 10 largest long-term care insurance insurers in the state shall participate in this study to review the current premium market, benefits, and consumer options in relation to premium increases and overall market. Additionally, the Department of Human Services and Insurance Department shall report to the Legislative Management regarding the long-term care partnership program, including data addressing utilization of the program, whether there are barriers to access to the program, and how utilization of the program might be increased.
<b>Education</b>			
X		1111 § 1	<b>(Required)</b> Shall study competency-based learning and schools participating in innovative education programs. The study may include a review of the progress of schools and districts in the state which have received waivers under North Dakota Century Code Section 15.1-06-08.1 to participate in innovative education programs under Section 15.1-06-08.2; waivers to participate in innovative education programs that incorporate competency-based learning initiatives; the schools and districts participating in innovative education programs; and the schools and districts that have received waivers to participate in innovative education programs, the contents of the implemented innovative education programs, best practices, and whether the competency-based learning initiatives implemented under the innovative education programs can be duplicated and expanded for implementation statewide.
	X	1013 § 23	Consider studying the feasibility and desirability of using up to 1 percent of common schools trust fund assets annually for school construction grants.
	X	1027 § 7	Consider studying the impact of additional career and technical education center student transportation on student transportation costs.
	X	1210 § 1	Consider studying the feasibility and desirability of creating a teacher reimbursement program. The study must include a review of out-of-pocket expenses incurred by K-12 teachers on classroom school supplies, including the total amount of annual out-of-pocket expenses teachers in the state incur on classroom school supplies; a review of school districts in the state that have implemented teacher reimbursement programs; and an evaluation of whether a teacher reimbursement program would mitigate the financial burden incurred by teachers purchasing school supplies for their classrooms, and the total potential annual cost to the state to reimburse teachers for the out-of-pocket expenses.
X		1388 § 14	Consider studying K-12 school funding, including transition minimum reduction impacts to reorganized and consolidated school districts. The study must include a review of school districts that have multiple buildings in the district and districts that have built a new building without using traditional bonding methods as a result of a multidistrict reorganization; an analysis of high-cost students, including students who are high cost due to special education needs, medical reasons, agency placements, or any other reasons that increase the cost to educate the students beyond the state threshold; an ongoing review of the impacts of school districts that are off of the funding formula as they transition onto the formula; an analysis of human resource allocation and the duties and needs in elementary and secondary school buildings with a targeted focus on student academic health, behavioral health, and social and emotional health; and a review of student performance data relevant to students participating in virtual learning.
X		2332 § 2	Consider studying criteria for alternative teacher licensure.
X		3009	Consider studying provisions of the North Dakota Century Code relating to compulsory school attendance, including a comparison of compulsory school attendance laws in other states.
X		3035	Consider studying statutes governing career and technical education, including statutes in Chapter 15-20.1 providing for the powers and duties of the State Board of Career and Technical Education, reciprocity with other states, cooperation with federal agencies, funding, reimbursement to institutions, gifts, reporting requirements, grants for innovation, elementary school entrepreneurship programs, career development certifications, career advisers, accessibility, impacts on students, the impact of additional career and technical education center student transportation on student transportation costs, and programs of study.

