

**LEGISLATIVE COUNCIL STUDIES AND RESOLUTIONS  
TO BE PRIORITIZED FOR THE 2003-04 INTERIM  
(ARRANGED ACCORDING TO SUBJECT MATTER)**

This memorandum lists the subject areas to be considered by the Legislative Council for study during the 2003-04 interim.

**AGENCY RULEMAKING**

- 1212 § 2 Study the effects and operation of requiring agency consideration of the effect of proposed administrative rules on small businesses, organizations, and political subdivisions

**AGRICULTURE**

- 4016 Study those provisions of North Dakota Century Code Title 4 which relate to the powers and duties of the State Seed Commissioner and the State Seed Department

**CONSUMER PROTECTION**

- 1386 § 1 Study North Dakota Century Code provisions requiring public officers and other individuals and entities to provide bonds, whether the state bonding fund is an appropriate entity to provide those bonds, whether private entities within the state provide bonds for public officials and other individuals and entities required to be bonded, and whether the bonds required by statute are appropriate and necessary
- 2252 § 5 Study consumer protection in regard to contractor competency and out-of-state contractors licensed in the state
- 3011 Study the North Dakota open records statutes and the appropriateness of the penalties for an unauthorized disclosure of certain records
- 4019 Study actions that can be taken at the state level to address the problem of inaccurate or obsolete information on consumer reports

**CORRECTIONS**

- 1506 § 6 Study the long-term needs of all state inmates and whether the Department of Corrections and Rehabilitation should continue to contract to house state female inmates with county jails or the state should expand the prison system, including a review of the east cell block of the State Penitentiary and future needs for maximum security prisoners; the female population and related treatment, programming, and training needs; and the mental health services of the State Hospital, including whether the Department of Corrections and Rehabilitation should continue to expand its facilities on the State Hospital grounds and whether patients at the State Hospital with mental health needs should be served in other locations
- 3008 Study the use of electronic home detention for nonviolent offenders
- 3032 Study the feasibility and desirability of converting vacant public school buildings in rural areas into methamphetamine detoxification and treatment facilities

**COURTS**

- 1186 § 1 Study the leasing or renting of county court facilities by the state or other political subdivision
- 3059 Study small claims court

**CRIMINAL JUSTICE**

- 3004 Study the state's method of providing legal representation for indigent persons and the feasibility and desirability of establishing a public defender system
- 3034 Study the civil commitment laws in North Dakota Century Code Chapter 25-03.1, court decisions concerning civil commitment, and the civil commitment laws of other states

- 3037 Study the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities, including individuals with multiple needs, and how the state responds to those needs; the long-term plans for the State Hospital, the Developmental Center at Westwood Park, state and county correctional facilities, and other state facilities and the relationships among those facilities; the impact and availability of community services; the state's criminal justice process from arrest to release; alternatives to incarceration; and the effectiveness of incarceration and treatment
- 4014 Study methods for funding and providing law enforcement training in this state

### **ECONOMIC DEVELOPMENT**

- 1504 § 1 **(Required Study)** Study the state's business climate, including creation of an index of key objective measurements that address the state's competitiveness with other states; consideration of methods of creating business partnerships with North Dakota Indian tribes in order to increase primary sector business growth in the state; and active participation in the activities of the primary sector business congress
- 3051 Study economic development efforts associated with and including establishment of a Red River Valley business and technology development zone and methods through which programs receiving funding from the United States Department of Agriculture rural economic area partnership, empowerment zone, enterprise community, and champion community programs can be enhanced
- 4035 Study legislative alternatives to foster and promote economic development in areas on or near Indian reservations in North Dakota

### **EDUCATION**

- 1155 § 1 Study the criteria by which a student's school district of residence is established and whether that criteria correctly assigns both benefits and responsibilities to the appropriate school districts
- 2418 § 1 **(Required Study)** Investigate the adoption of the No Child Left Behind Act of 2001, the direct and indirect impact of the Act on the school districts of this state, and the financial impact of the Act on the budget of this state and on the taxpayers of this state
- 2421 § 32 Study the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods
- 3052 Study school district data collection and reporting requirements

