

SENATE CONCURRENT RESOLUTION NO. 4023

Introduced by

Senators B. Stenehjem, Lee, Wogslund

Representatives Brown, Christenson, Wardner

1 A concurrent resolution directing the Legislative Council to study the process of privatization
2 and contracting for public sector services.

3 **WHEREAS**, although North Dakota Century Code Chapter 54-44.4 sets forth
4 comprehensive laws regarding the purchase of personal property by the state, the state may
5 need to further establish comprehensive laws regarding the privatizing and contracting for
6 public services to protect its citizens and effectively manage the resources of the state; and

7 **WHEREAS**, the state needs to have a rigorous methodology and process for
8 determining whether privatization and contracting for services are appropriate, efficient, and
9 effective; and

10 **WHEREAS**, the state has a compelling need to establish a framework for privatizing
11 and contracting for services which provides formal access to decisionmaking, ensures an open
12 bidding process, monitors existing contracts for compliance, and allows for involvement by
13 citizens, legislators, public employees, and private sector contractors; and

14 **WHEREAS**, questions surrounding privatization and contracting for public services
15 necessitate a study that identifies immediate and long-term advantages and disadvantages of
16 privatization and contracting for public sector services, identifies barriers to making public
17 sector services more efficient, develops accurate methodologies of comparing costs of similar
18 public and private sector services, reviews performance standards for both public and private
19 sector providers of public services, identifies goals and measurable results of public services
20 provided by the private sector, develops identifiable and measurable review processes of all
21 privatized contracts for contract continuance, including providing sufficient resources to monitor
22 privatization contracts on an ongoing basis, and promotes public education on privatization and
23 contracting for public sector services;

24 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**
25 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

1 That the Legislative Council study the process of privatization and contracting for public
2 sector services; and

3 **BE IT FURTHER RESOLVED**, that the Legislative Council seek participation from
4 representatives of the executive branch, higher education, political subdivisions, public
5 employees and employee organizations, and private sector businesses; and

6 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
7 recommendations, together with any legislation required to implement the recommendations, to
8 the Fifty-sixth Legislative Assembly.