Yes	No	Bill or Resolution No.	Subject Matter
<b>Employee Benefits</b>			
X		1209 § 1	<b>(Required)</b> Develop a plan for new hires under the Public Employees Retirement System main system to participate in the defined contribution plan and to close the defined benefit plan to new entries effective January 1, 2024. Upon approval of the Chairman of the Legislative Management, the study may use the services of a third-party contractor to assist in the study.
	X	1023 § 3	Consider studying the feasibility and desirability of expanding fertility benefits under the Public Employees Retirement System uniform group insurance health benefits as a precursor under Section 54-03-28 to mandating the fertility benefits for health insurance in the private market. The study must include a Public Employees Retirement System actuarial study of the cost of expanding the fertility benefits of the state health plan and must include consideration of the positive and negative aspects of mandating fertility benefits for health insurance in the private market.
<b>Energy Development and Transmission</b>			
X		1159 § 1	Consider studying natural gas and propane infrastructure development in the state. The study must include consideration of the current infrastructure available for natural gas and propane, challenges related to the development of natural gas and propane infrastructure, community needs for natural gas and propane infrastructure, and a cost-benefit analysis of any state incentives to encourage the development of natural gas and propane infrastructure.
X		1455 § 2	Consider studying the need, cost, effect, and appropriate process for bonding and ensuring reclamation of coal conversion facilities. The study must include an examination and assessment of the methods and amounts of financial assurance and schedules, the interaction of economics and the statutes, rules, and policies relating to the remaining useful life and early retirement of coal conversion facilities, the role of the Public Service Commission in all electrical generation retirement, and the appropriate involvement of the public and local communities and political subdivisions in the retirement process. The study also must evaluate the effectiveness of government programs and incentives relating to energy production, reliability, and the state's role in that process.
X		2217 § 1	Consider studying deductions for postproduction costs under oil and gas leases. 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; 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, and the Attorney General's office; and an analysis and review of state-mandated natural gas capture targets, federal land permitting restrictions, the effectiveness of using onsite flare mitigation technologies and the infrastructure necessary to enhancing oil and natural gas value. The study may include consideration of the desirability and feasibility of expanding the use and market access of natural gas, including value-added energy opportunities within the state.
<b>Government Administration</b>			
X		1003 § 24	Consider studying the feasibility and desirability of consolidating attorney and legal-related positions in state government. The study must include an analysis of the number of attorney and legal-related positions in state government, the agency to which the positions are assigned, the type of work performed by the positions, and any efficiencies that may be gained through the consolidation of these positions into the Attorney General's office. The study must include consultation with the Attorney General and any agency with attorney and legal-related positions in state government for the 2021-23 biennium.
	X	1003 § 25	Consider studying the feasibility and desirability of consolidating litigation-related funding in state government. The study must include an analysis of litigation-related funding in state government agency budgets, including the purpose and source of funding for the litigation and any efficiencies that may be gained through the consolidation of the litigation funding into the Attorney General's office. The study must include consultation with the Attorney General and any agency with litigation-related funding appropriated for the 2021-23 biennium.

Yes	No	Bill or Resolution No.	Subject Matter
X		1015 § 43	Consider studying space needs of the executive, judicial, legislative branches, and the Ethics Commission. The study must include: a review of each branch's employee work location policies; an assessment of the space needs of each branch to fulfill their constitutional and statutory responsibilities; an evaluation of state agency leases of space from private and other governmental entities in Bismarck, amounts being paid for these leases, and state agency rental payments being made to the Office of Management and Budget from special and federal funds; consideration of the feasibility and desirability of the Office of Management and Budget charging rent to agencies receiving funding from the general fund; and the development of a space utilization plan for the Capitol complex. The study must include consideration of whether adequately sized committee rooms, appropriate accommodations under the federal Americans with Disabilities Act, and flexible meeting areas are available.
X		1015 § 44	Consider studying the classified state employee compensation system, including a review of the development and determination of pay grades and classifications.
	X	1018 § 8	Consider studying the feasibility and desirability of creating local advisory boards to the State Historical Society.
	X	1249 § 1	Consider studying the building space needs of the legislative branch for purposes of considering whether an expansion or renovation of the space available to the legislative branch is necessary to serve the public and meet the needs of the legislative branch. The study must include consideration of whether adequately sized committee rooms, appropriate accommodations under the federal Americans with Disabilities Act, and flexible meeting areas are available, and will continue to be available, to the legislative branch, and the impact on the space needs from a potential expansion of the information technology division of the Legislative Council. The Legislative Management may consult with third-party consultants for this study.
X		3043	Consider studying the amount, type, cost, and occupancy of property leased by the state or any state agency since January 1, 2018. The study must include a determination of the individuals who own the property leased by the state or a state agency, including the members of a corporation, partnership, or any other type of entity that owns property leased by the state or a state agency, whether any statewide elected or appointed official should be restricted from owning any property leased by the state or state agency under the direction of the state agency, and whether a legislator should be prohibited from voting on appropriation bills for agencies that lease property from the legislator.
<b>Government Finance</b>			
X		1031 § 1	<b>(Required)</b> The Legislative Management shall assign to one or more interim committees a study of selected state agency fees as provided in this section.
	X	1010 § 9	Consider studying fire-related lines of insurance, including the insurance premium tax revenue generated from fire-related lines of insurance and the appropriate amounts to be distributed to fire departments and the North Dakota Firefighter's Association pursuant to Section 18-04-05.
	X	1019 § 14	Consider studying the effectiveness of the parks matching grant program created in Section 7 of House Bill No. 1019 and the feasibility and desirability of creating a parks and recreation foundation.
	X	1031 § 2	Consider studying the creation of a general fee policy relating to how state agencies' fees should be established for new programs and a continued review of existing fees.
	X	2015 § 6	Consider studying the use of land owned by the Department of Corrections and Rehabilitation, including the potential to sell land owned by the department to finance the construction of new correctional facilities.
X		2023 § 3	Consider studying funding sources for the budget of the Racing Commission. The study must include consideration of the feasibility and desirability of changing the Racing Commission to a special funds only budget and the effect on general fund revenues.
<b>Health Care</b>			
X		2212 § 1	<b>(Required)</b> Study prescription drug pricing, importation, reference pricing, and the role pharmacy benefit managers play in drug pricing. The study must include input from the Public Employees Retirement System, Workforce Safety and Insurance, the Insurance Commissioner, the State Board of Pharmacy, prescription drug wholesalers in Canada, and the public.

