

May 19, 2009

## LEGISLATIVE COUNCIL STUDIES AND RESOLUTIONS TO BE PRIORITIZED FOR THE 2009-10 LEGISLATIVE INTERIM

This memorandum presents information on study directives of the 61<sup>st</sup> Legislative Assembly.

This memorandum is arranged numerically.

The first column identifies the resolution or bill and section number of the study directive. The second column describes the study directive, as contained in the title of the resolution or the bill section, and provides information, if any, on relevant statutes or 2009 legislative proposals (**NOTE**), new laws (**LEGISLATION 2009**), standing committee statements regarding the study (**RATIONALE**), and previous Legislative Council studies conducted within the last three interims (**PRIOR STUDIES**).

The phrase (**Required Study**) identifies the provisions in bills that require the study, rather than provide for Legislative Council discretion in screening the study as authorized under North Dakota Century Code (NDCC) Section (§) 54-35-02. With respect to prior Legislative Council studies, a two-year reference indicates the interim the study was conducted. The committee that conducted the study is identified after the description.

1003 § 7	<p>Study whether penalties for felonies are suitable to the felonious behavior</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1186</b> - Makes it a Class A misdemeanor to surreptitiously create or willfully possess a sexually expressive image that was surreptitiously created or to distribute or publish a sexually expressive image with the intent to cause emotional harm or humiliation to an individual depicted in the sexually expressive image</p> <p><b>HB 1244</b> - Makes it a Class A misdemeanor if a person knowingly possesses, distributes, or assists in the use of a device, chemical, or real or artificial urine advertised or intended to be used to alter the outcome of a urine test</p> <p><b>SB 2115</b> - Provides that a person who is convicted of a felony and sentenced to imprisonment for not more than one year is deemed to have been convicted of a misdemeanor upon successful completion of the term of imprisonment and a term of probation imposed as part of the sentence</p> <p><b>SB 2209</b> - Provides that a person is guilty of human trafficking, a Class A or Class AA felony, if the person benefits financially or receives anything of value from knowing participation in human trafficking or the person promotes, recruits, entices, harbors, transports, provides, or obtains another person knowing that the person is subject to human trafficking</p> <p><b>SB 2210</b> - Increases the penalty for willfully and unjustifiably killing or injuring a law enforcement support animal from a Class A misdemeanor to a Class C felony</p> <p><b>SB 2293</b> - Provides that it is a Class C felony for an individual to assault an employee of the State Hospital who is acting in the course and scope of employment and the actor is committed to or detained at the State Hospital under NDCC Chapter 25-03.3</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>The testimony indicates a concern about the appropriateness of the penalties for felonies in the state's laws and the crimes for which the penalty imposed is a felony.</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>SB 2060 § 3 (2007-08)</b> - Study the laws providing criminal penalties for violation of the state's laws and administrative rules regulating occupations and professions, including consideration of whether it is the desired public policy of this state to have laws that create criminal penalties applicable to entire chapters of the North Dakota Century Code and the North Dakota Administrative Code regulating occupations and professions (Administrative Rules Committee)</p>
1005 § 4	<p>Study the salaries of state elected officials</p> <p style="text-align: center;"><b>NOTE</b></p> <p>The Senate proposed an additional salary increase for the State Treasurer to bring the salary up to the level of other elected officials. The additional increase was removed by the conference committee.</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p>Most elected officials were provided salary increases equal to the salary increases provided for state employees. The Attorney General was provided additional salary increases.</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>Committee minutes indicate that the study was proposed due to the difference in salary levels among state elected officials.</p>

1009 § 6	<p>Study the cooperative agreement between the Agriculture Commissioner and the United States Department of Agriculture Wildlife Services Program, including a review of program funding sources and a review of wildlife damage control programs in other states, including South Dakota</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>SB 2351</b> - Failed to pass the Senate; would have prohibited the feeding of big game and hunting of big game over bait</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1110</b> - Authorizes the State Board of Animal Health to regulate feral swine and prohibits the importation, transportation, or possession of live feral swine</p> <p><b>HB 1125</b> - Requires the Agriculture Commissioner to cooperate with the United States Department of Agriculture Animal and Plant Health Inspection Service or other appropriate federal agency in the control and destruction of big game threatening human health or domestic livestock and birds threatening human health</p>
1011 § 3	<p>Study the structure and appropriateness of the level of fees charged by the Securities Commissioner</p> <p style="text-align: center;"><b>NOTE</b></p> <p>Relevant statutes include NDCC §§ 10-04-08, 10-04-08.4, and 10-04-10</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1011</b> - Appropriation for expenses of the Securities Commissioner</p> <p><b>HB 1100</b> - Amended filing fees for securities</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>The appropriation bill indicates fees charged by the Securities Commissioner create significant funds for the general fund. Study would allow consideration of how to strike a balance between ensuring the registration fees charged by the Securities Commissioner are not a barrier to doing business in the state while at the same time charging fees that are consistent with other states.</p>
1012 § 9	<p>Study the Department of Human Services' child support enforcement program</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>SB 2420 § 1</b> - Study child support determination of income and support obligations, the feasibility and desirability of the establishment of an ombudsman program, and coordination of services and resources for parents</p> <p><b>SB 2420 § 2</b> - Study the establishment of an ombudsman program for consumers of child and family services</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1175</b> - Amends and updates various provisions with respect to child support enforcement. The bill also provides that if an obligee is deceased, the order in which any past-due child support that is received and is disbursed must include a refund to the obligor if the court determines that the past-due child support cannot be disbursed to those parties that precede the obligor in the order of disbursement under NDCC § 14-09-25(9).</p> <p><b>HB 1329</b> - Provides that the child support guidelines may not take into consideration cases of atypical overtime wages or nonrecurring bonuses over which the obligor does not have significant influence or control. The bill also provides that if an income payer makes an error in the remittance information the income payer provides to the state disbursement unit, the income payer has not complied with NDCC § 14-09-09.3 and is responsible for the error but has a cause of action for reimbursement against any person that receives funds from the disbursement unit as a result of the error and refuses to return the funds upon request.</p> <p><b>SB 2072</b> - Codifies the amendments to the Uniform Interstate Family Support Act approved by the National Conference of Commissioners on Uniform State Laws in 2008. The amendments modify the current version of the Act's international provisions to comport with the obligations of the United States under the 2000 Hague Convention.</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>The testimony expressed concerns about the amount of arrearages in the state and whether the state could benefit from child support enforcement tools that are used in other states.</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HCR 3008 (2007-08)</b> - Study the issues of fairness, equity, and the best interests of children as they relate to issues of child custody and visitation (Judicial Process Committee)</p> <p><b>Tribal and State Relations Committee (statutory committee) (2007-08)</b> - Study tribal-state issues, including government-to-government relations, the delivery of services, case management services, child support enforcement, and issues related to the promotion of economic development</p>

1012 § 10	<p><b>(Required Study)</b> Study long-term care services in the state</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1263 § 2 - (Required Study)</b> Study how the state laws and administrative rules regulate basic care and assisted living facilities</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1043</b> - Directs the Department of Human Services to contract for a dementia care services program in each area of the state served by a regional human service center to provide personalized care consultation services, training, and education relating to dementia; provides a \$1.2 million general fund appropriation for the program; and provides for a report to the Legislative Council regarding the outcomes of the program</p> <p><b>HB 1303</b> - Contains the factors considered in determining nursing home rates</p> <p><b>HB 1307</b> - Relates to the nonallowable costs in nursing home ratesetting</p> <p><b>HB 1556</b> - Requires the Department of Human Services to contract with an independent contractor to study the methodology and calculations for the ratesetting structure used by the department to reimburse public and private licensed developmental disability and home and community-based services providers that serve medically fragile and behaviorally challenged individuals who meet certain criteria</p> <p><b>SB 2045</b> - Provides that there must be at least a 30-day written advance notice of any transfer or discharge of a resident from a nursing home, swing-bed hospital, or basic care or assisted living facility</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>The testimony expressed concerns about the state's payment system for all types of long-term care in the state.</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>SB 2109 § 3 (2007-08)</b> - Study the state's long-term care system, including capacity, geographical boundaries for determining capacity, the need for home and community-based services, a methodology to identify areas of the state which are in need of additional skilled nursing facility beds, access, workforce, reimbursement, and payment incentives (Long-Term Care Committee)</p> <p><b>HB 1459 § 5 (2005-06)</b> - Study the Medicaid medical reimbursement system, including costs of providing services, fee schedules, parity among provider groups, and access (Budget Committee on Human Services)</p> <p><b>SCR 4027 (2005-06)</b> - Study the need for dementia-related services, standards, and practices for caregivers and review the legal and medical definitions used for dementia-related conditions and the funding for programs and services for individuals with dementias (Judicial Process Committee)</p> <p><b>HB 1004 § 14 (2003-04)</b> - 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 additional collaboration between the State Department of Health and the Department of Human Services and the submission of waiver requests (Budget Committee on Health Care)</p>
1012 § 16	<p>Study the impact of individuals with traumatic brain injury, including veterans who are returning from wars, on the state's human services system</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>SB 2198</b> - Requires the Department of Human Services to provide outreach services and conduct public awareness efforts regarding the prevention and identification of traumatic brain injury. The bill also directs the department to contract with public or private entities for the provision of informal supports to individuals with traumatic brain injury; to provide or contract for the provision of social and recreational services for individuals with traumatic brain injury; and to provide or contract for the provision of increased and specialized vocational rehabilitation and consultation to individuals with traumatic brain injury.</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2201</b> - Provides for a property tax exemption for disabled veterans</p> <p><b>SB 2423</b> - Provides that, with respect to private providers for individuals with developmental disabilities, the Department of Human Services is required to conduct a review of the audit and reimbursement process and a review and reconsideration of the 95 percent occupancy rule</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>The testimony expressed concerns about the veterans who are returning from war and the impact of the needs of those veterans on the state's human services system. The testimony also indicated that a study may be appropriate to coordinate with the services that will be offered as a result of Senate Bill No. 2198, which is summarized in the above note.</p>

1015 § 22	<p>Study the Capitol complex master plan, including a review of parking needs on the Capitol grounds</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>NDCC § 48-10-03</b> - Requires the Capitol Grounds Planning Commission to develop and modify long-term plans for the development of the Capitol grounds</p> <p><b>Similar study HB 1403 § 1 - (Required Study)</b> Study the utilization of all facilities on the State Capitol grounds, including an evaluation of facility needs by state agencies and a review of the Capitol complex master plan. The study must include an evaluation of the short-term and long-term viability of facilities located on the Capitol grounds, including the Governor's residence.</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2425 § 1</b> - Requires report from the director of the Office of Management and Budget by October 1, 2010, on the location, expenses, and square footage requirements of all facilities occupied by each state agency and recommendations for relocation of any entity to achieve improvements in service and efficiencies in usage of space and cost</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>Committee minutes indicate a substantial amount of discussion regarding the leasing of office space and the cost of parking lot repairs.</p>
1129 § 4	<p><b>(Required Study)</b> Study the structure and requirements of the State Auditor's office necessary to carry out its auditing of political subdivisions, as required by law, including how such audits should be adequately self-funded</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1129</b> - Changes the city population threshold from 300 to 500 for which the State Auditor may require annual reports in lieu of audits every two years. The bill also increases the maximum hourly fee the State Auditor may charge for reviewing a political subdivision annual report from \$50 to \$80.</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2295</b> - Also changes the city population threshold from 300 to 500 for which the State Auditor may require annual reports in lieu of audits every two years</p>
1263 § 2	<p><b>(Required Study)</b> Study how the state laws and administrative rules regulate basic care and assisted living facilities</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1263 § 1</b> - Requires each assisted living facility to have clear, concise, and understandable tenancy criteria that are fully disclosed to all tenants, in writing, before the tenancy agreement is signed. The bill requires each assisted living facility to require the administrator of the facility to complete 12 hours of continuing education each year.</p> <p><b>HB 1012 § 10 - (Required Study)</b> Study long-term care services in the state</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1043</b> - Directs the Department of Human Services to contract for a dementia care services program in each area of the state served by a regional human service center to provide personalized care consultation services, training, and education relating to dementia; provides a \$1.2 million general fund appropriation for the program; and provides for a report to the Legislative Council regarding the outcomes of the program</p> <p><b>HB 1303</b> - Contains the factors considered in determining nursing home rates</p> <p><b>HB 1307</b> - Relates to the nonallowable costs in nursing home ratesetting</p> <p><b>HB 1556</b> - Requires the Department of Human Services to contract with an independent contractor to study the methodology and calculations for the ratesetting structure used by the department to reimburse public and private licensed developmental disability and home and community-based services providers that serve medically fragile and behaviorally challenged individuals who meet certain criteria</p> <p><b>SB 2045</b> - Provides that there must be at least a 30-day written advance notice of any transfer or discharge of a resident from a nursing home, swing-bed hospital, or basic care or assisted living facility</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>Testimony in support of this study indicated a study is needed to assess and study basic care and assisted living criteria and the definitions used by the state.</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>SB 2109 § 3 (2007-08)</b> - Study the state's long-term care system, including capacity, geographical boundaries for determining capacity, the need for home and community-based services, a methodology to identify areas of the state which are in need of additional skilled nursing facility beds, access, workforce, reimbursement, and payment incentives (Long-Term Care Committee)</p>

