

STUDY DIRECTIVES APPROVED BY THE LEGISLATIVE MANAGEMENT FOR THE 2017-18 INTERIM

The following table identifies the bills and resolutions prioritized by the Legislative Management for study during the 2017-18 interim under the authority of North Dakota Century Code Section 54-35-02 (5 required studies and 45 optional studies approved):

Yes	No	Bill or Resolution No.	Subject Matter
Administrative Rules			
X		3026	Licensing boards - Study the membership and state supervision of the state's occupational and professional licensing boards in order to retain antitrust law immunity.
Agriculture and Transportation			
X		1126 § 20	Grain sampling and testing - Study practices and procedures with the potential to increase consistency and reduce variability in the sampling and testing of grains for deoxynivalenol (DON/vomitoxin), falling numbers, and protein.
X		1390 § 3	Nutrient management - Study and monitoring the nutrient management plan developed by the State Department of Health.
X		2012 § 12	Transportation funding - Study the funding mechanisms and options available to the Department of Transportation, political subdivisions, and public transportation providers, for road construction, maintenance, other transportation infrastructure needs, and transit services.
X		2020 § 14	Soil conservation - Study the State Soil Conservation Committee. The study must include a review of the duties, responsibilities, and related costs and efficiencies of the committee and related North Dakota State University Extension Service staff, the needs of the soil conservation districts, and the necessity to continue the State Soil Conservation Committee.
X		2245 § 1	State wetlands bank - Study the desirability and feasibility of creating a state wetlands bank. The study must include consultation with stakeholders to examine land parcels under the control and management of the state which are suitable for wetlands mitigation.
Education			
X		1013 § 23	Educational services - Study the feasibility and desirability of combining services for any or all English language learner programs, distance learning programs, regional education agencies, teacher center networks, adult learning centers, career and technical education programs, education technology services, continuing education for counselors, educational leadership, and the teacher mentoring program.
X		1318 § 1	State education aid - Study how state aid for elementary and secondary education is determined and distributed under the state aid funding formula, analyze the impact of the state aid provided through the funding formula, and consider potential necessary changes to the funding formula to ensure equity, adequacy, and sustainability and examine the delivery and administration of elementary and secondary education in the state and the short- and long-term policy and statutory changes that may result from or be necessitated by 21 st Century technological advances and global economics. (Revised by the Legislative Management)
X		1324 § 5	Educational delivery - Study entities that deliver K-12 professional development services, distance curriculum, support for schools in achieving school improvement goals, assistance with analysis and interpretation of student achievement data, and technology support services. The study must focus on the funding, governance, nature, scope, and quality of services provided to schools. The study also must focus on the duplication of services across entities and the accountability for expenditures. The study must identify efficiencies and the desirability and feasibility of consolidating services.
	X	1358 § 1	Open educational resources - Study the use of open educational resources in the elementary and secondary school system. The study must include an analysis of potential cost-savings for school districts and the Department of Public Instruction; the availability of private sector partnerships that can aid in the development, adoption, implementation, and funding of open educational resources; and the steps necessary to establish North Dakota as a #GoOpen state with the United States Department of Education.

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X		1423 § 1	Education funding formula - Study the portion of the elementary and secondary education funding formula which relates to the utilization of in lieu of property tax funds for the purpose of identifying and addressing any inequities in the application of the formula.
Elections			
X		1418 § 1	Statements of interests - Study the purpose and content of statements of interests and the forms and information required to be filed, including the appropriate financial interests and other necessary content. The study must include consideration of whether supplementary statements or updates of information are necessary and a determination as to who is required to file statements of interest and who should be filing statements of interest. The study also must include a review of filing deadlines and consideration of how long records should be retained.
X		3016	City and local election dates - Study the desirability of moving city and other local elections from the primary election in June in even-numbered years to the general election in November in even-numbered years.