Yes	No	Bill or Resolution No.	Subject Matter
X		1010 § 8	Consider studying medication optimization. The study must include a review of the implementation of clinical pharmacist-led medication optimization programs in individual, large group, and small group plans, including provider credentialing, billing standards and procedures, providing standards of care, patient monitoring, consistent documentation of outcomes and efforts related to de-prescribing, and structuring an outcome reporting system for medication optimization programs. The study also must include a review of changes necessary to state laws and administrative rules to implement effective medication optimization. The Insurance Commissioner shall assist the Legislative Management with the study and identify and request the participation of stakeholders needed to complete this study. The Insurance Commissioner shall collect and provide to the Legislative Management the data needed to complete the study. The data provided by stakeholders, not otherwise publicly disclosed, must be considered confidential pursuant to Section 44-04-18.4.
X		1465 § 3	Consider studying health insurance networks, including narrow networks. The study must include: consideration of the use and regulation of broad and narrow networks in the state by individuals and employers, the sales and marketing of broad and narrow networks, opportunities for consumer choice-of-provider, and premium differentials among states with choice-of-provider laws; a review of legislative and court history regarding the impact of choice-of-provider laws on exclusive provider organizations and preferred provider organizations and how choice-of-provider laws apply to risk-pooled health plans regulated by the federal Employee Retirement Income Security Act of 1974; the impact of the consolidation of the health care market on consumer cash prices, insurance plan deductibles and premiums prices, and consumer options; a comparison of health maintenance organizations provider network designs and other health insurer provider network designs; a review of how vertical integrated networks utilize HMO plans; and a comparison of premiums of health benefit plans offered in the individual and small group markets in relation to the provider network design associated with those plans along with the growth of value-based purchasing.
	X	2004 § 15	Consider studying the roles of the State Health Officer, Health Council, Medical Advisory Board, and Governor as they relate to the administration of the State Department of Health. The study must include consideration of the role of the Health Council if the Governor seeks to terminate the appointment of the State Health Officer or to adjust the salary of or take punitive action against the State Health Officer. Additionally, the study must include whether the orders of the State Health Officer regarding public health directives have primacy over orders issued by the Governor.
	X	2189 § 1	Consider studying reduced harm nicotine products. The study must include a review of "modified risk tobacco products," as defined in Section 387(k) of the federal Food, Drug, and Cosmetic Act [21 U.S.C. 387(k)], and a review of products that should be deemed reduced harm nicotine products based on the product's potential for reducing tobacco-related diseases and the product's benefit to the population as a whole, including benefits to both current and potential tobacco users. The study also must evaluate how a reduction in the tax rate on reduced harm nicotine products might benefit public health by encouraging the use of reduced harm nicotine products, rather than the use of other products that potentially are more harmful.
X		3014	Consider studying solutions to provider and end-user barriers to access to and utilization of telehealth services in this state.
X		3015	Consider studying the feasibility and desirability of implementing a community health worker program, including recommendations regarding a definition of a community health worker, the scope of work of a community health worker, the infrastructure for training of community health workers, the development of a community health worker certification process and related training curriculum and continuing education requirements, a strategy for community health worker services being Medicaid-reimbursed services, and private insurers' use of community health workers.
<b>Higher Education</b>			
X		2003 § 25	<b>(Required)</b> Study higher education student affordability, including all forms of financial assistance available for students enrolled at institutions of higher education in the state. The study must include a review of available scholarships, student loan programs, waivers, grants, and any other forms of student financial assistance available for students enrolled at institutions of higher education in the state. The study must also include a review of the eligibility requirements and other criteria relating to each program, and their impact on the financial cost and utilization of each program.
	X	1375 § 4	Consider studying all scholarship programs in the state.