	<p><b>HB 1459 § 5 (2005-06)</b> - Study the Medicaid medical reimbursement system, including costs of providing services, fee schedules, parity among provider groups, and access (Budget Committee on Human Services)</p> <p><b>SCR 4027 (2005-06)</b> - Study the need for dementia-related services, standards, and practices for caregivers and review the legal and medical definitions used for dementia-related conditions and the funding for programs and services for individuals with dementias (Judicial Process Committee)</p> <p><b>HB 1004 § 14 (2003-04)</b> - 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 additional collaboration between the State Department of Health and the Department of Human Services and the submission of waiver requests (Budget Committee on Health Care)</p>
1269 § 3	<p><b>(Required Study)</b> Study any steps necessary to enable the State Department of Health to administer the registry for certified nurse assistants, nurse assistants, and unlicensed assistive persons and examine the possibility of one registry and a potential location for that registry</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>NDCC Chapter 43-12.2</b>, the Nurse Practices Act, provides for the State Board of Nursing to regulate unlicensed assistive persons</p> <p><b>NDAC Chapter 33-07-06</b>, administrative rules of the Health Council, provides for a nurse aide registry</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1269 §§ 1 and 2</b> - Address the State Board of Nursing's regulation of unlicensed assistive persons, including a limitation on disciplinary actions</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>Confusion regarding registration requirements because there are two registration systems for long-term care providers, with the State Board of Nursing registering unlicensed assistive persons and the State Department of Health maintaining a nurse aide registry for certified nurse assistants, nurse assistants, and universal workers.</p>
1280 § 1	<p><b>(Required Study)</b> Study application by administrative agencies of standards from other than state or federal law which have not been adopted as administrative rules</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1280</b> - As introduced, would have prohibited an administrative agency from applying standards to the regulated community unless those standards were adopted as administrative rules</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>In some instances, agencies that have authority to make administrative rules have required compliance with standards that have not been adopted as administrative rules. Standards applied include regulatory provisions developed by a national association or commission. These standards have not been adopted with the same requirements as administrative rules and should not be given the same force as administrative rules.</p>
1309 § 1	<p>Study the Interstate Compact on Educational Opportunity for Military Children as well as its administration, enforcement, cost, and its impact on North Dakota laws, school districts, schools, and children of both military and civilian families, with a view to determining whether North Dakota should become a participating member of the compact</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1309</b> - As introduced, would have required North Dakota's participation in the Interstate Compact on Education Opportunity for Military Children</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>The compact has been heavily promoted by the Council of State Governments and has been adopted in 15 other states. It is designed to ease school transfer issues often encountered by military children. The language of the compact is vague with respect to its cost and how the provisions of the compact work with often conflicting state statutes.</p>
1322 § 3	<p>Study issues related to the development of livestock feeding facilities and the use of byproducts from biofuels production as a feedstock</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1352</b> - Failed to pass the House; would have set forth the state's energy policy and included therein a balanced package of incentives and policies for biofuels production and a support for policies aimed at improving the feasibility of biomass production</p>

**LEGISLATION 2009**

**HB 1322** - Creates a commission to develop a comprehensive energy policy for the state. The bill includes a directive that the State Water Commission study water use for each sector of energy production, including biofuels.

**SB 2350** - Creates the Ethanol Council

**SB 2228** - Creates the biofuel blender pump incentive fund

**SB 2014** - Includes \$3 million for renewable energy development and \$700,000 for the biofuels PACE fund

**SB 2291** - Includes biodigester systems as eligible for interest rate buydowns using the biofuels PACE fund

**RATIONALE**

If biofuels production is going to be profitable, the plants need a way to get rid of their byproducts. Livestock feed is one use to which the byproducts could be directed. However, new livestock feeding facilities have been controversial because of concerns about water pollution and the "not in my backyard" syndrome.

**PRIOR STUDIES**

**HB 1028 (2007-08)** - Study development of each facet of the energy industry (Energy Development and Transmission Committee)

**HB 1462 (2007-08)** - Study the impact of a comprehensive energy policy for the state (Energy Development and Transmission Committee)

1324 § 33

Study corporate income taxes, with emphasis on the Uniform Division of Income Tax Act and the apportionment formula applied to multistate corporations doing business in North Dakota and the impact of how other states have adjusted apportionment factors under the Act

**NOTE**

**NDCC Chapter 57-38** - Imposes corporate income taxes. North Dakota Century Code Chapter 57-38.1 is the Uniform Division of Income Tax Act, governing apportionment of corporate income to North Dakota for corporations doing business in more than one state.

**LEGISLATION 2009**

**SB 2199** - Provides corporate income tax rate reductions. No legislation was considered which would have changed the Uniform Division of Income Tax Act.

**RATIONALE**

The Uniform Division of Income Tax Act was enacted in 1965, based on agreement among states. Since that time, many states have changed their allocation formulas to provide preferential tax treatment to certain corporations.

**PRIOR STUDIES**

**SCR 4021 (2007-08)** - Study income tax laws, with emphasis on adjustments necessary to minimize or negate the impact to any taxpayer of establishing a single, uniform income tax form for all individuals (Taxation Committee)

**2003-04 additional study assignment** - Study corporate and personal income taxes (Taxation Committee)

1324 § 34

Study the feasibility and desirability of providing a homestead credit for all North Dakota residential property owners and occupants

**NOTE**

**NDCC § 57-02-08.1** - Provides a homestead credit for individuals age 65 or older or permanently and totally disabled

**LEGISLATION 2009**

**SB 2199** - Provides property tax relief through allocations to school districts to reduce property tax levies

**RATIONALE**

Several states provide homestead credit property tax reductions to all residents. During 2007 and 2009 legislative debate of property tax relief, interest has been expressed in focusing property tax relief to North Dakota residents, which might be accomplished through a broad homestead credit.

**PRIOR STUDIES**

**SB 2032 § 13 (2007-08)** - Study property tax reform and relief for taxpayers, with the goal of reduction of each taxpayer's annual property tax bill to an amount not more than 1.5 percent of the true and full value of property (Taxation Committee)

**SB 2404 § 1 (2005-06)** - Study enhanced funding for elementary and secondary education and methods, including sales tax, income tax, and tax exemptions, by which the state's reliance on property taxes to fund elementary and secondary education could be reduced (Finance and Taxation Committee)

	<p><b>SB 2421 § 32 (2003-04)</b> - Study the manner in which elementary and secondary education is funded in this state and the feasibility and desirability of instituting alternative funding methods, including consideration of the amount of local contribution on a per resident basis (Education Finance Committee)</p> <p><b>North Dakota Commission on Education Improvement (2005-06 and 2007-08)</b> - Study education funding adequacy and equity, which resulted in development of Senate Bill No. 2199 (2009)</p>
1338 § 1	<p><b>(Required Study)</b> Study solid waste management, with an emphasis on the siting and zoning of landfills on a statewide or regional level while allowing adequate protection for political subdivisions and property owners in the siting and zoning process</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1338</b> - As introduced, would have created a state landfill siting board</p> <p><b>Similar study SB 2417 § 1</b> - Study the feasibility and desirability of the state facilitating the reduction of landfill waste in North Dakota through encouragement and coordination of public and private recycling programs and the potential for development of methane processing from landfills for power generation</p> <p><b>SB 2382</b> - Failed to pass the Senate; would have allowed a vote of approval for a solid waste management facility in the political subdivision in which the facility was to be located, instead of the county, as is allowed at present</p> <p><b>HB 1532</b> - Failed to pass the House; would have required the state to provide recycling infrastructure to collect recyclable materials on state property</p> <p><b>HB 1536</b> - Failed to pass the House; would have required a solid waste disposal fee to be deposited in the waste reduction fund for grants by the State Department of Health to political subdivisions for waste reduction and recycling programs</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1554</b> - Limited the extraterritorial zoning authority of cities</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HB 1321 § 4 (2007-08)</b> - Study extraterritorial zoning authority which included a review of the use of extraterritorial zoning authority for landfill siting (Advisory Commission on Intergovernmental Relations)</p>
1341 § 1	<p>Study the feasibility and desirability of an appropriation to the Office of Management and Budget for a state employee tuition reimbursement pool program</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>NDAC § 4-07-36-02. Payment of training and tuition.</b> An appointing authority may adopt policies to provide training and educational opportunities to its employees to learn new required skills or to enhance their current skills, to increase the opportunity for advancement within the agency or state service, to increase proficiency and productivity, and to improve work performance. Costs of training or educational courses, including tuition and fees, may be paid for, within budgetary constraints, by the agency or reimbursed to the employee in accordance with agency policy.</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1341</b> - As introduced, would have appropriated \$200,000 to the Office of Management and Budget for a state employee tuition reimbursement program pool and required the Office of Management and Budget to transfer spending authority to each eligible agency, i.e., to agencies with fewer than 30 FTE positions. The reimbursement would have been for tuition costs of education programs directly related to the duties and responsibilities of the agency.</p> <p><b>SB 2086</b> - Amends NDCC § 24-02-42 to allow the Department of Transportation to establish its own financial aid limitations, as opposed to the \$2,000 annual cap and the \$6,000 total that had been in statute.</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>Committee minutes indicate that the concept was designed to increase employee skills and retain workers. Two hundred thousand dollars would cover approximately 50 employees. It was said that the smaller agencies do not have the flexibility within their budgets to accommodate requests for tuition assistance.</p>
1391 § 1	<p><b>(Required Study)</b> Study unmet health care needs in the state</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1478</b> - Failed to pass the House; would have increased the net income eligibility standards for the state health insurance program</p> <p><b>HB 1568 § 1</b> - Failed to pass the House; would have authorized the State Department of Health to establish and provide administrative services for the select committee on the status of health care, which would have conducted a study of the statewide health care delivery infrastructure in this state</p> <p><b>SB 2175</b> - Withdrawn by the sponsor; would have provided an adult student under age 26 who is on medical leave may continue to be a dependent for purposes of health insurance coverage</p>

	<p><b>SB 2272</b> - Failed to pass the House; would have required health insurance coverage of prosthetics</p> <p><b>SB 2280</b> - Failed to pass the Senate; would have clarified the federal parity requirements for mental health and substance abuse insurance coverage</p> <p><b>SB 2283</b> - Failed to pass the House; would have directed the Department of Human Services to expand medical assistance benefits to pregnant women</p> <p><b>SB 2287</b> - Failed to pass the Senate; would have directed the Department of Human Services to apply for a Medicaid family planning services waiver</p> <p><b>SB 2294</b> - Failed to pass the House; would have required health insurance coverage of telemedicine</p> <p><b>SB 2337</b> - Failed to pass the Senate; would have created a Medicaid medical advisory committee to study the state's medical assistance program</p> <p><b>SB 2362</b> - Failed to pass the Senate; would have increased the net income eligibility standards for the state health insurance program and would have created a buy-in program for health insurance for children</p> <p><b>HCR 3010</b> - Failed to pass the House; would have created a new section to Article XI of the Constitution of North Dakota relating to freedom of choice in health care</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1012</b> - Increases the net income eligibility standards for the state health insurance program from 150 percent to 160 percent of the poverty line</p> <p><b>HB 1043</b> - Directs the Department of Human Services to contract with a private provider for a dementia care services program in each area of the state served by a regional human service center</p> <p><b>HB 1204</b> - Expands individual and group health insurance coverage for injuries caused by intoxication or the use of narcotics</p> <p><b>SB 2158</b> - Directs the Department of Human Services to recognize advanced registered nurse practitioners as primary care providers under the medical assistance program</p> <p><b>SB 2214</b> - Modifies the eligibility requirements for health insurance coverage under the Comprehensive Health Association of North Dakota</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>The sponsor's intention for this study is to find out the steps the state can take to increase the number of insured in the state.</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HCR 3054 (2005-06)</b> - Study state programs providing services to children with special health care needs to determine whether the programs are effective in meeting these special health care needs, whether there are gaps in the state's system for providing services to children with special health care needs, and whether there are significant unmet special health care needs of children which should be addressed (Budget Committee on Human Services)</p>
1400 § 61	<p>Study statutory criteria for the approval of public and nonpublic schools, regulatory criteria for the accreditation of schools, and the consequences to schools and school districts that fail to meet the criteria</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>SB 2341</b> - Failed to pass the Senate; would have required school districts to dissolve if they did not offer kindergarten through grade 12 services</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p><b>HB 1400</b> - Places numerous requirements on schools and school districts. The question to be explored is: If a school will not or cannot comply with the requirements, what should happen? Should there be a withholding of state aid? Should the school be closed? Are students who attend the school in violation of compulsory attendance requirements?</p>
1400 § 62	<p>Study the cancellation of school and early dismissal as a result of severe weather or other emergency conditions</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>NDCC § 15.1-06-04</b> - Establishes the length of school days and addresses how time is to be made up if days are shortened or lost as a result of weather-related school closures</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>There is a concern that schools are being kept open and buses are being sent out in severe weather conditions because schools do not want to "make up" for lost time. Making up lost time must be done by extending the regular school day at least 30 minutes or using make-up days that have been built into the school calendar.</p>



1400 § 63	<p>Study longer term elementary and high school closings and student transfers necessitated by the occurrence of widespread or severe damage as a result of any natural or manmade cause, including fire, flood, tornado, storm, chemical spill, and epidemic</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p><b>HB 1400</b> does not allow for "phantom students," as the formula did at the time of the Grand Forks flood. A school district providing services to a student is entitled to payment. If a school in district "A" is hit by a tornado, and its students attend a school in district "B" for several months during the school year, school district "B" would get paid. Should the state aid formula continue to pay school district "A" while it is in a "cleanup and rebuild" mode?</p> <p>If a school in district "A" experiences flooding and its students attend a school in district "B" for only a week or two, should school district "B" get paid? If school district "B" incurred no additional expenses, e.g., the students were accommodated in existing classrooms and taught by teachers already under contract with the district, should this be considered a "charitable" effort to help out a neighboring school district?</p>
1403 § 1	<p><b>(Required Study)</b> Study the utilization of all facilities on the State Capitol grounds, including an evaluation of facility needs by state agencies and a review of the Capitol complex master plan</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1403</b> - As introduced, would have created a Governor's residence design and construction committee and appropriated \$3 million for designing and constructing a new Governor's mansion</p> <p><b>NDCC § 48-10-03</b> - Assigns to the Capitol Grounds Planning Commission the duty to develop and modify long-term plans for the development of the Capitol grounds</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1015 §§ 20 and 21</b> - Requires a state agency to use the director of the Office of Management and Budget to negotiate for, contract for, and obtain lease office space, while maintaining final approval</p> <p><b>SB 2425 § 1</b> - Requires report from the director of the Office of Management and Budget by October 1, 2010, on the location, expenses, and square footage requirements of all facilities occupied by each state agency and recommendations for relocation of any entity to achieve improvements in service and efficiencies in usage of space and cost</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HCR 3005 (2005-06)</b> - Receive information identifying state-owned real estate and study the utilization of real estate owned by state agencies and institutions, the best use of state-owned real estate, and whether the state should establish and maintain an inventory of state-owned real estate (Budget Committee on Government Services)</p>
1412 § 2	<p>Study the equity of the 911 fee structure, including consideration of fees, taxes, assessments for services, equity of services, and payments among residents within service areas; fee collection methods; and current and future funding of emergency services communications in the state</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1412 § 1</b> - Allows political subdivisions within an intrastate multicounty public safety answering point to increase the maximum fee from \$1 to up to \$1.50</p> <p>During the 2007-08 interim, the Energy Development and Transmission Committee received a report from the Emergency Services Communications Coordinating Committee on the uses of assessed communications services fee revenue and recommended changes to the operating standards for emergency services communications</p> <p><b>HB 1054</b> - Failed to pass the House; would have required the Adjutant General to study the effects of Next Generation 911 on the public safety answering points in this state and would have appropriated \$100,000 for the study</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2163</b> - Creates a new chapter relating to the State Radio broadcasting system, including provisions allowing for the provision of 911 services to a political subdivision with a population of fewer than 20,000</p> <p><b>HB 1135</b> - Adds the Chief Information Officer to the Emergency Services Communications Coordinating Committee and requires the committee to serve as the governmental body to coordinate plans for implementing emergency 911 services and Internet protocol enabled emergency applications for 911</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HB 1004 § 8 (2007-08)</b> - Study the emergency medical services system within the state, including the funding, demographics, and impact on rural areas (Public Safety Committee)</p> <p><b>SB 2016 § 8 (2007-08)</b> - Study the Department of Emergency Services, including the Division of Homeland Security and the Division of State Radio, including a review of the allocation of federal homeland security funding, the operation of State Radio, and the potential changes to the 911 fee structure to continue salary equity funding provided in the 2007-09 biennium (Public Safety Committee)</p>