Energy Development			
X		1008 § 7	Wind energy development impacts - Study the impact of wind energy development on the environment, addressing and researching issues common to North Dakota landowners, and identifying potential issues for legislation. The study may include consideration of the impact of wind energy development on the environment, including aesthetic impacts; the impact of wind energy development on property values; the impact of wind energy development on agriculture; the advantages and disadvantages of implementing legislation for pooling or unitization of wind resources similar to that of the oil and gas industry in NDCC Chapter 38-08; and the necessary processes for the decommissioning of a wind energy project.
X		1015 § 34	Wind energy taxation - Study the taxation of wind energy and the distribution of tax collections related to wind energy. The study must include consideration of the various methods of taxing wind energy, including production taxes, the parity of wind energy taxation in comparison to the taxation of other energy sources, and the current and historical distribution formulas related to wind energy taxes; the appropriate level of distributions to the taxing districts and the state; the estimated fiscal impact of any proposed changes to the distributions; and other local revenue sources, including local tax revenue and state funding provided to the local taxing districts.
X		2013 § 22	Hub city oil and gas tax allocations - Study oil and gas tax revenue allocations to hub cities and hub city school districts. The study must include consideration of the current and historical oil and gas tax revenue allocations to hub cities and hub city school districts; other state funding provided to hub cities and hub city school districts, including grants from the oil and gas impact grant fund, distributions from the strategic investment and improvements fund, state school aid payments, and payments from the state aid distribution fund and highway tax distribution fund; local taxing and revenue levels in hub cities compared to cities in non-oil-producing counties, including mill levies, property tax values, local sales and use taxes, and other revenue sources; the appropriate level of oil and gas tax revenue allocations to hub cities and hub city school districts based on infrastructure and other needs; the estimated fiscal impact to hub cities, hub city school districts, other political subdivisions, and the state if the oil and gas tax revenue allocation formula would be changed to transition hub cities and hub city school districts from allocations under Section 57-51-15(1) to allocations under Section 57-51-15(4)(5); the estimated fiscal impact to hub cities, hub city school districts, other political subdivisions, and the state if the oil and gas tax revenue allocation formula would be changed to discontinue the allocations to hub cities and hub city school districts under Section 57-51-15(1).
X		2286 § 4	Siting process - Study cooperation and communication between the Public Service Commission and political subdivisions in regard to ensuring local ordinances and zoning provisions are considered and addressed as part of the application and public hearing process. The study must include examination of the impacts on relationships between landowners and the oil and gas industry; impacts on the efficiency of the siting process, including timelines associated with notification and permitting; impacts on the public input process; and impacts on compliance with, and enforcement of, political subdivision zoning ordinances.
X		3027	Refracturing oil wells impact - Study the estimated fiscal impact to the state of refracturing existing oil wells, including the estimated costs and benefits related to tax collections and any potential tax incentives for refracturing existing oil wells.

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Government Administration			
X		1380 § 2	North Dakota Firefighter's Association - Study the duties and role of the North Dakota Firefighter's Association.
X		2015 § 12	Tompkins Rehabilitation Center - Study the operation, management, conditions, caseload, and physical plant of the Tompkins Rehabilitation Center at the State Hospital. The study must include the potential transition of the Tompkins Rehabilitation Center, including the transfer of the building, employees, and supervision and management of all operations and caseload of the Tompkins Rehabilitation Center, from the Department of Human Services and the State Hospital to the Department of Corrections and Rehabilitation.
X		2016 § 9	Job Service North Dakota properties - Study office space cost and value of properties owned by Job Service North Dakota in Fargo, Rolla, Minot, and Bismarck with input from the Office of Management and Budget. If Job Service North Dakota sells or leases any property identified in this section before July 1, 2017, the property may not be included in the study.
X		3014	Legal notices - Study the various legal notice and publishing requirements of all state agencies and political subdivisions, the related costs required in state and political subdivision budgets, and potential notification alternatives.