### **EMPLOYMENT**

- 1017 § 5 Study the impact of pending federal legislation that would significantly change the respective federal-state responsibilities and funding for workforce development, workforce training, public labor exchange, and unemployment insurance programs
- 3050 Study the equity of the current system for awarding workers' compensation death benefits and the feasibility and desirability of creating a death benefit investment system
- 3060 Study the state's unemployment compensation system, including reserve guidelines for the unemployment trust fund, the system for ratesetting, treatment of positive balance and negative balance employers, and the feasibility and desirability of creating an unemployment compensation board

### **FAMILY LAW**

- 3062 Study vulnerable adult abuse and neglect with an emphasis on whether certain individuals should be required to report suspected incidents of vulnerable adult abuse and neglect
- 4008 Study the need for guardianship services, standards and practices for guardians, and funding for programs for individuals with mental illness, vulnerable elderly individuals, and individuals with traumatic brain injuries

### **GOVERNMENT ADMINISTRATION**

- 1023 § 3 Study the provisions of North Dakota Century Code Section 54-17.2-23 regarding the statutory limitation on the amount of capital construction lease payments paid from the general fund and the effect of increasing the percentage limitation
- 1497 § 1 Study state government performance and accountability practices, including a review of other state's performance budgeting practices and strategic planning efforts and how those practices and efforts may apply to this state and improve this state's budgeting process

- 3063 Study the feasibility and desirability of establishing an exchange program for emerging leaders

### **HEALTH**

- 1430 § 11 Study the value of medical assistance program use of benefit purchasing pools, preferred drug lists, and other pharmacy benefit management concepts, including the fiscal impact of the appeals and grievance process on existing programs
- 3053 Study the state's emergency management system, the impact of federal emergency reorganization on the state's emergency operations plan, and the emergency management preparedness of state agencies and local governments
- 3054 Study the state's public health unit infrastructure and the ability of the public health units to respond to public health issues, including disease and other physical health, environmental, and disaster-related issues

### **HIGHER EDUCATION**

- 1003 § 24 Continue the study of higher education, which may include use of the Higher Education Roundtable format to further refine the expectations of the North Dakota University System in meeting the state's needs
- 3023 Study the feasibility and desirability of establishing a regional dental school in North Dakota within the North Dakota University System and in conjunction with the School of Dentistry at the University of Minnesota
- 3024 Study the feasibility and desirability of establishing a regional school of veterinary medicine and providing preference for resident students who specialize in food animal clinical studies at the out-of-state veterinary schools participating in the professional student exchange program within the North Dakota University System budget

### **HIGHWAYS**

- 3012 Study the laws of this state concerning arbitration of construction issues with the Department of Transportation
- 3013 Study the laws of this state concerning abandonment and vacation of sections of routes of the state highway system
- 3018 Study the impact of high-volume grain terminals on local highway systems and possible methods of mitigating the impact

### **HUMAN SERVICES**

- 2012 § 14 Study administrative costs of human service programs, including costs incurred by the central office of the Department of Human Services, human service centers, and county social services, and review the effects of the 1997 "swap" legislation on state and county human service program costs
- 2012 § 15 Study programs providing services to children with special health care needs in this state and service needs of these children which are not available under current programs
- 2012 § 16 Study the feasibility and desirability of establishing an advisory council for the medical assistance program of the Department of Human Services
- 3003 Study state and local funding obligations for social services, including child support enforcement services
- 4001 Study the delivery of services and the cost versus benefit of those services provided by the eight human service centers, the possibility of combining service centers, the administrative costs of the centers related to the programs and clients served, and third-party reimbursement and competition with private providers

## INFORMATION TECHNOLOGY

- 1505 § 13 **(Required Study)** Contract with consultants to conduct an information technology organizational study and an information technology management study

## INSURANCE

- 2015 § 41 Study public employee health insurance benefits, including options for providing health insurance for state employees, availability of other health insurance plans, single versus family coverage, employee contributions, and unitization of premium rates for budgeting purposes
- 2262 § 1 **(Required Study)** Study the motor vehicle no-fault, underinsured motorist, and uninsured motorist insurance systems
- 3056 Study whether this state is experiencing a medical insurance crisis, including a study of methods of improving the availability and affordability of liability insurance and the feasibility of allowing medical providers and medical facilities to participate in an insurance reserve fund managed by the North Dakota Insurance Reserve Fund or other like entity