	<p><b>HCR 3053 (2003-04)</b> - 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 (Emergency Services Committee)</p>
1425 § 1	<p>Study the feasibility and desirability of transferring from the county to the state the responsibility for the funding of nonfederal foster care and subsidized adoption costs</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1425</b> - As introduced, would have transferred from the county to the state the responsibility for the funding of nonfederal foster care and subsidized adoption costs</p> <p><b>HB 1372</b> - Failed to pass the House; would have required the Department of Human Services to develop and implement a program under which the department provides reimbursement to a prospective adoptive family for the amount expended by the prospective adoptive family for the initial preplacement adoption assessment that is conducted as part of the investigation</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1094</b> - Relates to the placement of siblings in foster care. For purposes of NDCC Title 50, the bill amends the definition of family foster home for children to allow the Department of Human Services to make exceptions with respect to the placement of siblings in foster care homes.</p> <p><b>HB 1095</b> - Authorizes the Department of Human Services to adopt rules regarding the denial or revocation of a foster care facility license if that facility houses or employs an individual who has a criminal record. The bill also authorizes the department to adopt rules to determine whether an individual or an individual's home is suitable for the adoption of any child through a child-placing agency.</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>Due to concerns about the transition of responsibility for nonfederal foster care and adoption costs from the county to the state, the bill was amended to provide for a study to review the concerns before implementing the change.</p>
1449 § 3	<p><b>(Required Study)</b> Study the development of wind resources and other natural resources in the same location</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1449 §§ 1 and 2</b> - Require the Public Service Commission to adopt additional decommissioning rules for commercial wind energy conversion facilities that address present and future natural resource development and require the facility owner or operator to record the location of any underground facilities not removed during decommissioning with the county recorder. In addition, the bill lowers the threshold for siting jurisdiction of the Public Service Commission over energy conversion facilities from 100,000 kilowatts to 60 megawatts.</p> <p><b>NDCC § 54-35-18</b> - The Energy Development and Transmission Committee studies the impact of a comprehensive energy policy for the state and the development of each facet of the energy industry, from the obtaining of the raw natural resources to the sale of the final product in this state, other states, and other countries</p> <p><b>Similar study HB 1509 § 2</b> - Study wind easements and wind energy leases</p> <p><b>Similar study HCR 3044</b> - Study the allocation of wind rights</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1322</b> - Makes permanent the Energy Policy Commission and requires the commission to develop a comprehensive energy policy for this state</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HB 1456 § 1 (2007-08)</b> - Study siting and decommissioning of commercial wind farms, including identification of key issues of public and industry concern; solicitation of public input from local government officials, electric utilities, the wind industry, landowners, farm organizations, and other concerned interests; review the laws and policies of other jurisdictions; recommendations concerning laws or policies needed in this state to address wind farm siting and reclamation of wind farm sites; and the decommissioning of wind farm sites (Energy Development and Transmission Committee)</p> <p><b>SB 2320 § 1 (2003-04)</b> - Study issues related to wind energy development in this state (Natural Resources Committee)</p>
1459 § 4	<p>Study the weed control programs of the Army Corps of Engineers on federal land under its control, including whether the Army Corps of Engineers is in compliance with federal and any applicable state weed control laws, whether the Army Corps of Engineers sufficiently budgets funds to address weed control on Army Corps of Engineers' land, and whether Congress provides proper funding for weed control on Army Corps of Engineers' land</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1459</b> - As introduced, would have authorized the Governor to seize land adjacent to Lake Sakakawea or Lake Oahe and effect a transfer of title from the United States to the Board of University and School Lands.</p>

**LEGISLATION 2009**

**HB 1026** - Rewrote the noxious weed laws. The bill retained language giving the Agriculture Commissioner authority to enforce the noxious weed laws on state-owned lands, but recognized that, in accordance with the concept of federal supremacy, the state could not require action on the part of the federal government. Therefore, the "empty" language was removed. House Bill No. 1026 also recognized that the Agriculture Commissioner could hold a public hearing on the matter of noxious weeds on federal land and did not need statutory authority to do so.

**RATIONALE**

Committee minutes indicate legislators recognized that the state cannot dictate action to the federal government but felt it was "a conversation that needed to be had." Also, agricultural needs and perspectives are not shared by environmentalists who want the land left in its natural state for wildlife.

**PRIOR STUDIES**

**SB 2139 § 1 (2007-08)** - Study those provisions of the Century Code which relate to agriculture 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 (Agriculture Committee)

**HCR 3044 (2007-08)** - Study how the state might pursue additional uses of Lake Sakakawea and Missouri River waters for such beneficial purposes as domestic and industrial uses, recreation, fish and wildlife, and irrigation and how the state, to enhance its use of the lake and river, might promote congressional review of the 1944 Flood Control Act and a reexamination by the Corps of Engineers of the way in which it manages the Missouri River system (Natural Resources Committee)

1489 § 2

Study the availability of tax incentives, grant programs, and any other direct or indirect public subsidization designed to encourage and promote value-added agriculture and any public and private benefits that accrue as a result of such availability

**NOTE**

**HB 1465** - Failed to pass the House; would have provided \$225,414 to the Agriculture Commissioner to expand organic food production

**LEGISLATION 2009**

**HB 1326** - Authorizes the State Board of Animal Health to verify and certify that certain production practices meet the standards and protocols articulated by the producer and that certain livestock processing practices meet or exceed the standards, descriptions, or specifications articulated by the processor

**HB 1489** - Expands the corporate income tax credit for biodiesel production equipment costs to include soybean and canola crushing facility equipment costs

**SB 2129** - Authorizes the Industrial Commission to provide incentives to increase research and utilization of renewable energy coproduct utilization for livestock feed, human food products, and industrial use technologies

**SB 2228** - Authorizes the Department of Commerce to administer the biofuel blender pump incentive fund and to provide cost-share grants to motor fuel retailers for the installation of biofuel blender pumps and associated equipment

**SB 2350** - Creates an Ethanol Council and authorizes it to expend money for research, education, promotion, and market development and to support state, regional, national, and international entities that promote ethanol utilization

**SB 2372** - Directs the Commissioner of Commerce to promote the development of life science industries

**SB 2373** - Appropriates \$250,000 to the Grape and Wine Program Committee for grape research matching funds

**SB 2438** - Creates the Advisory Committee on Sustainable Agriculture and directs the Agriculture Commissioner, beginning July 1, 2011, to implement a program promoting agricultural commodities that are sustainably grown in this state

**RATIONALE**

There is a belief that significant public funds are being used to encourage value-added agriculture and a lack of information about the state's return on its investment.

1497 § 1

Study the feasibility and desirability of transferring from the county to the state the responsibility for the cost of and responsibility for providing legal counsel in cases involving the commitment of sexually dangerous individuals under NDCC Chapter 25-03.3

**NOTE**

**HB 1497** - As introduced, would have required the court to appoint counsel from the state indigent defense counsel

**Similar study SB 2370 § 1** - Study the feasibility and desirability of transferring from the county to the state the responsibility for the cost of expert examinations and the cost and responsibility for providing legal counsel in mental health commitment cases

	<p><b>SB 2421 § 3</b> - Study the involuntary mental health commitment procedures under NDCC Chapter 25-03.1</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1107</b> - Requires a home rule county to pay for indigent defense of a person prosecuted under a home rule county ordinance</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>Advisory Commission on Intergovernmental Relations (2005-06)</b> - Legal services relating to indigent individuals that are not paid by the state, including sexually dangerous civil commitments, mental illness civil commitments, child custody investigations, and appointments of guardian ad litem</p> <p><b>HB 1473 (2005-06)</b> - Study sentencing alternatives, mandatory sentences, treatment options, the expanded use of problem-solving courts, home monitoring, and other related issues (Commission on Alternatives to Incarceration)</p> <p><b>HCR 3004 (2003-04)</b> - Study the state's method of providing legal representation for indigent persons and the feasibility and desirability of establishing a public defender system (Criminal Justice Committee)</p>
1509 § 2	<p>Study wind easements and wind energy leases</p> <p style="text-align: center;"><b>NOTES</b></p> <p><b>HB 1509 § 1</b> - Creates requirements for wind easements and wind energy leases</p> <p><b>Similar study HB 1449 § 3</b> - Study the development of wind resources and other natural resources in the same location</p> <p><b>Similar study HCR 3044</b> - Study the allocation of wind rights</p> <p><b>HB 1426</b> - Failed to pass the House; would have required wind tower setbacks for commercial wind energy conversion facilities</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2245</b> - Defines actions that must occur within five years of a wind option agreement, a wind easement, or a wind energy lease before these instruments are void and these actions are a certificate of site compatibility or conditional use permit and a transmission interconnection request</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HB 1456 § 1 (2007-08)</b> - Study siting and decommissioning of commercial wind farms, including identification of key issues of public and industry concern; solicitation of public input from local government officials, electric utilities, the wind industry, landowners, farm organizations, and other concerned interests; review the laws and policies of other jurisdictions; recommendations concerning laws or policies needed in this state to address wind farm siting and reclamation of wind farm sites; and the decommissioning of wind farm sites (Energy Development and Transmission Committee)</p> <p><b>SB 2310 § 1 (2003-04)</b> - Study issues related to wind energy development in this state (Natural Resources Committee)</p>
1545 § 1	<p>Study the feasibility and desirability of creating a new type of limited liability company called a low-profit limited liability company</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1545</b> - As introduced, was based on Montana law and would have created a new type of limited liability company called a low-profit limited liability company, which would have allowed a for-profit entity to invest in a nonprofit entity</p> <p><b>HCR 3005</b> - Study the feasibility and desirability of adopting the Revised Uniform Limited Liability Company Act</p> <p><b>NDCC Chapter 10-32</b> - Provides for the state's Limited Liability Company Act</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1298</b> - Modifies the state law relating to limited liability companies, nonprofit corporations, nonprofit limited liability companies, cooperative associations, business corporations, limited partnerships, limited liability partnerships, limited liability limited partnerships, and general partnerships</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>Because the original bill was based on Montana law, there was concern it would not mesh well with existing North Dakota business entity law; therefore, the study was proposed.</p>
1562 § 1	<p>Study the feasibility and desirability of an administrative leave program for use by executive branch agencies to allow employees to attend legislative hearings or meetings, grievance meetings, disciplinary hearings, labor and management meetings, negotiating sessions, or other meetings or activities jointly agreed upon by the chief administrative officer of the employing agency</p>

**NOTE**

**HB 1562** - As introduced, would have provided the Office of Management and Budget to distribute administrative leave to executive branch employees who are members of a public employee organization for the purpose of attending legislative hearings or meetings, grievance meetings, disciplinary hearings, labor and management meetings, negotiating sessions, or other meetings or activities jointly agreed upon

**SB 2205** - Failed to pass the Senate; would have prohibited a public employer from restricting or prohibiting a public employee from using a state or political subdivision computer network service to contact a member or committee of the Legislative Assembly if the purpose of the conduct is not a political activity or a political purpose

**SB 2360** - Failed to pass the Senate; would have allowed an employee of a state agency who is elected to serve as the president of the largest statewide organization representing public employees to a half-time, unpaid release from employment for up to one year during the time the individual is elected to serve

1573 § 1

Study of voucher use and provider choice for clients in various human services and other state programs, including programs related to mental health services, addiction treatment, counseling services, transition services, various home services, and other special services

**LEGISLATION 2009**

**HB 1043** - Directs the Department of Human Services to contract for a dementia care services program in each area of the state served by a regional human service center to provide personalized care consultation services, training, and education relating to dementia; provides a \$1.2 million general fund appropriation for the program; and provides for a report to the Legislative Council regarding the outcomes of the program

**HB 1044** - Requires the Department of Human Services to develop a program for services to transition-aged youth at risk. The bill provides that the program must include individualized assessments, coordinated services, self-advocacy training, vocational rehabilitation, in-home support, and independent living skills training.

**SB 2098** - Provides that, for the purpose of involuntary commitment due to mental illness or chemical dependency, a written statement of support which accompanies a petition may be provided by an addiction counselor. The bill also provides that the screening of an individual in a public treatment facility for care of a mental illness or chemical dependency must be performed in person whenever reasonably practicable.

**SB 2198** - Requires the Department of Human Services to provide outreach services and conduct public awareness efforts regarding the prevention and identification of traumatic brain injury. The bill also directs the department to contract with public or private entities for the provision of informal supports to individuals with traumatic brain injury; to provide or contract for the provision of social and recreational services for individuals with traumatic brain injury; and to provide or contract for the provision of increased and specialized vocational rehabilitation and consultation to individuals with traumatic brain injury.