Government Finance			
X		1015 § 35	Volatility of state revenues - Study the volatility of state revenue sources. The study must include the volatility of the tax base and revenue sources, including ongoing expenditures. The study also must include consideration of the volatility and sustainability of elementary and secondary education funding, including the general fund, common schools trust fund, and foundation aid stabilization fund. The study must include an assessment of the ending fund balances in the general fund, budget stabilization fund, and foundation aid stabilization fund, the adequacy of the foundation aid stabilization fund relative to revenue sources, and an analysis of the other trust funds. The study must include historical revenue for all years for which quality data are available.
X		1029 § 2	Federal funding requirements - 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 benefits of accepting certain federal funds outweighs the requirements of participation in the federal programs.
X		2001 § 9	Department of Transportation Fleet Services - Study the delivery and cost of the Department of Transportation's State Fleet Services for state agencies. The study must include a review of the department's cost of services, staffing, and billing processes and identify improvements to the efficiency and effectiveness of the State Fleet Services that will result in reduced costs for state agencies.
	X	2002 § 7	Judicial fees - Study fees charged by the judicial branch, including fees charged by the clerk of district court under Section 27-05.2-03.
Higher Education			
	X	1015 § 36	Higher education budget cuts impact - Study the impacts of the 2015-17 budget allotments and the 2017-19 budget on research infrastructure at the institutions under the control of the State Board of Higher Education.
X		2003 § 34	University of North Dakota/Energy and Environmental Research Center - Study the relationship between the University of North Dakota and the Energy and Environmental Research Center. The study must include a review of the working relationship between the entities, including financial responsibilities and expectations of each entity, including potential alternative administrative reporting lines and business models.
Human Services			
X		1012 § 32	Medicaid as managed care - Study options to operate the state medical assistance program and other related programs, as managed care. The study must identify and review populations to consider for managed care, including individuals eligible under traditional medical assistance, Medicaid Expansion, the children's health insurance program, and individuals receiving services through the long-term care and developmental disabilities programs; consider the needs of individuals receiving services from managed care

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			programs in similar-sized states, and the alignment of benefit packages; review populations covered by the program of all-inclusive care for the elderly in other states; consider options for including services under a managed care arrangement; consider developing a proposed plan, cost estimates, and potential timeline for implementing the managed care options identified; and consider preparing and distributing a request for information from managed care organizations regarding the managed care options identified.
X		1012 § 33	Developmental disabilities and behavioral health - Study state and federal laws and regulations relating to the care and treatment of individuals with developmental disabilities or behavioral health needs. The study must include a review of the state's services and delivery systems, including whether changes are necessary to maintain compliance with state and federal laws and regulations; efforts by other states to comply with the 1999 <i>Olmstead v. L.C.</i> case, including the planning and implementation process for any new programs; community- and non-community-based services, including the costs and effectiveness of services; noncompliance with state and federal laws and regulations, including a review of the fees and penalties for noncompliance; a comparison of voluntary and involuntary compliance with state and federal laws and regulations, including a review of long-term costs and effectiveness; the impact of implementation and expansion of selected programs that were added to address unmet needs, including the impact on costs and effectiveness of new programs; needed changes to address noncompliance and a timeline for completing changes; data on the number of individuals who would be impacted by voluntary compliance efforts, and data on the type of services that may need changing, including housing, peer counseling, outpatient treatment, crisis line access, and transportation services; and an evaluation of the funding, mission, and caseload at the Life Skills and Transition Center, including the center's transition plan and number of clients eligible for community placement.
X		1012 § 34	Department of Human Services - Conduct a comprehensive study of the Department of Human Services. The study must include a review of the continuum of services for each population served, the delivery methods for those services, and the efficiency and effectiveness of the services; the involvement of federal, state, and local governments and for-profit and nonprofit entities in the provision and funding of services; an analysis of the funding levels for the programs and services included in the delivery system; consideration of the appropriate role for each of the entities involved in the delivery system; and the development of a comprehensive master structure for the system.