Yes	No	Bill or Resolution No.	Subject Matter
	X	2003 § 26	Consider studying higher education funding mechanisms, including private-public partnerships and distributions from permanent funds. The study must include potential mechanisms to stabilize funding for higher education, including funding mechanisms used in other states.
X		2003 § 27	Consider studying the higher education funding formula, including instructional program classification factors.
X		2140 § 3	Consider studying the professional student exchange program. The study must include the number of program participants enrolled in each discipline; the tuition support provided for students enrolled in each discipline; the rate at which students participating in the program return to the state; the procedures necessary to implement a payback provision and their associated costs; an appropriate grace period to allow program participants to return to the state; and the educational disciplines to which the payback provision should be applied.
<b>Human Services</b>			
X		2086 § 25	<b>(Required)</b> Study issues related to the Department of Human Services and human service zones employee compensation. The study must include consideration of the following issues: total state employee and human service zone team members compensation, including wages and salaries, annual leave, pay grades, classification, disaster or emergency services volunteers' leave, employee assistance program benefits, family and medical leave, funeral leave, holidays, hours of work, administrative leave, jury and witness leave, leave without pay, the merit system, military leave, overtime compensation, retirement benefits, health insurance benefits, severance pay, sick leave, benefits for temporary employees, and time off to vote; health insurance benefits, including the availability of health savings accounts, self-insurance, healthy lifestyle incentives, and the appropriateness of the human service zones' current health insurance benefits; compensation equity between the Department of Human Services, other state agencies, human service zones, and the market; within human service zones; within the Department of Human Services; and between human service zones; the feasibility and desirability of implementing compensation equity.
X		2256 § 1	<b>(Required)</b> Shall study state and federal laws and regulations and services relating to the care and treatment of individuals with developmental disabilities and individuals with autism spectrum disorder. The study must include a review of the following: the state's existing programs to identify potential pathways for individuals who have a developmental disability and individuals who have an autism spectrum disorder but do not meet the eligibility criteria for existing programs; gap identification with programmatic recommendations identifying potential strategies to address the gaps, and potential federal and state funding sources, including the federal Medicaid 1915(i) state plan amendment; efforts and services offered by other states, including the planning and implementation process for any new or modified programs; the impact of implementation and expanding of programs to address service gaps, including the number of individuals impacted, cost, and timeline for implementation; and the elimination of the Autism Spectrum Disorder Task Force, including contracting with a private, nonprofit entity that does not provide autism spectrum disorder services to facilitate and provide support services to the Autism Spectrum Disorder Task Force. In conducting the study, the Legislative Management shall contract with a third party.
X		1003 § 27	Consider studying the economic and societal impacts of gambling addiction in the state. The study must include a review of the trend of gambling addiction since the expansion of electronic pull tab gambling in the state, state funding provided for gambling addiction and disorder prevention and treatment, and support programs for individuals and families affected by gambling addiction, and use of net proceeds for eligible organizations.
	X	2014 § 35	Consider studying the levels of debt associated with long-term care facilities in the state. The study must include consideration of the current debt of long-term care facilities and the potential debt that may be incurred in the next 10 years by long-term care facilities; the status of existing loan programs to assist long-term care facilities, including Bank of North Dakota loan programs and the United States Department of Agriculture rural loan program; and any potential cost-savings for the state and private payers resulting from lower interest rates associated with loans to long-term care facilities.