**SB 2421** - Clarifies which professionals may conduct an evaluation of a respondent's physical condition, mental status, or whether the respondent is chemically dependent by relocating the language from the definition of expert examiner and independent expert examiner to NDCC § 25-03.1-11, which provides for the procedural requirements of the examination

**RATIONALE**

The sponsor of the bill indicated that a study of the use of vouchers is important because a voucher system could potentially increase access, provide consumers with choices, and ultimately produce a better outcome for clients.

**PRIOR STUDIES**

**HB 1459 § 5 (2005-06)** - Study the Medicaid medical reimbursement system, including costs of providing services, fee schedules, parity among provider groups, and access (Budget Committee on Human Services)

**SCR 4027 (2005-06)** - Study the need for dementia-related services, standards, and practices for caregivers and review the legal and medical definitions used for dementia-related conditions and the funding for programs and services for individuals with dementias (Judicial Process Committee)

**SCR 4037 (2003-04)** - 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; and the impact and availability of community services (Budget Committee on Government Services)

1577 § 1

Study the factors impacting the cost of health insurance

**NOTE**

**HB 1391 § 1 - (Required Study)** Study unmet health care needs in the state

**HB 1568 § 1** - Failed to pass the House; would have authorized the State Department of Health to establish and provide administrative services for a select committee on the status of health care, which would have conducted a study of the statewide health care delivery infrastructure in this state

	<p><b>SB 2442 § 1</b> - Failed to pass the House; would have provided for a study of Blue Cross Blue Shield of North Dakota to determine whether legislative changes are appropriate to the laws relating to nonprofit mutual insurance companies</p> <p><b>SB 2276</b> - Failed to pass the Senate; would have required health insurers to provide disclosure of the anticipated loss ratios for the health insurance plan</p> <p><b>SB 2306</b> - Failed to pass the House; would have revised the premium rate requirements and rate filing procedures for accident and health insurance</p> <p><b>SB 2314</b> - Failed to pass the Senate; would have increased the minimum loss ratios for health insurance plans</p>
2001 § 7	<p>Study the classified state employee compensation system, including a review of the development and determination of pay grades and classifications</p> <p style="text-align: center;"><b>NOTE</b></p> <p>North Dakota Century Code § 54-06-25 provides for the State Employees Compensation Commission, which is responsible for making recommendations on appropriate levels of state employee compensation and fringe benefits.</p> <p><b>SB 2311</b> - Failed to pass the Senate; would have provided legislative intent with respect to state employee compensation adjustments and state employee equity adjustments</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2061</b> - Requires the Human Resource Management Services to conduct a study to evaluate steps the state could take to recruit and retain state employees in state government employment as those state employees reach retirement</p> <p><b>HB 1015</b> - Provides that 2009-11 compensation adjustments for regular state employees are to vary based on documented performance and equity and are not necessarily to be 5 percent annual increases for each employee</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>Testimony indicated that a comprehensive legislative examination of the classified system would help legislators with future salary decisions.</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HB 1015 § 28 (2005-06)</b> - Study issues related to state employee compensation, including total state employee compensation, the human resources system, retirement benefits, and the feasibility and desirability of implementing equity pay, merit pay, and pay for performance compensation systems (Employee Benefits Programs Committee)</p>
2003 § 31	<p>Study options for funding higher education institutions</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>SB 2038 § 9 - (Required Study)</b> Study issues affecting higher education</p> <p><b>SB 2303</b> - Failed to pass the Senate; would have appropriated \$100,000 for low-income student assistance grants</p> <p><b>HB 1065</b> - Failed to pass the House; would have appropriated \$1 million to the Department of Commerce to market North Dakota higher education opportunities to out-of-state students</p> <p><b>SB 2226</b> - Failed to pass the Senate; would have directed the State Board of Higher Education to administer a science, technology, engineering, and mathematics occupations student loan program that encourages college students to pursue technology-based studies in these fields, to participate in technology internship programs, and to remain in the state after graduation</p> <p><b>SB 2083</b> - Failed to pass the Senate; would have raised student financial assistance grants from \$1,000 to \$2,000 per student</p> <p><b>HB 1547</b> - Failed to pass the House; would have provided \$22.5 million for student loan reductions</p> <p><b>HB 1447</b> - Failed to pass the House; would have required that tuition be set by the Legislative Assembly</p> <p><b>SB 2238</b> - Failed to pass the Senate; would have appropriated \$26.5 million to the State Board of Higher Education and prohibited tuition increases</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2038 § 7</b> - Requires that the State Board of Higher Education's performance and accountability report include information regarding education attainment, accessibility, contributions to economic development, affordability, education excellence, financial operations, and system functioning</p> <p><b>SB 2038 § 8</b> - Requires that the State Board of Higher Education provide a comparison of budgeted amounts and actual expenditures</p>

**RATIONALE**

Committee minutes indicate a frustration with funding based on enrollment and a belief that the focus should be on rewarding quality, completion, partnerships, and cooperation and on developing a seamless new system.

**PRIOR STUDIES**

**SB 2003 § 23 (2005-06)** - Study higher education funding and accountability, including a review of the progress made in implementing the Higher Education Roundtable recommendations relating to the University System meeting the state's expectations and needs, the funding methodology needed to meet these expectations and needs, and the appropriate accountability and reporting system for the University System, and including an independent consultant's evaluation of the roundtable recommendations and goals and objectives of the University System, the long-term financing plan for the University System, and the University System's prioritization of higher education funding (Higher Education Committee)

**HB 1003 § 24 (2003-04)** - Study higher education, which may include use of the Higher Education Roundtable format to further refine the expectations of the University System in meeting the state's needs in the 21<sup>st</sup> century, the funding methodology needed to meet those expectations and needs, and the accountability system and reporting methodology for the University System (Higher Education Committee)

2003 § 32 Study the impact of tuition waivers on institutions under the control of the State Board of Higher Education

**NOTE**

**SB 2038 § 9 - (Required Study)** Study issues affecting higher education

**HB 1065** - Failed to pass the House; would have appropriated \$1 million to the Department of Commerce to market North Dakota higher education opportunities to out-of-state students

**LEGISLATION 2009**

**HB 1341 § 1** - Study the feasibility and desirability of an appropriation to the Office of Management and Budget for a state employee tuition reimbursement pool program

**RATIONALE**

Committee minutes indicate a concern about the use of tuition waivers, including how are they awarded and whether there is a better way of handling them. There was also a stated concern about the perception that out-of-state students are being subsidized.

**PRIOR STUDIES**

**SB 2003 § 23 (2005-06)** - Study higher education funding and accountability, including a review of the progress made in implementing the Higher Education Roundtable recommendations relating to the University System meeting the state's expectations and needs, the funding methodology needed to meet these expectations and needs, and the appropriate accountability and reporting system for the University System, and including an independent consultant's evaluation of the roundtable recommendations and goals and objectives of the University System, the long-term financing plan for the University System, and the University System's prioritization of higher education funding (Higher Education Committee)

**HB 1003 § 24 (2003-04)** - Study higher education, which may include use of the Higher Education Roundtable format to further refine the expectations of the University System in meeting the state's needs in the 21<sup>st</sup> century, the funding methodology needed to meet those expectations and needs, and the accountability system and reporting methodology for the University System (Higher Education Committee)

2003 § 33 Study the feasibility and desirability of creating a department to oversee early childhood, elementary, secondary, and postsecondary education

**NOTE**

**HCR 3047** - Failed to pass the House; would have required the individual elected to the position of Superintendent of Public Instruction be licensed to teach in this state

**HB 1450** - Withdrawn; would have required the individual elected to the position of Superintendent of Public Instruction be licensed to teach in this state

**HB 1081** - Failed to pass the House; would have established the P-20 Education Council. (As a concession, the commissioner of higher education was put on the North Dakota Commission on Education Improvement.)

**LEGISLATION 2009**

**HB 1400 § 40** - Extends the North Dakota Commission on Education Improvement until December 2010 and directs that, among other things, the commission examine the state's high school graduation requirements, curricular standards, and assessments to ensure that students have the academic skills necessary to move seamlessly and without remediation from high schools to institutions of higher education or to meet the performance levels expected by employers

**HB 1400 § 43** - Establishes an North Dakota Early Childhood Education Council

	<p style="text-align: center;"><b>RATIONALE</b></p> <p>Committee minutes indicate a desire to look at the whole picture--not just bits and pieces.</p> <p>Committee minutes also indicate a concern about two large research universities accepting students who are not ready or prepared to go to a university. Other institutions could help those students get up to the level they should have been at originally.</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>SB 2003 § 23 (2005-06)</b> - Study higher education funding and accountability, including a review of the progress made in implementing the Higher Education Roundtable recommendations relating to the University System meeting the state's expectations and needs, the funding methodology needed to meet these expectations and needs, and the appropriate accountability and reporting system for the University System, and including an independent consultant's evaluation of the roundtable recommendations and goals and objectives of the University System, the long-term financing plan for the University System, and the University System's prioritization of higher education funding (Higher Education Committee)</p> <p><b>HB 1003 § 24 (2003-04)</b> - Study higher education, which may include use of the Higher Education Roundtable format to further refine the expectations of the University System in meeting the state's needs in the 21<sup>st</sup> century, the funding methodology needed to meet those expectations and needs, and the accountability system and reporting methodology for the University System (Higher Education Committee)</p>
2003 § 34	<p>Study the establishment of a higher education student trust fund, including available funding sources</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>SB 2038 § 9 - (Required Study)</b> Study issues affecting higher education</p> <p><b>SB 2062</b> - Failed to pass the House; would have provided promise grants</p> <p><b>SCR 4030</b> - Failed to pass the House; would have created an oil tax trust fund and appropriated interest earnings for kindergarten through grade 12 and higher education</p> <p><b>HB 1434</b> - Failed to pass the Senate; would have appropriated \$10 million in matching funds for the creation of endowment funds and institutions of higher education</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1400</b> - Provides North Dakota academic scholarships and career and technical education scholarships</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>SB 2003 § 23 (2005-06)</b> - Study higher education funding and accountability, including a review of the progress made in implementing the Higher Education Roundtable recommendations relating to the University System meeting the state's expectations and needs, the funding methodology needed to meet these expectations and needs, and the appropriate accountability and reporting system for the University System, and including an independent consultant's evaluation of the roundtable recommendations and goals and objectives of the University System, the long-term financing plan for the University System, and the University System's prioritization of higher education funding (Higher Education Committee)</p> <p><b>HB 1003 § 24 (2003-04)</b> - Study higher education, which may include use of the Higher Education Roundtable format to further refine the expectations of the University System in meeting the state's needs in the 21<sup>st</sup> century, the funding methodology needed to meet those expectations and needs, and the accountability system and reporting methodology for the University System (Higher Education Committee)</p>
2004 § 10	<p>Study the state immunization program</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2333</b> - As introduced, would have required the Department of Human Services to acquire and distribute to public health units age-appropriate immunizations for administration to individuals who have not reached age 19. As passed, the bill provides for the creation of regional public health networks.</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>The testimony indicates concerns about the high number of uncollectible accounts for the state's immunization program and that the public health units are not collecting fees, as required, at the time the immunizations are administered.</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>SB 2004 § 21 (2005-06)</b> - Study the state's public health unit infrastructure and the ability of the public health units to respond to public health issues, including an assessment of the efficiency of operations, given the personnel and financial resources available; the effectiveness of services, given the lines of governmental authority of the current infrastructure; and the efficiency of the food and lodging investigation services provided by the State Department of Health and the public health units, and to develop a plan maximizing efficiencies through a coordinated system and fee structure (Budget Committee on Human Services)</p>



2012 § 24	<p>Study the feasibility and desirability of relocating the Fargo district office facility</p> <p><b>PRIOR STUDIES</b></p> <p><b>HCR 3005 (2005-06)</b> - Receive information identifying state-owned real estate and study the utilization of real estate owned by state agencies and institutions, the best use of state-owned real estate, and whether the state should establish and maintain an inventory of state-owned real estate (Budget Committee on Government Services)</p>
2012 § 25	<p>Study the potential options for matching federal highway construction funding</p> <p><b>PRIOR STUDIES</b></p> <p><b>HB 1012 § 6 (2007-08)</b> - Study highway funding and transportation infrastructure needs, including those needs resulting from energy and economic development in the state (Transportation Committee)</p> <p><b>Legislative Council Chairman Directive (2005-06)</b> - Study federal highway appropriations in state matching requirements (Transportation Committee)</p> <p><b>SB 2159 § 5 (2003-04)</b> - Study highway construction and maintenance funding, including revenue sources and distribution formulas for the state, cities, and counties (Budget Committee on Government Administration)</p>
2018 § 18	<p>Study technology-based entrepreneurship and economic development best practices, including a review of best practices implemented by the Department of Commerce and the effectiveness of the Department of Commerce Foundation</p> <p><b>NOTE</b></p> <p><b>SB 2018 § 19</b> - Study the state's system for addressing workforce needs through a workforce system initiative, including a review of the alignment of taxpayer investment with programs, coordination of programs, and the North Dakota workforce strategic plan</p> <p><b>SB 2390 § 1</b> - Study the establishment and development of certified technology parks</p> <p><b>SCR 4002</b> - Study the state's workforce system, the feasibility and desirability of enacting legislation to address the issues identified in the 2007-08 interim Workforce Committee's consultant's report, and the implementation of workforce initiatives enacted by the 61<sup>st</sup> Legislative Assembly</p> <p><b>NDCC § 54-60-04</b> - Creates the North Dakota Economic Development Foundation and provides the duties of the foundation</p> <p><b>HB 1066</b> - Failed to pass the House; would have created an income tax credit for purchases of manufacturing machinery and equipment for the purpose of automating manufacturing processes, for qualified expenditures for lean manufacturing, and for qualified expenses for innovation</p> <p><b>LEGISLATION 2009</b></p> <p><b>SB 2018 § 12</b> - Appropriates \$1 million from the general fund to the workforce enhancement fund for the purpose of assisting two-year colleges to respond to business and industry workforce training</p> <p><b>SB 2018 § 13</b> - Appropriates \$1 million from the general fund to the Department of Commerce for a technology-based entrepreneurship grant program</p> <p><b>SB 2018 §§ 37 and 38</b> - Expands the Department of Commerce Division of Workforce Development's internship program to include apprenticeships and to include high school students; directs Job Service North Dakota, the Department of Career and Technical Education, the Department of Commerce, and the State Board of Higher Education to submit a report to the division to assist the division in preparing the consolidated biennial statewide strategic plan for the state's system for workforce development, workforce training, and talent attraction; and directs Job Service North Dakota, the Department of Career and Technical Education, the Department of Commerce, and the State Board of Higher Education to present workforce-related budget initiatives to the North Dakota Workforce Development Council</p> <p><b>SB 2390</b> - As introduced, would have provided for the establishment and development of certified technology parks</p> <p><b>PRIOR STUDIES</b></p> <p><b>HB 1018 § 20 (2007-08)</b> - Study the state's system for addressing workforce needs through a workforce system initiative that includes receipt of agency reports regarding implementation of workforce legislation enacted during the 2007 legislative session, active participation in focus groups across the state, and active participation in a Workforce Congress (Workforce Committee)</p> <p><b>HB 1018 § 21 (2007-08)</b> - Study the organization, powers, duties, and effectiveness of the Department of Commerce, including review of the legislative history leading to the creation of the department; review of the legislative and executive branch expectations in the creation of the department and whether those expectations are being met; evaluation of the effectiveness of the North Dakota Economic Development Foundation in providing a nonpartisan, private sector perspective to the department's approach to the department's duties; evaluation of the organizational structure of the department, including whether the department should include a division of science and technology; and evaluation of the strategic planning process of the department and its effectiveness (Industry, Business, and Labor Committee)</p>