	X	1012 § 35	Nursing home reimbursement - Study the nursing facility rate components to determine the adequacy of reimbursement and evaluate the efficiency of nursing facility operations. The study must identify and review potential quality measures relating to nursing facilities and consider the feasibility and desirability of using quality measures as a component of reimbursement.
X		1427 § 1	Refugee resettlement impacts - Study the impact of refugee resettlement on workforce, government services, particularly law enforcement, human services, education, and health care. The study shall include information from the resettlement agency, state and local government, and the business community. The study must develop recommendations to improve or modify the resettlement process. (Revised by Legislative Management)
X		2325 § 2	Developmental disabilities early intervention - Study the state's early intervention system for children from birth to age 3 with developmental disabilities. The study may include a historical overview of the system, funding mechanisms, including Medicaid, the broader implications of how the state's system interfaces with other early childhood systems, and responsibilities for implementing federal law directing states participating in Part C of the federal Individuals with Disabilities Education Act to locate and evaluate children from birth to age 3.
Incarceration Issues			
	X	1251 § 1	Inmate housing construction - Study the creation of an inmate housing construction program to provide inmates with housing construction vocational skills through the construction of homes to be made available for sale to low-income homebuyers. The study must include an analysis of the grants available to support the program, the ability to establish partnerships with private industry and apprentice opportunities with labor groups, and the ability to work with private industry to provide for the sale and transport of the completed homes.

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X		2015 § 11	Alternatives to incarceration - Study alternatives to incarceration, with a focus on the behavioral health needs of individuals in the criminal justice system. The study must include receipt of reports on the status, effectiveness, and sustainability of the community behavioral health program for individuals in the criminal justice system which must include caseload data, any recognized savings to the Department of Corrections and Rehabilitation, an overview of the training requirements for contract behavioral health service providers, and recommendations.
X		3002	Local correctional facilities - Study the operation, management, conditions, standards, and supervision of city, county, and regional correctional facilities and other potential means to improve the rehabilitative function of city, county, and regional correctional facilities and a possible transition of the supervision of city, county, and regional correctional facilities from the Department of Corrections and Rehabilitation to the Attorney General.
X		4003	Juvenile justice - Study the current juvenile justice process, the appropriate age when a juvenile is considered capable of committing a criminal offense, levels of collaboration among various service systems, implementation of dispositional alternatives, and methods for improving outcomes for juveniles involved in the process.
Information Technology			
X		2001 § 8	Information Technology Department services - Study the delivery and cost of the Information Technology Department's services provided to state agencies. The study must include a review of the department's cost of services, staffing, and billing processes and must identify improvements to the efficiency and effectiveness of the department's services that will result in reduced costs for state agencies.
Judiciary			
X		1206 § 4	Adoption process - Study adoption by an identified or an unidentified adoptive parent. The study must include an evaluation and a comparison of the adoptive process and procedure, expenses, duration, and state tax credits and deductions associated with adoption by an identified or an unidentified adoptive parent.
X		1233 § 3	Firearms and weapons - Study those provisions of Century Code that relate to firearms and weapons, for the purpose 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.
	X	2329 § 2	Private investigators - Study the feasibility and desirability of updating Chapter 43-30, the law relating to the regulation of private investigative and security services.
X		3003	Marsy's Law impact - Study the impact of Marsy's Law on the statutorily provided rights of crime victims and those alleged to have committed crimes, and the criminal procedures relating to the rights of victims and criminal defendants.
Natural Resources			
X		2156 § 4	Radioactive waste disposal - Study, in consultation with the Geological Division of the Department of Mineral Resources and the Environmental Health Section of the State Department of Health, whether state and local level regulation of high-level radioactive waste disposal is consistent with applicable federal regulations; how to ensure the state has proper input into the federal location selection process for high-level radioactive waste material deposits; the mechanisms for calling a special session to approve the depositing of high-level radioactive waste material in the state and the notice of disapproval requirements under federal law; special laws, local laws, and existing code regarding the potential existence of a legislative veto over executive branch authority to determine the size, scope, and location of high-level radioactive waste material deposits in the state and any existing conflicts with the Commerce Clause; and the feasibility and desirability of developing new statutes and regulations for subsurface disposal of waste and the storage and retrieval of material.