Yes	No	Bill or Resolution No.	Subject Matter
	X	2089 § 4	Consider studying the autism spectrum disorder waiver and voucher programs and other programs designed to provide services to children who are impacted by autism spectrum disorder and the elimination of the Autism Spectrum Disorder Task Force. The study may include consideration of the structure of the programs and whether there are any gaps and unmet needs, including contracting with a private, nonprofit entity that does not provide autism spectrum disorder services to facilitate and provide support services to the Autism Spectrum Disorder Task Force.
X		2161 § 2	Consider studying the implementation of expanded behavioral health services, including section 1915(i) waiver implementation, capacity and utilization of the State Hospital, a behavioral health bed management system, and implementation of the recommendations of the 2018 North Dakota behavioral health system study conducted by the Human Services Research Institute.
X		2258 § 1	Consider studying, in collaboration with the Commission on Juvenile Justice, the necessity of licensing shelter care programs for runaway, homeless, and former foster care youth and the ability of these youth to access temporary shelter. The study must include a review of the current barriers, effective intervention, and necessary resources and services.
X		2336 § 1	Consider studying the occupational boards that address mental health and behavioral health issues which may include the State Board of Psychologist Examiners, Board of Addiction Counseling Examiners, Board of Counselor Examiners, Education Standards and Practices Board, North Dakota Board of Social Work Examiners, and North Dakota Marriage and Family Therapy Licensure Board. The study must include a review of the rules adopted by the boards and consideration of the frequency with which the rules are reviewed, whether there are barriers to practice and barriers to admission of foreign practitioners, and whether there is adequate training for board members and executive directors of these boards.
	X	3011	Consider studying and researching the impact of substance abuse and neonatal withdrawal syndrome, including a focus on Fetal Alcohol Spectrum Disorders, including treatment, services available, potential prevention, and whether existing policies for children and adults are appropriate.
X		3013	Consider studying issues relating to employment restrictions in public assistance programs.
<b>Information Technology</b>			
	X	2018 § 20	Consider studying data storage by state entities. The study must include input from the Information Technology Department, North Dakota University System, and Kindergarten through Grade Twelve Education Coordination Council. The study must consider data security, geographical locations of storage, geographical locations of corporate contractors, state and federal laws that may affect North Dakota data, ownership and control of data storage, and current and estimated data storage costs related to cloud-based, out-of-state data storage of North Dakota state and local government data.
	X	2021 § 12	Consider studying the feasibility and desirability of the legislative branch and judicial branch receiving strategic planning and operational information technology direction from the Information Technology Department beginning in the 2023-25 biennium.
X		2021 § 13	Consider studying the state government information technology budgeting and appropriations process. The study must include a review of the current process and the feasibility and desirability of providing a general fund appropriation to the Information Technology Department rather than providing general fund appropriations to state agencies to pay the Information Technology Department for information technology services. The study must include consideration of any cost or cost-savings that may result and any transparency benefits of the potential budgeting and appropriation changes.
X		2021 § 14	Consider studying the effectiveness, efficiency, cost, and any cost-savings of the 2019-21 biennium and 2021-23 biennium information technology unification initiatives and the feasibility and desirability of continuing these initiatives. The study must include a review of changes in fees, services, operations, processes, and systems.
X		2021 § 15	Consider studying costs incurred by the Information Technology Department to deliver core technology services and cybersecurity services to state agencies and political subdivisions. The study must consider the feasibility and desirability of political subdivisions paying their share of the cost of these services.
	X	2021 § 16	Consider studying competitive fairness, economic development implications, and other economic and societal impacts of large technology companies conducting business in North Dakota.