## JUDICIAL PROCESS

- 2379 § 1 Study the doctrine of assumption of risk and the impact the reenactment of the doctrine would have on other state laws

## LONG-TERM CARE

- 1004 § 14 Study the nursing home survey process, including a review of federal, state, and local agency procedures and requirements that result in additional costs, duplicated procedures, and added regulations for nursing homes, and the potential for mitigating the impact of new mandated federal rules through collaboration between the State Department of Health and the Department of Human Services and the submission of waiver requests
- 1007 § 8 Study the feasibility and desirability of establishing a separate payment rate class for the Veterans Home and the related effect on the state's general fund and the long-term care industry in this state
- 2012 § 17 Study North Dakota's long-term care continuum of services, including service delivery methods and payment systems, the cost-effectiveness of the programs and the appropriateness of rate structures, and the nursing home equalized rate policy

## MOTOR VEHICLES

- 1439 § 4 Study the laws of driving under the influence of intoxicating liquor, the effects of adopting and implementing a graduated penalty for offenders with a high level of blood alcohol content and repeat offenders, and other general deterrents to driving under the influence
- 2027 § 2 (2001) Study the efficiency and effectiveness of each motor vehicle branch office included in the motor vehicle branch office pilot project
- 3026 Study the use of E85 fuel by the state
- 4011 Study alternative methods for recording and discharging a lien on a motor vehicle
- 4030 Study the requirements for the registration and licensing of snowmobile and all-terrain vehicle dealers

## NATURAL RESOURCES

- 2249 § 4 Study issues relating to the protection of historical or archaeological artifacts or sites that are found or located upon land owned by the state or its political subdivisions or otherwise come into the custody or possession of the state or its political subdivisions
- 2310 § 1 Study issues related to wind energy development in this state
- 4022 Study proposed legislation permitting the Game and Fish Department to coordinate with game and fish programs conducted by tribal governments

## OCCUPATIONS AND PROFESSIONS

- 2287 § 1 Study the feasibility and desirability of providing for the licensure of accredited business accountants

## POPULATION GROWTH

- 3055 Study the patterns of migration from rural to urban areas experienced by this state and by other Midwestern states and explore various opportunities for revitalizing and strengthening rural communities, including new initiatives and reforms of existing policies
- 3072 Study possible methods of growing North Dakota's population, including approaches to decreasing outmigration and increasing in-migration, and review how other states are dealing with related population issues
- 4029 Study issues relating to the Indian population of the state, including sovereignty, educational opportunities, cultural understanding, population dispersement, unemployment, health concerns, suicide rates, living conditions, and impact on the caseloads of the Department of Human Services and the Department of Corrections and Rehabilitation

## PUBLIC SERVICE COMMISSION

- 2008 § 4 Study the feasibility and desirability of transferring inspection and standards functions conducted by various state agencies to the Public Service Commission
- 2008 § 5 Study the feasibility and desirability of funding the Public Service Commission entirely from special fund revenue sources
- 3075 Study and identify federal and state policies that discourage or prevent final bond release applications from being filed, Public Service Commission regulatory policies that could be implemented to encourage flexibility in proving reclamation success and reducing regulatory burdens necessary for bond release applications, and actions being undertaken by the mining companies to achieve final bond release

## RAILROADS

- 2358 § 5 **(Required Study)** Study the sale and lease of railroad rights of way
- 3064 Study the use of remote-controlled locomotives and related safety and security

## TAXATION

- 2006 § 4 Study the effect on cities and counties of repeal of the estate tax
- 3002 Study the total amount of tax-exempt property by county; the loss of tax revenues from flooded property and from previously taxable property that is purchased by tax-exempt entities, including ownership in trust for Indian tribes; and the impact of the tax status of these tax-exempt properties on the ability of local communities to provide social services, including child support enforcement services
- 3061 Study the feasibility and desirability of enacting legislation to tax electric utility providers with a fair and uniform tax system
- 3073 Study the effectiveness and appropriateness of tax preferences provided by state law and discretionary action of political subdivisions