Taxation			
X		2166 § 6	City expansion, taxation, and services - Study how city growth and infill development affects property taxes, and evaluate the return on investment for state and community projects. The study must examine various policies affecting city development patterns, including the impact of transfer payments between state and local governments; the cost of government services and infrastructure, including future liability; the amount of tax revenue generated per increment of assumed liability for downtown areas; and whether certain areas of a city generate more revenue than expenses while other areas generate more expenses than revenue.

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X		2166 § 7	Property tax incentives - Study the duplicative application of property tax incentives, including benefits received by properties located in both a tax increment financing district and a renaissance zone; the duration for which a single property may benefit from the use of multiple property tax incentives; and the impacts on the remainder of the property tax base that is not receiving incentives created as a result of offering property tax incentives.
X		2206 § 18	Property tax reform - Study the property tax system, with emphasis on the feasibility and desirability of providing property tax reform and relief. The study must include consideration of all property classifications and taxing districts and evaluate historical fluctuations in property values, the transparency of the property tax system, the processes and procedures available to taxpayers to contest valuations and assessments, the manner in which property tax information is provided to taxpayers, the process of determining taxing district budgets, and taxpayer participation and input in the property tax system.
X		2230 § 1	Long-term care insurance tax credit - Study the feasibility and desirability of providing an income tax credit to individuals for premiums for hybrid long-term care partnership plan insurance coverage and the feasibility and desirability of incentivizing asset protection that may be equal to the amount paid out by the hybrid long-term care partnership plan.
Tribal Taxation			
X		1015 § 33	Tribal Taxation Issues Committee - Study tribal taxation issues, including the tax collection agreements that exist between the tribes and the state, the interaction between tribal sovereignty and state law, consideration of how statutory changes may affect provisions in existing agreements, the amount and manner of revenue sharing under the agreements, the costs and benefits to the state and the tribes if tax compacts are implemented, implementation models used in other states for tax compacts, best practices for negotiating and ratifying tax compacts, and the procedure for withdrawal from an agreement and how to handle disputed funds.
X		1015 § 33	Tribal-state issues - Study tribal-state issues, including government-to-government relations, human services, education, corrections, and issues related to the promotion of economic development.
Water Topics Overview			
X		1020 § 14	Flood hazard risk management - Study issues related to the state's development of a statewide flood hazard risk management framework by granting authority to the State Engineer to perform a study and proof of concept demonstration to implement statewide flood risk management capabilities for assessing, managing, and reducing property-specific flood risk.
X		1020 § 26	Industrial water use - Study industrial water use of the oil and gas industry. The study must include the recapture of water used in fracking, the recycling of water used in fracking, and other oil and gas activities, fracking methods which do not require the use of water, and taxes or fees other states charge for water used in the oil and gas industry.
Legislative Management Directives			
X		1023 § 7 (Vetoed)	Public employee health care coverage - Study the public employee health insurance plan, including the feasibility and desirability of transitioning to a self-insurance plan. The study must include a review of the current plan and consideration of the costs and benefits of the current plan compared to the costs and benefits of a self-insurance plan.
X		2001 § 7 (Vetoed)	Legislative Revenue Advisory Committee - Study state revenues and state revenue forecasts. The study must include monitoring state revenues and state economic activity, reviewing economic forecasting data and models, and reviewing and analyzing executive revenue forecasts and alternative revenue forecasts.
X			Higher education - Study higher education finances and the overall financial stability of institutions under the control of the State Board of Higher Education. The study must include a review of the finances of each institution, including short- and long-term debt obligations, operating income margins, estimated future tuition income, institutional reserves, and anticipated future funding changes through the higher education funding formula.
X			Federal health care - Monitor and review proposed federal changes to the federal Affordable Care Act.