Yes	No	Bill or Resolution No.	Subject Matter
<b>Judiciary</b>			
X		1254 § 1	<b>(Required)</b> Study the types of spousal support ordered by the district court and the desirability and feasibility of providing statutory guidance for awards of spousal support. The study must include input from practicing attorneys in the area of family law and the division of child support. The study must include a review of the frequency and duration of spousal support awards that are entered in the state.
X		2282 § 1	<b>(Required)</b> Shall study the membership of the Board of University and School Lands and the membership of the Industrial Commission. The study must include consideration of potential conflicts of interest relating to the memberships, possible changes to the composition of the memberships of the Board of University and School Lands and the Industrial Commission, and possible changes to Article IX of the Constitution of North Dakota.
X		1036 § 1	Consider studying the juvenile justice process and collaborate with the commission on juvenile justice. The study must include a review of the effective intervention, resources, and services for children.
	X	1339 §1	Consider studying the definitions of "dangerous weapon" and "public gathering". The study must consider which weapons should be considered dangerous weapons. The study also must consider whether a "public gathering" includes athletic or sporting events, school buildings, or churches.
	X	1459 § 1	Consider studying the development of a licensing system that would authorize county correctional employees to carry a firearm while transporting inmates. The study must include input from the North Dakota Sheriffs and Deputies Association, state jail administrators, the North Dakota Peace Officer Standards and Training Board, the Department of Corrections and Rehabilitation, and all other interested parties.
X		1470 § 1	Consider studying the behavioral health needs of incarcerated adults. The study must consider the behavioral health needs of incarcerated adults, including access, availability, and delivery of services. The study also must include input from stakeholders, including representatives of law enforcement, social and clinical service providers, educators, medical providers, mental health advocacy organizations, emergency medical service providers, tribal government, state and local agencies and institutions, and family members.
X		1494 §1	Consider studying the recruitment, retention, turnover, and training of law enforcement and correctional officers employed by state agencies and political subdivisions. The study may include a review of current and historical rates of retention and turnover, the training and professional development offered and required of law enforcement and correctional officers, and an analysis of the compensation and benefits of law enforcement and correctional officers employed by state agencies, political subdivisions, and comparable positions in other states within the region.
	X	2271 § 2	Consider studying how to defeat the effort of the national popular vote interstate compact to ensure the electoral college process is preserved as prescribed in the United States Constitution. The study also must include examination of how states report presidential election results and whether states report the results using vote percentages or vote totals.
	X	2293 § 1	Consider studying the legislative intent of the exceptions to the requirement of a statement of full consideration for deeds transferring title of certain types of transactions and property under Section 11-18-02.2(6).
X		3021	Consider studying the factors contributing to the nation's current firearm and ammunition shortage and the impact the shortage has had on the quality of life for North Dakota citizens. The Legislative Management shall develop a plan of action to resolve the state's current firearm and ammunition shortage.

Yes	No	Bill or Resolution No.	Subject Matter
<b>Legacy Fund Earnings</b>			
X		1380 § 6	<b>(Required)</b> During the 2021-22 interim, the Legacy Fund Earnings Committee is created and shall study potential uses of legacy fund earnings, including the use of earnings to provide tax relief, research and technological advancements, innovation, economic growth and diversification, and workforce development. The committee may consider input from representatives of economic development entities, agricultural organizations, research entities, the innovation loan fund to support technology advancement committee, workforce development entities, higher education institutions, and the Parks and Recreation Department. As part of the study, the committee shall: consider the establishment of a statutory committee to award grants for university research programs and workforce enrichment initiatives; define the use of university research, innovation, and workforce enrichment funding that may include efforts to stimulate economic activity across the state through innovation of new technology, concepts, and products; to promote job creation and career and wage growth; to enhance health care outcomes; and to provide experiential learning opportunities for students; and develop reporting requirements for entities receiving funds from the clean sustainable energy fund and from grants awarded for university research, innovation, and workforce enrichment initiatives.
	X	1231 § 1	Consider studying the benefits of investing legacy fund moneys locally before investing any moneys outside the state.
<b>Natural Resources</b>			
X		2036 § 1	<b>(Required)</b> Shall continue the 2019-20 interim study of access to public and private lands for hunting, trapping, fishing, and related issues. The study must include evaluation of the electronic land access database and application developed during the 2019-20 interim and expansion of the database and application to all counties in the state.
X		3019	Consider studying the fiscal and safety impacts of United States Fish and Wildlife Service easements in North Dakota on the Department of Transportation, Department of Agriculture, and counties.
<b>Redistricting</b>			
X		1397 § 1	<b>(Required)</b> A committee shall develop a legislative redistricting plan to be implemented in time for use in the 2022 primary election.
<b>Tax</b>			
	X	1003 § 26	Consider studying laws regarding the state's charitable gaming taxation and use of net proceeds for eligible organizations.
X		1015 § 45	Consider studying the fiscal impact of providing a sales tax exemption for raw materials critical to the manufacturing process used to support biologic product generation, product impurity removal, chemical or physical product alteration, and analysis of in-process to final deliverable products.
	X	2041 § 2	Consider studying the provision of a property tax exemption for elevators, warehouses, and other farm structures classified as commercial property, which are privately owned and used to store agricultural products produced by the owner or an individual related to the owner as defined in Section 10 06.1 12. The study must include consideration of the definition of agricultural property and the impact of an exemption on city and county property tax revenues.
X		2299 § 1	Consider studying the desirability and feasibility of providing a credit against the purchase of a motor vehicle in an amount not to exceed the total amount the person received for the private sale of the vehicle being replaced for purpose of calculating the motor vehicle excise tax. The study must include a review of the current law applied to credits for trade-ins, motor vehicle sale industry practices, vehicles of a certain age, and the potential fiscal and technological impact on the state. The study also must consider the potential for tax fraud, the effect on child support collections, and implications regarding consumer protection. The study also must include input from the Tax Commissioner and Department of Transportation.
	X	4014	Consider studying the apportionment of voting rights in relation to a voter's ability to approve or protest a tax increase, bond issuance, or the formation of an improvement district and whether the current manner of apportioning voting rights is equitable and appropriate.
<b>Water Topics</b>			
X		1020 § 13	Consider studying, with input from the State Water Commission and from stakeholders of the Red River Valley Water Supply Project, the management and operation of the Red River Valley Water Supply Project. The study must include consideration of the appropriate entity to own, manage, and operate the project.

