

OTHER RESPONSIBILITIES OF THE GOVERNMENT SERVICES COMMITTEE - BACKGROUND MEMORANDUM

APPROVE AGREEMENTS BETWEEN NORTH DAKOTA AND SOUTH DAKOTA

North Dakota Century Code Section 54-40-01 (attached as an [appendix](#)) provides in subsection 3 that an agency, department, or institution may enter an agreement with the state of South Dakota to form a bistate authority to jointly exercise any function that the entity is authorized to perform by law. Any proposed agreement must be submitted to the Legislative Assembly or, if the Legislative Assembly is not in session, to the Legislative Management or a committee designated by the Legislative Management for approval or rejection. The agreement may not become effective until approved by the Legislative Assembly or the Legislative Management. The Government Services Committee has been assigned this responsibility for the 2011-12 interim.

The 2009-10 Government Services Committee; the 2007-08 Public Safety Committee; and the 2005-06, 2003-04, 2001-02, 1999-2000, and 1997-98 interim Budget Committees on Government Services were assigned this responsibility; however, no proposed

agreements were submitted to the committees for approval to form a bistate authority with the state of South Dakota.

Action Plan

The committee may carry out this responsibility, if necessary, as follows:

1. Receive any proposed agreement from a state agency to form a bistate authority with an agency of South Dakota.
2. Receive testimony from interested persons on the proposed agreement.
3. Review the proposed agreement regarding costs, effect on services, economic impacts, quality, etc.
4. Approve or disapprove the proposed agreements.
5. Prepare a summary of the committee's study for inclusion in the final report to the Legislative Management.

ATTACH:1