**HCR 3025 (2007-08)** - Study possible methods of growing North Dakota's population and increasing the available workforce in the state (Workforce Committee)

**SB 2032 § 17 (2005-06)** - Study the state's business climate through a business climate initiative, including receipt of agency reports regarding economic development legislation introduced by the Legislative Council during previous legislative sessions, participation in business climate focus groups across the state, and participation in a Business Congress (Economic Development Committee)

**HB 1504 § 1 (2003-04)** - Study the state's business climate, including the creation of an index of key objective measurements that address the state's competitiveness with other states; the consideration of methods of creating business partnerships with North Dakota Indian tribes in order to increase primary sector business growth in the state, with a focus on business opportunities that may be available to North Dakota Indian tribes through the United States Small Business Administration 8(a) business development program; and active participation in the activities of the primary sector Business Congress (Economic Development Committee)

2018 § 19

Study the state's system for addressing workforce needs through a workforce system initiative, including a review of the alignment of taxpayer investment with programs, coordination of programs, and the North Dakota workforce strategic plan

#### NOTE

**SB 2018 § 18** - Study technology-based entrepreneurship and economic development best practices, including a review of best practices implemented by the Department of Commerce and the effectiveness of the Department of Commerce Foundation

**SCR 4002** - Study the state's workforce system, the feasibility and desirability of enacting legislation to address the issues identified in the 2007-08 interim Workforce Committee's consultant's report, and the implementation of workforce initiatives enacted by the 61<sup>st</sup> Legislative Assembly

**NDCC § 54-60-19(1)(b)** - Directs the Department of Commerce Division of Workforce Development to develop a comprehensive, consolidated biennial statewide strategic plan for the state's system for workforce development, workforce training, and talent attraction

#### LEGISLATION 2009

**SB 2018 §§ 37 and 38** - Expands the Department of Commerce Division of Workforce Development's internship program to include apprenticeships and to include high school students; directs Job Service North Dakota, the Department of Career and Technical Education, the Department of Commerce, and the State Board of Higher Education to submit a report to the division to assist the division in preparing the consolidated biennial statewide strategic plan for the state's system for workforce development, workforce training, and talent attraction; and directs Job Service North Dakota, the Department of Career and Technical Education, the Department of Commerce, and the State Board of Higher Education to present workforce-related budget initiatives to the North Dakota Workforce Development Council

#### PRIOR STUDIES

**Legislative Council Assignment (2007-08)** - Study the means by which the University System fulfills North Dakota's workforce needs (Workforce Committee)

**HB 1003 § 23 (2007-08)** - Study the means by which the University System can further contribute to developing and attracting the human capital to meet North Dakota's economic and workforce needs, including ways to increase postsecondary access, improve the quality of education, contain costs, and other means, including productivity, to maximize the usage of the University System in meeting the human capital needs of the state; including a review of policy recommendations that address the postsecondary delivery system, including the mix of institutions, educational attainment gaps, degree production gaps, recruitment and retention of students, and workforce training needs; and including a review of the impact of the state's changing demographics on the University System's long-term financing plan (Higher Education Committee)

**HB 1018 § 20 (2007-08)** - Study the state's system for addressing workforce needs through a workforce system initiative that includes receipt of agency reports regarding implementation of workforce legislation enacted during the 2007 legislative session, active participation in focus groups across the state, and active participation in a Workforce Congress (Workforce Committee)

**HCR 3025 (2007-08)** - Study possible methods of growing North Dakota's population and increasing the available workforce in the state (Workforce Committee)

**SB 2032 § 17 (2005-06)** - Study the state's business climate through a business climate initiative, including receipt of agency reports regarding economic development legislation introduced by the Legislative Council during previous legislative sessions, participation in business climate focus groups across the state, and participation in a Business Congress (Economic Development Committee)

	<p><b>HB 1504 § 1 (2003-04)</b> - Study the state's business climate, including the creation of an index of key objective measurements that address the state's competitiveness with other states; the consideration of methods of creating business partnerships with North Dakota Indian tribes in order to increase primary sector business growth in the state, with a focus on business opportunities that may be available to North Dakota Indian tribes through the United States Small Business Administration 8(a) business development program; and active participation in the activities of the primary sector Business Congress (Economic Development Committee)</p>
2021 § 8	<p>Study the value of the Information Technology Department's Criminal Justice Information Sharing Initiative</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1041</b> - Makes the statutory changes necessary for the implementation of a statewide automated victim information and notification (SAVIN) system. The bill allows the victim and other concerned citizens to register with the SAVIN system to receive various notifications. The bill also provides that some of the notification duties that are currently the responsibility of certain entities, including prosecuting attorneys, courts, or custodial authorities, are automated under the SAVIN system.</p> <p><b>SB 2041</b> - Expands the membership of the Criminal Justice Information Sharing Board and provides that board members who are not state employees are entitled to compensation and expense reimbursement</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>The need for this study was the result of concerns about whether the citizens of the state are realizing a benefit from the tax dollars that are being expended on the Criminal Justice Information Sharing Initiative.</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p>The Information Technology Committee has reviewed the Criminal Justice Information Sharing Initiative in each of the three preceding interims.</p>
2032 § 13 (2007)	<p><b>(Required Study during the 2007-08, 2009-10, and 2011-12 interims)</b> Study the feasibility and desirability of property tax reform and providing property tax relief to taxpayers of the state, with the goal of reduction of each taxpayer's annual property tax bill to an amount that is not more than 1.5 percent of the true and full value of property, and including examination of the proper measure of education funding from local taxation and state resources and the variability of funding resources among taxing districts and examination of improved collection and reporting of property tax information to identify residency of property owners with minimized administrative difficulty</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2199</b> - Provides property tax relief through allocation of \$295 million to reduce school district property tax levies</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>SB 2032 § 13 (2007-08)</b> - Study the feasibility and desirability of property tax reform and providing property tax relief to taxpayers (Taxation Committee)</p> <p><b>SB 2404 § 1 (2005-06)</b> - Study enhanced funding for elementary and secondary education and methods, including sales tax, income tax, and tax exemptions, by which the state's reliance on property taxes to fund elementary and secondary education could be reduced (Finance and Taxation Committee)</p> <p><b>North Dakota Commission on Education Improvement (2005-06 and 2007-08)</b> - Study of education funding adequacy and equity</p>
2038 § 6	<p>Study the means by which the University System can further contribute to developing and attracting the human capital to meet North Dakota's economic and workforce needs</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>SB 2038 § 9 - (Required Study)</b> Study issues affecting higher education</p> <p><b>SB 2303</b> - Failed to pass the Senate; would have appropriated \$100,000 for low-income student assistance grants</p> <p><b>HB 1065</b> - Failed to pass the House; would have appropriated \$1 million to the Department of Commerce to market North Dakota higher education opportunities to out-of-state students</p> <p><b>SB 2226</b> - Failed to pass the Senate; would have directed the State Board of Higher Education to administer a science, technology, engineering, and mathematics occupations student loan program that encourages college students to pursue technology-based studies in these fields, to participate in technology internship programs, and to remain in the state after graduation</p> <p><b>SB 2083</b> - Failed to pass the House; would have raised student financial assistance grants from \$1,000 to \$2,000 per student</p> <p><b>HB 1547</b> - Failed to pass the Senate; would have provided \$22.5 million for student loan reductions</p> <p><b>SB 2238</b> - Failed to pass the Senate; would have appropriated \$26.5 million to the State Board of Higher Education and prohibited tuition increases</p>

**LEGISLATION 2009**

**HB 1138** - Provides that if a member of the National Guard enrolls in an accredited postsecondary institution in this state, the member may receive a grant in an amount not exceeding the cost of tuition and fees at the University of North Dakota

**SB 2082** - Provides that resident student tuition may be extended to a child or a stepchild of certain veterans, if the child's other parent establishes residency in this state and maintains that residency for a period of five years immediately preceding the child's or stepchild's enrollment at an institution under the control of the State Board of Higher Education

**RATIONALE**

Committee minutes indicate concern that a sociology major graduating with \$20,000 worth of student loans would find it easier to pay off those loans with the salaries being offered in Minnesota or Iowa rather than with those offered in North Dakota.

**PRIOR STUDIES**

**SB 2003 § 23 (2005-06)** - Study higher education funding and accountability, including a review of the progress made in implementing the Higher Education Roundtable recommendations relating to the University System meeting the state's expectations and needs, the funding methodology needed to meet these expectations and needs, and the appropriate accountability and reporting system for the University System, and including an independent consultant's evaluation of the roundtable recommendations and goals and objectives of the University System, the long-term financing plan for the University System, and the University System's prioritization of higher education funding (Higher Education Committee)

**HB 1003 § 24 (2003-04)** - Study higher education, which may include use of the Higher Education Roundtable format to further refine the expectations of the University System in meeting the state's needs in the 21<sup>st</sup> century, the funding methodology needed to meet those expectations and needs, and the accountability system and reporting methodology for the University System (Higher Education Committee)

2038 § 9 **(Required Study)** Study issues affecting higher education

**NOTE**

**SB 2038 § 6** - Study the means by which the North Dakota University System can further contribute to developing and attracting the human capital to meet North Dakota's economic and workforce needs

**SB 2303** - Failed to pass the Senate; would have appropriated \$100,000 for low-income student assistance grants

**HB 1065** - Failed to pass the House; would have appropriated \$1 million to the Department of Commerce to market North Dakota higher education opportunities to out-of-state students

**SB 2226** - Failed to pass the Senate; would have directed the State Board of Higher Education to administer a science, technology, engineering, and mathematics occupations student loan program that encourages college students to pursue technology-based studies in these fields, to participate in technology internship programs, and to remain in the state after graduation

**SB 2083** - Failed to pass the Senate; would have raised student financial assistance grants from \$1,000 to \$2,000 per student

**HB 1547** - Failed to pass the House; would have provided \$22.5 million for student loan reductions

**HB 1447** - Failed to pass the House; would have required that tuition be set by the Legislative Assembly

**SB 2238** - Failed to pass the Senate; would have appropriated \$26.5 million to the State Board of Higher Education and prohibited tuition increases

**HB 1065** - Failed to pass the House; would have appropriated \$1 million to the Department of Commerce to market North Dakota higher education opportunities to out-of-state students

**SCR 4030** - Failed to pass the House; would have created an oil tax trust fund and appropriated interest earnings for kindergarten through grade 12 and higher education

**HB 1434** - Failed to pass the Senate; would have appropriated \$10 million in matching funds for the creation of endowment funds and institutions of higher education

**LEGISLATION 2009**

**HB 1138** - Provides that if a member of the National Guard enrolls in an accredited postsecondary institution in this state, the member may receive a grant in an amount not exceeding the cost of tuition and fees at the University of North Dakota

**SB 2082** - Provides that resident student tuition may be extended to a child or a stepchild of certain veterans if the child's other parent establishes residency in this state and maintains that residency for a period of five years immediately preceding the child's or stepchild's enrollment at an institution under the control of the State Board of Higher Education

**HB 1341** - Study the feasibility and desirability of an appropriation to the Office of Management and Budget for a state employee tuition reimbursement pool program

#### **RATIONALE**

Committee minutes indicate a need to temper the State Board of Higher Education's desire for funds against the public's ability to pay for higher education. The minutes also include comments regarding the need to discuss tuition rates, the growth of higher education, and the ways in which the various institutions are used. Comments were made about the two large research universities accepting students who are not ready or prepared to go to a university and that the other institutions could help those students get up to the level they should have been at originally.

#### **PRIOR STUDIES**

**SB 2003 § 23 (2005-06)** - Study higher education funding and accountability, including a review of the progress made in implementing the Higher Education Roundtable recommendations relating to the University System meeting the state's expectations and needs, the funding methodology needed to meet these expectations and needs, and the appropriate accountability and reporting system for the University System, and including an independent consultant's evaluation of the roundtable recommendations and goals and objectives of the University System, the long-term financing plan for the University System, and the University System's prioritization of higher education funding (Higher Education Committee)

**HB 1003 § 24 (2003-04)** - Study higher education, which may include use of the Higher Education Roundtable format to further refine the expectations of the University System in meeting the state's needs in the 21<sup>st</sup> century, the funding methodology needed to meet those expectations and needs, and the accountability system and reporting methodology for the University System (Higher Education Committee)

2050 § 5

Study the emergency medical services funding system within the state, including state and local emergency medical services and ambulance service funding and the feasibility and desirability of transitioning to a statewide funding formula

#### **NOTE**

This study was added to SB 2050, which was one of the bills recommended by the Legislative Council as a result of the interim study performed by the 2007-08 interim Public Safety Committee.