Yes	No	Bill or Resolution No.	Subject Matter
X		1020 § 14	Consider studying, with input from the State Water Commission, the Northwest Area Water Supply Project. The study must include consideration of an entity, other than the state, to own, manage, and operate the project.
X		2208 § 1	Consider studying the regulation of water in the state, including eliminating redundancy and conflicts in Chapters 61-16.1, 61-21, and 61-32; making assessment procedures uniform across all types of water projects, including drain projects; revising procedures for appeals from water resource board decisions, including the possible creation of an appeals board or appealing the decisions to an existing entity, such as the North Dakota Mediation Service within the Department of Agriculture; managing water on the basis of watersheds or water basins throughout the state; reviewing responsibility for culvert sizing decisions; applying cost-benefit analyses to additional projects before the State Water Commission considers whether to approve the projects; reviewing the cost-share for additional assessment drains across the state; reviewing the cost-share for and regulation of snagging and clearing; reviewing the structural relationship between the State Water Commission and water resource districts; the process for awarding irrigation permits; the length of time irrigation permit applications are held in abeyance; prioritization of irrigation permit applications; methods for maximizing water resources; possible development of an irrigation permit that may be suspended during periods of water scarcity; methods for on-time monitoring of well water levels; improving communication between the office of State Engineer and irrigation permit applicants; and related issues.

**It was moved by Representative Pollert, seconded by Senator Oban, and carried on a voice vote that Representative Don Vigesaa be appointed Chairman of the Budget Section and Senator Karen K. Krebsbach be appointed Vice Chairman of the Budget Section.** Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." No negative votes were cast.

**It was moved by Representative Koppelman, seconded by Senator Schaible, and carried on a roll call vote that the current membership of the Administrative Rules Committee continue until after the June 8, 2021, scheduled meeting of the committee and that Representative Bill Devlin continue as Chairman of the committee.** Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." No negative votes were cast.

**It was moved by Senator Klein, seconded by Senator Burckhard, and carried on a roll call vote that Senator Randy D. Lemm be appointed to the Veterinary Medical Education Program Admissions Committee.** Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." No negative votes were cast.

**It was moved by Senator Heckaman, seconded by Senator Schaible, and carried on a roll call vote 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.** Senators Holmberg, Bell, Burckhard, Heckaman, Klein, Oban, Schaible, and Wardner and Representatives Bosch, Boschee, Howe, Koppelman, Lefor, Mitskog, Pollert, Schmidt, and Weisz voted "aye." No negative votes were cast.

Chairman Holmberg noted the Legislative Council staff will distribute surveys to all legislators and compile the results so committee membership can be determined at the June 9, 2021, meeting. He also indicated there will need to be some discussion at that meeting with respect to the rules for attending meetings remotely. Committee members noted remote attendance worked well during the session, but generally there is a preference to having in-person attendance with exceptions for limited circumstances.

No further business appearing, Chairman Holmberg adjourned the meeting at 2:10 p.m.

---

John Bjornson  
Director

ATTACH:1