**HB 1571** - Failed to pass the House; would have provided state funding of regional assistance to emergency medical services operations

**SB 2049** - Failed to pass the Senate; would have appropriated funds from the insurance tax distribution fund to the State Department of Health for the purpose of providing grants to emergency medical services operations and to implement an assessment process, provide leadership training, and develop an annual statewide emergency medical services recruitment drive

#### **LEGISLATION 2009**

**SB 2047** - Appropriates \$128,400 from the general fund to the State Department of Health for the purpose of providing emergency medical training grants to rural law enforcement agencies for licensed officers who choose to become licensed first responders

**SB 2048** - Requires hospitals that offer emergency services to meet trauma center designation standards and requires that quick response units be licensed by the State Department of Health

**SB 2050** - Modifies how taxing districts distribute property tax revenues for emergency medical services and ambulance services

#### **RATIONALE**

There are four main funding sources for emergency medical services--the state, counties, cities, and townships--which do not coordinate with each other. There may be a better way to fund emergency medical services.

#### **PRIOR STUDIES**

**HB 1004 § 8 (2007-08)** - Study the emergency medical services system within the state, including the funding, demographics, and impact on rural areas (Public Safety Committee)

During the 2007-08 interim, the Public Safety Committee received a report from the State Health Officer on the outcome and recommendations of the Health Council's study of minimum requirements of reasonable emergency medical services coverage.

During the 2007-08 interim, the Public Safety Committee received a report from the State Health Officer on the findings and recommendations of the department's contractor's evaluation of the trauma system in the state and the department's responses and proposed responses to the recommendations.

During the 2007-08 interim, the Public Safety Committee received a report from the State Department of Health regarding the findings of the department's contractor's assessment of the state's emergency medical services system to assist in developing an integrated emergency medical services program that includes a comprehensive statewide emergency medical services system.

	During the 2005-06 interim, the Electric Industry Competition Committee received reports regarding the operation of the emergency 911 telephone system standards and guidelines and received a report from the Public Safety Answering Point System Coordinating Committee regarding city and county fees on telephone exchange access service and wireless service.
2051 § 2	<p>Study mineral production impact and taxation issues, including development of relatively new industries for extraction and production of minerals such as uranium, potash, and other minerals not previously produced on a significant economic scale and impact, infrastructure maintenance, employment issues, tax structures in North Dakota and other states, and water demands relating to mineral production</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1304</b> - Provides for increased and revised allocations of oil and gas gross production tax revenues for impact needs and political subdivisions</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>There is developing interest in mining uranium and potash in North Dakota and there is no tax structure in place for these minerals. Allocation of oil and gas tax revenues for impact and political subdivisions was substantially increased and revised in 2009 and the outcome of those changes should be monitored.</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>SB 2178 § 3 (2007-08)</b> - Study allocation of oil and gas tax revenues to or for the benefit of political subdivisions (Taxation Committee)</p>
2267 § 2	<p>Study the state's whistleblower protection laws, including whether the laws adequately address the public policy issues related to whistleblower protection</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1562 § 1</b> - Study the feasibility and desirability of an administrative leave program for use by executive branch agencies to allow employees to attend legislative hearings or meetings, grievance meetings, disciplinary hearings, labor and management meetings, negotiating sessions, or other meetings or activities jointly agreed upon by the chief administrative officer of the employing agency</p> <p><b>NDCC §§ 34-01-20 and 34-11.1-04</b> - Provide whistleblower protection for employees</p> <p><b>SB 2258</b> - Failed to pass the Senate; would have amended the two state whistleblower laws relating to all employees and relating to public employees to make the laws more parallel; made the employee's reported information private data; and for purposes of state employees, would have directed the Labor Commissioner to conduct administrative hearings on retaliation, and would have directed the State Auditor to investigate employee claims</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2267</b> - Clarifies a public employee may file a complaint with the Labor Department and the department may attempt to obtain voluntary compliance with a claimed whistleblower violation, provides a state employee may appeal a claim of reprisal under the appeal manner established for classified employees, and corrects internal references from the State Personnel Board to Human Resource Management Services</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>There are two state laws addressing whistleblower protection for employees, and with the recent state employee filings claiming reprisal under the state's whistleblower protection laws, the questions arose whether the two laws work well together and whether the two laws adequately address the related public policy issues.</p>
2324 § 31	<p>Study the rules for determining residency status under state law, including an examination of the determination of residency for voting and higher education tuition purposes; for obtaining game and fish licenses, motor vehicle registrations, and motor vehicle operator's licenses; and for taxation purposes</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1516</b> - Failed to pass the House; would have imposed a requirement that a challenged voter's eligibility be verified within three days</p> <p><b>HB 1576</b> - Failed to pass the House; would have imposed a requirement that a challenged voter's eligibility be verified within three days</p>
2336	<p><b>(Required Study by the 9-Member Water-Related Topics Overview Committee - Until November 30, 2013)</b></p> <p>Legislative overview of water-related topics and related matters and for any necessary discussions with adjacent states on water-related topics</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>SB 2336</b> - The Water-Related Topics Overview Committee must meet quarterly</p> <p><b>SB 2336</b> - As introduced, would have transferred the duties of the Garrison Diversion Conservancy District to the State Water Commission</p>

	<p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SCR 4035</b> - Urges Congress to establish the Red River Valley Authority as an agency or authorized board of the federal government for the purpose of the regulation and control of water quality of the Red River and regulation and control of the retention and flow of water, including retention by dams or retention ponds or other areas, and of drainage on the Red River</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HCR 3044 (2007-08)</b> - Study how the state might pursue additional uses of Lake Sakakawea and Missouri River waters for such beneficial purposes as domestic and industrial uses, recreation, fish and wildlife, and irrigation and how the state, to enhance its use of the lake and river, might promote congressional review of the 1944 Flood Control Act and a reexamination by the Corps of Engineers of the way in which it manages the Missouri River system (Natural Resources Committee)</p> <p><b>SB 2115 (2005-06)</b> - Study the process to negotiate and quantify reserved water rights (Agriculture and Natural Resources Committee)</p>
2342 § 2	<p>Study the impact of Johnes disease on livestock producers in the state</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2342</b> - As introduced, would have appropriated \$275,500 to the State Board of Animal Health for livestock producers' voluntary participation in the testing and control of Johnes disease. As passed, the bill eliminated \$30,000 for office support, left an appropriation of \$245,500, and requested the study.</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>Johnes is a contagious, chronic, and sometimes fatal infection that affects primarily the small intestine. It is also known as paratuberculosis. Its symptoms include diarrhea and wasting. In an endemic herd, only a minority of the animals develop clinical signs. The mortality rate is approximately 1 percent.</p>
2355 § 4	<p>Study the statewide need for short-term shelter, assessment, and intervention services for at-risk children and youth across the state and the feasibility and desirability of using such services instead of foster or group care for short-term placements</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1044</b> - Requires the Department of Human Services to develop a program for services to transition-aged youth at risk. The bill provides that the program must include individualized assessments, coordinated services, self-advocacy training, vocational rehabilitation, in-home support, and independent living skills training</p> <p><b>SB 2355 § 1</b> - Provides for a short-term shelter, assessment, and intervention services for at-risk youth pilot program. The bill appropriates \$200,000 for the pilot program.</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1094</b> - Relates to the placement of siblings in foster care. For purposes of NDCC Title 50, the bill amends the definition of family foster home for children to allow the Department of Human Services to make exceptions with respect to the placement of siblings in foster care homes.</p> <p><b>HB 1095</b> - Authorizes the Department of Human Services to adopt rules regarding the denial or revocation of a foster care facility license if that facility houses or employs an individual who has a criminal record. The bill also authorizes the department to adopt rules to determine whether an individual or an individual's home is suitable for the adoption of any child through a child-placing agency.</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>The testimony indicates that because there are statewide needs for short-term shelter, assessment, and intervention services for at-risk youth, the study was recommended to be conducted in conjunction with the pilot program provided for in Section 1 of the bill.</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HCR 3054 (2005-06)</b> - Study state programs providing services to children with special health care needs to determine whether the programs are effective in meeting these special health care needs, whether there are gaps in the state's system for providing services to children with special health care needs, and whether there are significant unmet special health care needs of children which should be addressed (Budget Committee on Human Services)</p>
2370 § 1	<p>Study the feasibility and desirability of transferring from the county to the state the responsibility for the cost of expert examinations and the cost and responsibility for providing legal counsel in mental health commitment cases</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>SB 2370</b> - As introduced, would have transferred from the county to the state the cost of expert examinations and the responsibility for providing legal counsel in mental health cases</p> <p><b>Similar study HB 1497 § 1</b> - Study the feasibility and desirability of transferring from the county to the state the responsibility for the cost of and responsibility for providing legal counsel in cases involving the commitment of sexually dangerous individuals under NDCC Chapter 25-03.3</p>

**SB 2421 § 3** - Study the involuntary mental health commitment procedures under NDCC Chapter 25-03.1

#### **LEGISLATION 2009**

**SB 2098** - Provides that, for the purpose of involuntary commitment due to mental illness or chemical dependency, a written statement of support which accompanies a petition may be provided by an addiction counselor. The bill also provides that the screening of an individual in a public treatment facility for care of a mental illness or chemical dependency must be performed in person whenever reasonably practicable.

#### **RATIONALE**

Because of issues raised by the Commission on Legal Counsel for Indigents which related to increased costs and the potential for conflict of interest, the bill, which would have transferred from the county to the state the responsibility for providing legal counsel in mental health commitment cases, was amended to provide for a study.

#### **PRIOR STUDIES**

**SCR 4005 (2007-08)** - Study the feasibility and desirability of establishing a transition to independence program for young adults with mental illness (Long-Term Care Committee)

**SCR 4037 (2003-04)** - 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; and the impact and availability of community services (Budget Committee on Government Services)

2390 § 1 Study the establishment and development of certified technology parks

#### **NOTE**

**SB 2390** - As introduced, would have provided for the establishment and development of certified technology parks

**SB 2018 § 18** - Study technology-based entrepreneurship and economic development best practices, including a review of best practices implemented by the Department of Commerce and the effectiveness of the Department of Commerce Foundation

#### **LEGISLATION 2009**

**SB 2018 § 13** - Appropriates \$1 million from the general fund to the Department of Commerce for a technology-based entrepreneurship grant program

2394 § 2 Study existing services for minors who are pregnant and whether additional education and social services would enhance the potential for a healthy child and a positive outcome for the minor

#### **NOTE**

**SB 2394 § 1** - Authorizes a physician or other health care provider to provide to a minor pregnancy testing, pain management related to pregnancy, and prenatal care in the first trimester or a single prenatal visit in the second or third trimester of pregnancy without the consent of a parent or guardian

**SB 2283** - Failed to pass the House; would have required the Department of Human Services to establish income levels for pregnant women at an amount, no less than required by federal law, equal to 165 percent of the federal poverty level in the month for which eligibility for medical assistance benefits is being determined

#### **LEGISLATION 2009**

**HB 1044** - Requires the Department of Human Services to develop a program for services to transition-aged youth at risk. The bill provides that the program must include individualized assessments, coordinated services, self-advocacy training, vocational rehabilitation, in-home support, and independent living skills training.

**SB 2333** - As introduced, would have required the Department of Human Services to acquire and distribute to public health units age-appropriate immunizations for administration to individuals who have not reached age 19. As passed, this bill provides for the creation of regional public health networks.

#### **RATIONALE**

The testimony indicated that due to the overwhelming situation a pregnant teen faces, there is a need to review the existing services and whether additional services may be needed.

#### **PRIOR STUDIES**

**SB 2186 § 3 (2007-08)** - Study the temporary assistance for needy families program administered by the Department of Human Services, including review of the sustainability of current services and programs being funded by temporary assistance for needy families funds, review of the potential programs and services that could be funded by use of temporary assistance for needy families funds, and review of the need for increased assistance to recipients of temporary assistance for needy families who are attending a postsecondary institution of learning (Human Services Committee)



	<p><b>HCR 3054 (2005-06)</b> - Study state programs providing services to children with special health care needs to determine whether the programs are effective in meeting these special health care needs, whether there are gaps in the state's system for providing services to children with special health care needs, and whether there are significant unmet special health care needs of children which should be addressed (Budget Committee on Human Services)</p>
2401 § 1	<p><b>(Required Study)</b> Study public improvement and capital construction bid requirements, plans and specifications, and the employment of architects and engineers</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>SB 2401</b> - As introduced, would have raised the threshold from \$100,000 to \$200,000 for the requirement of architects and engineers in public improvements, requirements for plans and specifications, and bids</p> <p><b>HB 1079</b> - Failed to pass the House; would have exempted the State Board of Higher Education from legislative authorization for an improvement in excess of legislation appropriation if the improvement did not exceed 20 percent of the total expenditure and was paid for through federal, grant, gift, or other private funds</p> <p><b>HB 1293</b> - Failed to pass the House; would have removed competitive bidding and procurement requirements for public portions of fee-based facilities constructed, improved, rehabilitated, operated, and managed by private operators</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2147</b> - Allows the director of the Department of Transportation to use the design-build method of project delivery</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HB 1260 § 1 (2005-06)</b> - Study public improvement contracts and issues relating to use of multiple bids versus single prime bids, construction management, professional liability and indemnification, and design-build delivery systems (Industry, Business, and Labor Committee)</p>
2417 § 1	<p>Study the feasibility and desirability of the state facilitating the reduction of landfill waste in North Dakota through encouragement and coordination of public and private recycling programs and investigate the potential for development of methane processing from landfills for power generation</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>SB 2417</b> - As introduced, would have required the Department of Transportation to study the feasibility and desirability of building, financing, or encouraging construction of a glass recycling plant for the purposes of providing materials to be used in road construction and maintenance</p> <p><b>Similar study HB 1338</b> - Mandatory study of solid waste management</p> <p><b>HB 1532</b> - Failed to pass the House; would have required the state to provide recycling infrastructure to collect recyclable materials on state property</p> <p><b>HB 1536</b> - Failed to pass the House; would have required a solid waste disposal fee to be deposited in the waste reduction fund for grants by the State Department of Health to political subdivisions for waste reduction and recycling programs</p>
2420 § 1	<p>Study child support determination of income and support obligations, the feasibility and desirability of the establishment of an ombudsman program, and coordination of services and resources for parents</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>SB 2420</b> - As introduced, would have authorized the Department of Human Services to develop or arrange for the provision of education and other services to families with minor children in which the parents do not reside in the same household for the purpose of assisting the families in amicably resolving issues pertaining to parenting of children in a way that promotes a healthy relationship between the child and each parent. The bill was amended to provide for this study and the study of children's services in Section 2 of the bill.</p> <p><b>HB 1012 § 9</b> - Study the Department of Human Services' child support enforcement program</p> <p><b>SB 2420 § 2</b> - Study the establishment of an ombudsman program for consumers of child and family services</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1175</b> - Amends and updates various provisions with respect to child support enforcement. The bill also provides that if an obligee is deceased, the order in which any past-due child support that is received and is disbursed must include a refund to the obligor if the court determines that the past-due child support cannot be disbursed to those parties that precede the obligor in the order of disbursement under NDCC § 14-09-25(9).</p> <p><b>HB 1329</b> - Provides that the child support guidelines may not take into consideration cases of atypical overtime wages or nonrecurring bonuses over which the obligor does not have significant influence or control. The bill also provides that if an income payer makes an error in the remittance information the income payer provides to the state disbursement unit, the income payer has not complied with NDCC § 14-09-09.3 and is responsible for the error but has a cause of action for reimbursement against any person that receives funds from the disbursement unit as a result of the error and refuses to return the funds upon request.</p>

**SB 2072** - Codifies the amendments to the Uniform Interstate Family Support Act approved by the National Conference of Commissioners on Uniform State Laws in 2008. The amendments modify the current version of the Act's international provisions to comport with the obligations of the United States under the 2000 Hague Convention.

#### **RATIONALE**

Due to testimony that expressed concerns about whether the new programs in the introduced bill were necessary or a duplication of existing services, the bill was amended to provide for this study and the study in Section 2 of this bill.

#### **PRIOR STUDIES**

**HCR 3008 (2007-08)** - Study the issues of fairness, equity, and the best interests of children as they relate to issues of child custody and visitation (Judicial Process Committee)

**Tribal and State Relations Committee (statutory committee) (2007-08)** - Study tribal-state issues, including government-to-government relations, the delivery of services, case management services, child support enforcement, and issues related to the promotion of economic development

2420 § 2

Study the establishment of an ombudsman program for consumers of child and family services

#### **NOTE**

**SB 2420** - As introduced, would have authorized the Department of Human Services to develop or arrange for the provision of education and other services to families with minor children in which the parents do not reside in the same household for the purpose of assisting the families in amicably resolving issues pertaining to parenting of children in a way that promotes a healthy relationship between the child and each parent. The bill was amended to provide for this study and the child support study in Section 1 of the bill.

**SB 2420 § 1** - Study child support determination of income and support obligations, the feasibility and desirability of the establishment of an ombudsman program, and coordination of services and resources for parents

**HB 1012 § 9** - Study the Department of Human Services' child support enforcement program

#### **LEGISLATION 2009**

**HB 1044** - Requires the Department of Human Services to develop a program for services to transition-aged youth at risk. The bill provides that the program must include individualized assessments, coordinated services, self-advocacy training, vocational rehabilitation, in-home support, and independent living skills training.

**SB 2042** - Provides for changes in the terminology used in family law; requires that in any proceeding to establish or modify a judgment providing for parenting time with a child, a parenting plan is required to be developed and filed with the court; adds several best interest factors; clarifies several current best interest factors; and establishes a parenting coordinator program

#### **RATIONALE**

Due to testimony that expressed concerns about whether the new programs in the introduced bill were necessary or a duplication of existing services, the bill was amended to provide for this study and the study in Section 1 of this bill.

#### **PRIOR STUDIES**

**HCR 3008 (2007-08)** - Study the issues of fairness, equity, and the best interests of children as they relate to issues of child custody and visitation (Judicial Process Committee)

**HCR 3046 (2007-08)** - Study ways in which various public and private entities can cooperate with families to promote healthy lifestyles for children and create awareness about the interplay of healthy lifestyle choices and educational success (Education Committee)

**HCR 3054 (2005-06)** - Study state programs providing services to children with special health care needs to determine whether the programs are effective in meeting these special health care needs, whether there are gaps in the state's system for providing services to children with special health care needs, and whether there are significant unmet special health care needs of children which should be addressed (Budget Committee on Human Services)

2421 § 3

Study the involuntary mental health commitment procedures under NDCC Chapter 25-03.1

#### **NOTE**

**SB 2421** - As introduced, would have extended the length of time an individual could be held before conveyance to a public treatment facility from 23 hours to 72 hours. The bill also would have permitted a licensed physician to conduct an evaluation of a patient's mental status if a psychiatrist or psychologist was not available. The bill was amended to include only the study and language that clarifies the professionals who can conduct an examination.

**HB 1497 § 1** - Study the feasibility and desirability of transferring from the county to the state the responsibility for the cost of and responsibility for providing legal counsel in cases involving the commitment of sexually dangerous individuals under NDCC Chapter 25-03.3

**SB 2370 § 1** - Study the feasibility and desirability of transferring from the county to the state the responsibility for the cost of expert examinations and the cost and responsibility for providing legal counsel in mental health commitment cases

#### LEGISLATION 2009

**SB 2098** - Provides that, for the purpose of involuntary commitment due to mental illness or chemical dependency, a written statement of support which accompanies a petition may be provided by an addiction counselor. The bill also provides that the screening of an individual in a public treatment facility for care of a mental illness or chemical dependency must be performed in person whenever reasonably practicable.

**SB 2421** - Clarifies those professionals who are allowed to conduct an evaluation of a respondent's physical condition, mental status, or whether the respondent is chemically dependent by relocating the language from the definition of expert examiner and independent expert examiner to NDCC § 25-03.1-11, which provides for the procedural requirements of the examination

#### RATIONALE

The testimony indicated that a study is needed to address issues related to the complicated nature of involuntary commitments and to address the shortage of psychiatric services in the state.

#### PRIOR STUDIES

**SCR 4005 (2007-08)** - Study the feasibility and desirability of establishing a transition to independence program for young adults with mental illness (Long-Term Care Committee)

**SCR 4037 (2003-04)** - 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; and the impact and availability of community services (Budget Committee on Government Services)

2422 § 1

Study Century Code provisions governing the purchase and procurement of goods and services by political subdivisions

#### NOTE

**SB 2422** - As introduced, would have authorized two or more political subdivisions to participate in a cooperative organization for the purchase or procurement of goods and services, including group insurance, employee benefits, and the repair and improvement of facilities

#### LEGISLATION 2009

**HB 1543** - Failed to pass the House; would have required a political subdivision purchasing food products to give a preference to products grown or produced in the state and would have allowed a political subdivision purchasing food products grown or produced in the state to forego the bidding procedure

3001

Study Century Code provisions that relate to agriculture for the purpose of recommending changes to laws that are found to be irrelevant, inconsistent, illogically arranged, or unclear in their intent and direction

#### NOTE

Seed laws, pesticide laws, and the chapters pertaining to animals are considered to be the most in need of attention this interim.

#### LEGISLATION 2009

**HB 1025** - Rewrote 13 chapters of the Century Code relating to agriculture

**HB 1026** - Rewrote the laws pertaining to noxious weeds

#### RATIONALE

Laws pertaining to agriculture are spread throughout 7 titles of the Century Code and include over 90 separate chapters. Many are irrelevant or duplicative and inconsistent or unclear in their intent and direction. Many need to be rearranged in a logical order.

#### PRIOR STUDIES

**SB 2139 § 1 (2007-08)** - Study those provisions of the Century Code which relate to agriculture 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 (Agriculture Committee)

**SCR 4016 (2003-04)** - Study those provisions of NDCC Title 4 which relate to the powers and duties of the Seed Commissioner and the State Seed Department (Public Services Committee)

3003	<p>Study the extent to which the funding mechanisms and administrative structures of the federal, state, and county governments enhance or detract from the ability of the social service programs of tribal governments to meet the needs of tribal members</p> <p style="text-align: center;"><b>NOTE</b></p> <p>The resolution directs that, if prioritized, the Legislative Council assign this study to an interim human services committee or other similar interim committee for study. The resolution was a recommendation of the Tribal and State Relations Committee.</p> <p><b>HB 1060</b> - Extends the expiration date of the Tribal and State Relations Committee to July 31, 2011</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1540</b> - Provides that the Department of Human Services reimburse county social service boards for expenses of locally administered economic assistance programs in counties in which the percentage of that county's average total supplemental nutrition assistance program caseload for the previous fiscal year which reside on federally recognized Indian reservation land is 10 percent or more</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HB 1524 § 1 (2005-06)</b> - Established the Tribal and State Relations Committee to study tribal-state issues, including government-to-government relations, the delivery of services, case management services, child support enforcement, and issues related to the promotion of economic development (Tribal and State Relations Committee)</p>
3004	<p>Study Indian education issues</p> <p style="text-align: center;"><b>NOTE</b></p> <p>The resolution directs that, if prioritized, the Legislative Council assign this study to an interim education committee or other similar interim committee for study. The resolution was recommended by the Legislative Council's Tribal and State Relations Committee.</p> <p><b>Similar study HCR 3061</b> - Study education delivery to Indian students, ways to address the unique challenges of that effort, and the feasibility and desirability of utilizing contractual options for state-supported educational delivery</p> <p><b>HB 1552</b> - Failed to pass the House; would have provided that a school board may contract with tribal officials for the education of students in a tribal school</p>
3005	<p>Study the feasibility and desirability of adopting the Revised Uniform Limited Liability Company Act</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1545 § 1</b> - Study the feasibility and desirability of creating a new type of limited liability company called a low-profit limited liability company</p> <p><b>NDCC Chapter 10-32</b> - Provides for the state's Limited Liability Company Act</p> <p><b>NDCC § 54-35-02</b> - Provides for the Legislative Council to review uniform laws recommended by the Commission on Uniform State Laws</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1298</b> - Modifies the state law relating to limited liability companies, nonprofit corporations, nonprofit limited liability companies, cooperative associations, business corporations, limited partnerships, limited liability partnerships, limited liability limited partnerships, and general partnerships</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>North Dakota's current limited liability company law is based on Minnesota's limited liability company law. Historically, North Dakota's business entity laws have been drafted with cooperation and input of interested persons, including the Secretary of State, and have considered the business entity laws of Minnesota.</p>
3006	<p>Study the feasibility and desirability of adopting the Uniform Debt-Management Services Act, including consideration of the most appropriate administrator of the law, how the Act would impact existing state laws, and what issues other states have addressed in enacting the Act</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>NDCC § 54-35-02</b> - Provides for the Legislative Council to review uniform laws recommended by the Commission on Uniform State Laws</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>The Act requires an enacting state to make several substantive selections, including which state agency should administer the Act, whether the Act will regulate for-profit and nonprofit service providers, and whether a nonprofit service provider will be exempt from state taxes. Existing North Dakota law regulates multiple aspects of the debt-counseling industry and the study would allow these issues to be addressed.</p>

3008	<p>Study workers' compensation laws in this state and other states with respect to prior injuries, preexisting conditions, and degenerative conditions</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>NDCC § 54-35-22</b> - Provides for a study of workers' compensation claims that are brought to the Workers' Compensation Review Committee by injured employees for the purpose of determining whether changes should be made to the laws relating to workers' compensation (Workers' Compensation Review Committee)</p> <p><b>HCR 3013</b> - Study the availability of legal representation to assist injured employees in understanding and pursuing Workforce Safety and Insurance decisions</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1063</b> - Provides an injured employee is not liable for medical expenses paid by Workforce Safety and Insurance for up to 60 days following the injury if there was a preexisting condition that was not known</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>NDCC § 54-35-22 (2007-08 and 2005-06)</b> - Study workers' compensation claims that are brought to the Workers' Compensation Review Committee by injured employees for the purpose of determining whether changes should be made to the laws relating to workers' compensation (Workers' Compensation Review Committee)</p> <p><b>Legislative Council Chairman Directive (2007-08)</b> - Review Workforce Safety and Insurance premiums, benefits, and accountability and transparency methods and the results of consultant reviews of claims review, human resources, and management areas (Industry, Business, and Labor Committee)</p>
3013	<p>Study the availability of legal representation to assist injured employees in understanding and pursuing Workforce Safety and Insurance decisions</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HCR 3008</b> - Study workers' compensation laws in this state and other states with respect to prior injuries, preexisting conditions, and degenerative conditions</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2059</b> - Provides for Workforce Safety and Insurance to pay an injured employee's attorney's fees and costs for review of a claim after successful completion of the Office of Independent Review process or review of a settlement offer</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>NDCC § 54-35-22 (2007-08 and 2005-06)</b> - Study workers' compensation claims that are brought to the Workers' Compensation Review Committee by injured employees for the purpose of determining whether changes should be made to the laws relating to workers' compensation (Workers' Compensation Review Committee)</p> <p><b>Legislative Council Chairman Directive (2007-08)</b> - Review Workforce Safety and Insurance premiums, benefits, and accountability and transparency methods and the results of consultant reviews of claims review, human resources, and management areas (Industry, Business, and Labor Committee)</p>
3019	<p>Study Article X, § 18, of the Constitution of North Dakota</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>Article X, § 18</b>, of the Constitution of North Dakota prohibits the state and any political subdivision from loaning or giving its credit or making donations to or in aid of any individual, association, or corporation except for the reasonable support of the poor, or subscribed to or become the owner of capital stock in any association or corporation</p> <p>As introduced, would have allowed the Legislative Assembly to provide payments to citizens of this state to return revenues collected by the state</p> <p><b>HB 1429</b> - Failed to pass the Senate; as introduced, would have provided an income tax credit as a rebate of sales tax equal to 1.35 percent of the first \$80,000 of taxable income for taxpayers filing a joint return or surviving spouse return, or the first \$40,000 of taxable income for other filers</p>
3023	<p>Study the criminal offenses in the Century Code for which a monetary amount triggers the grading of the offense, with particular emphasis on the grading of theft offenses contained in NDCC Chapter 12.1-23</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>SB 2060 § 3 (2007-08)</b> - Study the laws providing criminal penalties for violation of the state's laws and administrative rules regulating occupations and professions (Administrative Rules Committee)</p>
3044	<p>Study the allocation of wind rights</p> <p style="text-align: center;"><b>NOTES</b></p> <p><b>Similar study HB 1449 § 3</b> - Mandatory study of wind siting and decommissioning with a focus on the colocation of wind and other natural resources</p> <p><b>Similar study HB 1509 § 2</b> - Study of wind easements and leases</p>

	<p><b>HB 1426</b> - Failed to pass the House; would have required wind tower setbacks for commercial wind energy conversion facilities</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2245</b> - Defines actions that must occur within five years of a wind option agreement, a wind easement, or a wind energy lease before these instruments are void and these actions are a certificate of site compatibility or conditional use permit and a transmission interconnection request</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HB 1456 § 1 (2007-08)</b> - Study siting and decommissioning of commercial wind farms, including identification of key issues of public and industry concern; solicitation of public input from local government officials, electric utilities, the wind industry, landowners, farm organizations, and other concerned interests; review the laws and policies of other jurisdictions; recommendations concerning laws or policies needed in this state to address wind farm siting and reclamation of wind farm sites; and the decommissioning of wind farm sites (Energy Development and Transmission Committee)</p> <p><b>SB 2310 § 1 (2003-04)</b> - Study issues related to wind energy development in this state (Natural Resources Committee)</p>
3045	<p>Study severed and abandoned mineral rights and methods to reduce the discount for oil produced in North Dakota</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>HB 1170</b> - Failed to pass the Senate; would have clarified that only the owner or owners of the surface estate in the land in or under which a mineral interest is located could have succeeded to the ownership of the minerals underlying that tract of land</p> <p><b>HB 1281</b> - Failed to pass the House; would have provided for taxation of severed mineral interests</p> <p><b>SB 2437</b> - Failed to pass the Senate; would have provided for payment of a share of property taxes on land by the owners of severed mineral interests if a producing oil or gas well was generating royalty payments to those owners</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1370</b> - Revises the procedure for surface owners to succeed to ownership of dormant minerals</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HB 1028 § 1 (2007-08)</b> - Study development of each facet of the energy industry, from the obtaining of the raw natural resource to the sale of the final product in this state, other states, and other countries (Energy Development and Transmission Committee)</p> <p>Oil tax revenues have been monitored by the Budget Section, Budget Committee on Government Finance, or Budget Committee on Government Services during each interim since 1984.</p>
3048	<p>Study the bonding requirements placed on grain warehouses and buyers, including ethanol plants and grain processors; and ways to reduce further the financial risk of participants in the sale, purchase, handling, and processing of grain, including the sale of grain to ethanol plants and processors, the payment for grain by such entities, and whether there exists a need for new or increased bonding and indemnification options to reduce financial risk</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>In 2003 the Legislative Assembly created the credit-sale contract indemnity fund. An assessment at the rate of two-tenths of 1 percent was placed on grain sold under a credit-sale contract, with the proviso that collections would be suspended once the fund reached \$10 million. In 2007 the cap was reduced to \$6 million. The question is whether the fund and bonding requirements are sufficient, given the scope of grain purchases by large elevators and ethanol facilities.</p>
3051	<p>Study imposition of criminal and civil penalties, fines, fees, and forfeitures by administrative rule</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1024</b> - Revision of criminal penalty provisions under occupational and professional licensing laws</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>The sponsor's expressed opinion is that criminal penalties should be set by legislation and not by rule.</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>SB 2060 (2007-08)</b> - Study penalties imposed by law for violation of occupational and professional laws and rules. This study resulted in introduction of House Bill No. 1024 (2009).</p>

3061	<p>Study educational delivery to Indian students, ways to address the unique challenges of that effort, and the feasibility and desirability of utilizing contractual options for state-supported educational delivery</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>Similar study HB 3004</b> - Study Indian education issues</p> <p><b>HB 1399</b> - Creates an American Indian Language Preservation Committee and provides for the acquisition, development, and dissemination of instructional materials for elementary and high school students</p> <p><b>HB 1400</b> - Provides significant increases in state payments to school districts. Districts located on or near reservations and those having notable populations of American Indian students also benefited from United States flood control funds and federal stimulus funds</p> <p style="text-align: center;"><b>RATIONALE</b></p> <p>The tribes for a long time have wanted to contract with the Superintendent of Public Instruction for the operation of tribal schools. The Superintendent's concern is that such an arrangement would require state funds to go to the tribes without sufficient state-level oversight of the education being delivered. Issues of sovereign nation status have complicated the discussion.</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>SB 2402 (2007-08)</b> - Study tribal-state issues, including government-to-government relations, the delivery of services, case management services, child support enforcement, and issues related to the promotion of economic development (Tribal and State Relations Committee)</p> <p><b>HB 1524 (2005-06)</b> - Study tribal-state issues, including government-to-government relations, the delivery of services, case management services, child support enforcement, and issues related to the promotion of economic development (Tribal and State Relations Committee)</p>
4002	<p>Study the state's workforce system, the feasibility and desirability of enacting legislation to address the issues identified in the 2007-08 interim Workforce Committee's consultant's report, and the implementation of workforce initiatives enacted by the 61<sup>st</sup> Legislative Assembly</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>SB 2018 § 18</b> - Study technology-based entrepreneurship and economic development best practices, including a review of best practices implemented by the Department of Commerce and the effectiveness of the Department of Commerce Foundation</p> <p><b>SB 2018 § 19</b> - Study the state's system for addressing workforce needs through a workforce system initiative, including a review of the alignment of taxpayer investment with programs, coordination of programs, and the North Dakota workforce strategic plan</p> <p><b>SB 2390 § 1</b> - Study the establishment and development of certified technology parks</p> <p><b>HB 1065</b> - Failed to pass the House; would have directed the Department of Commerce to administer a program to market North Dakota higher education opportunities to out-of-state students</p> <p><b>HB 1066</b> - Failed to pass the House; would have created an income tax credit for purchases of manufacturing machinery and equipment for the purpose of automating manufacturing processes, for qualified expenditures for lean manufacturing, and for qualified expenses for innovation</p> <p><b>SB 2062</b> - Failed to pass the House; would have created an opportunity grant program for North Dakota high school graduates attending North Dakota institutions of higher education and would have created a state income tax deduction for recent graduates of institutions of higher education</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>SB 2018 § 12</b> - Appropriates \$1 million from the general fund to the workforce enhancement fund for the purpose of assisting two-year colleges to respond to business and industry workforce training</p> <p><b>SB 2018 § 13</b> - Appropriates \$1 million from the general fund to the Department of Commerce for a technology-based entrepreneurship grant program</p> <p><b>SB 2018 §§ 30 through 33</b> - Amends the centers of excellence law, prohibiting the use of center funds for infrastructure, limiting each institution of higher education to two applications per round of center funding, and modifying the center's matching fund requirements</p> <p><b>SB 2018 §§ 37 and 38</b> - Expands the Department of Commerce Division of Workforce Development's internship program to include apprenticeships and to include high school students; directs Job Service North Dakota, the Department of Career and Technical Education, the Department of Commerce, and the State Board of Higher Education to submit a report to the division to assist the division in preparing the consolidated biennial statewide strategic plan for the state's system for workforce development, workforce training, and talent attraction; and directs Job Service North Dakota, the Department of Career and Technical Education, the Department of Commerce, and the State Board of Higher Education to present workforce-related budget initiatives to the North Dakota Workforce Development Council</p>

**SB 2061** - Directs Human Resource Management Services to conduct a study to evaluate steps the state could take to recruit and retain state employees in state government employment as those state employees reach retirement

#### **RATIONALE**

The interim Workforce Committee recommended this measure to provide for continuation of the work of the interim Workforce Committee.

#### **PRIOR STUDIES**

**Legislative Council Assignment (2007-08)** - Study the means by which the University System fulfills North Dakota's workforce needs (Workforce Committee)

**HB 1003 § 23 (2007-08)** - Study the means by which the University System can further contribute to developing and attracting the human capital to meet North Dakota's economic and workforce needs, including ways to increase postsecondary access, improve the quality of education, contain costs, and other means, including productivity, to maximize the usage of the University System in meeting the human capital needs of the state; including a review of policy recommendations that address the postsecondary delivery system, including the mix of institutions, educational attainment gaps, degree production gaps, recruitment and retention of students, and workforce training needs; and including a review of the impact of the state's changing demographics on the University System's long-term financing plan (Higher Education Committee)

**HB 1018 § 20 (2007-08)** - Study the state's system for addressing workforce needs through a workforce system initiative that includes receipt of agency reports regarding implementation of workforce legislation enacted during the 2007 legislative session, active participation in focus groups across the state, and active participation in a Workforce Congress (Workforce Committee)

**HCR 3025 (2007-08)** - Study possible methods of growing North Dakota's population and increasing the available workforce in the state (Workforce Committee)

**SB 2032 § 17 (2005-06)** - Study the state's business climate through a business climate initiative, including receipt of agency reports regarding economic development legislation introduced by the Legislative Council during previous legislative sessions, participation in business climate focus groups across the state, and participation in a Business Congress (Economic Development Committee)

**HB 1504 § 1 (2003-04)** - Study the state's business climate, including the creation of an index of key objective measurements that address the state's competitiveness with other states; the consideration of methods of creating business partnerships with North Dakota Indian tribes in order to increase primary sector business growth in the state, with a focus on business opportunities that may be available to North Dakota Indian tribes through the United States Small Business Administration 8(a) business development program; and active participation in the activities of the primary sector Business Congress (Economic Development Committee)

4006 Study professional development opportunities for teachers and the most effective and efficient methods of providing professional development opportunities

#### **NOTE**

**HB 1480** - Failed to pass the House; would have established a mentorship grant program and an instructional coaching pilot project

#### **LEGISLATION 2009**

**HB 1400** - Creates the national board certification fund; incorporates student performance strategists; requires each school district to adopt a professional development plan, review it regularly, and have it reviewed by the Superintendent of Public Instruction, creates a Professional Development Advisory Committee; directs the North Dakota Commission on Education Improvement to examine the measures enacted to improve student performance, confirm their implementation, and recommend future measures for continued improvement; appropriates \$2.3 million for a teacher support system program; appropriates \$100,000 for continuing education grants; allows supplemental payment grants to be used for professional development; and allows an optional third day of professional development beginning in 2010-11

4009 Study the adequacy of governmental services, including judicial services, to respond to issues related to an aging population, including veterans, and study the efficacy of statutes governing public administrator services and methods for the timely and effective delivery of guardianship services

#### **NOTE**

**HB 1476** - Failed to pass the House; would have clarified provisions allowing the Department of Human Services to establish an aging and disability resource center

#### **LEGISLATION 2009**

**SB 2074** - Adopts the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act

**HB 1057** - Prohibits a county veterans' service officer from being a conservator for an individual who is receiving benefits for services from the Department of Veterans Affairs



	<p><b>HB 1043</b> - Requires the Department of Human Services to contract with a private provider for dementia care services programs and requires a report to the Legislative Council on the outcomes of the dementia care services program, including the estimated long-term care and health care costs avoided, and improvement in disease management and caregiver assistance</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HCR 3063 (2007-08)</b> - Study the delivery and funding of veterans' services by the state and counties (Public Safety Committee)</p> <p><b>HCR 3022 (2007-08)</b> - Study the availability and future need for dementia-related services as well as funding for programs for individuals with dementias (Long-Term Care Committee)</p> <p><b>SCR 4027 (2005-06)</b> - Study the need for dementia-related services, standards, and practices for caregivers and review the legal and medical definitions used for dementia-related conditions and the funding for programs and services for individuals with dementias (Judicial Process Committee)</p> <p><b>HB 1010 § 11 (2005-06)</b> - Study the need for a comprehensive, long-range study of the state's current and future health care needs in order to address issues, such as the aging population of the state, the phenomenon of health care cost-shifting to the private sector, the trend of uncompensated health care services, shortages in the number of health care professionals, duplication of technology and facilities, and any other factors that might affect the health care system in North Dakota in the year 2020 (Budget Committee on Health Care)</p> <p><b>SCR 4008 (2003-04)</b> - 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 (Criminal Justice Committee)</p>
4010	<p>Study mass, public, and special needs transportation, including the creation of local passenger rail transportation and bus transportation within this state</p> <p style="text-align: center;"><b>NOTE</b></p> <p><b>Similar report SB 2223</b> - Requires the director of the Department of Transportation to report to the 62<sup>nd</sup> Legislative Assembly with findings and recommendations based upon two public transportation coordination pilot projects</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1340</b> - Requires metropolitan planning organizations to develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas which encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and through urbanized areas of this state while minimizing transportation-related fuel consumption, air pollution, and greenhouse gas emissions. The plans must provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as an intermodal transportation system for the metropolitan area.</p> <p><b>SB 2128</b> - Adds a member of the Dakota Transit Association to the Advisory Transportation Council that serves in an advisory capacity to the Upper Great Plains Transportation Institute</p> <p><b>SB 2223</b> - Requires the Department of Transportation to develop two public transportation coordination pilot projects in a rural and urban area of this state and for each project to have a regional coordination administrator who coordinates the provision of public transportation services to the residents of the region</p>
4027	<p><b>(Required Study)</b> Study the leasing of state lands</p> <p style="text-align: center;"><b>PRIOR STUDIES</b></p> <p><b>HCR 3005 (2005-06)</b> - Receive information identifying state-owned real estate and study the utilization of real estate owned by state agencies and institutions, the best use of state-owned real estate, and whether the state should establish and maintain an inventory of state-owned real estate (Budget Committee on Government Services)</p>
4028	<p>Study the charitable gaming laws to determine whether the laws regarding taxation, limitations, enforcement, conduct, and play of charitable gaming are fair, adequate, and appropriate</p> <p style="text-align: center;"><b>LEGISLATION 2009</b></p> <p><b>HB 1194</b> - Provides that the maximum allowable value of a primary raffle prize for a raffle conducted with a local permit does not apply to raffles conducted under NDCC Chapter 20.1-08</p> <p><b>HB 1317</b> - Decreases from 4.5 percent to 3 percent the excise tax on the gross proceeds from the sale at retail of pull tabs</p> <p><b>HB 1367</b> - Increases the maximum allowable value of a primary raffle prize for a raffle conducted with a local permit from \$2,500 to \$6,000</p>

**RATIONALE**

Because of the decline in statewide gaming activities and because a comprehensive study of charitable gaming has not been conducted since the 1993-94 interim, the sponsor and testimony indicated a need for a study.

**PRIOR STUDIES**

**SCR 4011 (2007-08)** - Study the formation of a North Dakota gaming commission to regulate and control all forms of gaming in North Dakota (Judiciary Committee)