

May 11, 2009

STUDIES TO BE CONSIDERED BY THE LEGISLATIVE COUNCIL FOR THE 2009-10 INTERIM

Under North Dakota Century Code (NDCC) Section 54-35-02, the Legislative Council may prioritize studies assigned by concurrent resolution and may appoint committees to conduct studies and perform other duties assigned by the Legislative Council. In addition, a number of Legislative Council committees are established by statute or, as in the case of the Budget Section and the Legislative Management Committee, are not established by statute but have duties assigned by statute or in temporary provisions in bills passed in 2009. The statutorily established or recognized committees and their general responsibilities are:

- Administrative Rules Committee - Review state agency rulemaking.
- Advisory Commission on Intergovernmental Relations - Study local government structure.
- Budget Section - Statutory review and approval responsibilities.
- Commission on Alternatives to Incarceration (expires August 1, 2013) - Study sentencing alternatives.
- Employee Benefits Programs Committee - Public employee retirement programs and health plans.
- Energy Development and Transmission Committee (expires August 1, 2011) - Study energy industry.
- Higher Education Committee (2009-10 interim) - Study issues affecting higher education.
- Information Technology Committee - Review state information technology.
- Legislative Audit and Fiscal Review Committee - Review state financial transactions.
- Legislative Management Committee - Administer legislative committee room renovation appropriation.
- Legislative Ethics Committee - Legislative ethics code (traditionally assigned to Legislative Management Committee).
- Tribal and State Relations Committee (expires July 31, 2011) - Study tribal-state issues.
- Water-Related Topics Overview Committee (expires November 30, 2013) - Overview of water-related topics.
- Workers' Compensation Review Committee - Review workers' compensation claims.

The following table identifies the bills and resolutions to be prioritized by the Legislative Council for study during the 2009-10 interim under the authority of NDCC Section 54-35-02:

Bill or Resolution No.	Subject Matter
1003 § 7	Study whether penalties for felonies are suitable to the felonious behavior
1005 § 4	Study the salaries of state elected officials
1009 § 6	Study the cooperative agreement between the Agriculture Commissioner and the United States Department of Agriculture Wildlife Services program
1011 § 3	Study the structure and appropriateness of the level of fees charged by the Securities Commissioner
1012 § 9	Study the Department of Human Services' child support enforcement program
1012 § 10	(Required Study) Study long-term care services in the state
1012 § 16	Study the impact of individuals with traumatic brain injury, including veterans who are returning from wars, on the state's human services system
1015 § 22	Study the Capitol complex master plan, including a review of parking needs on the Capitol grounds
1129 § 4	(Required Study) 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
1263 § 2	(Required Study) Study how the state laws and administrative rules regulate basic care and assisted living facilities
1269 § 3	(Required Study) 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
1280 § 1	(Required Study) Study application by administrative agencies of standards from other than state or federal law which have not been adopted as administrative rules

Bill or Resolution No.	Subject Matter
1309 § 1	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
1322 § 3	Study issues related to the development of livestock feeding facilities and the use of byproducts from biofuels production as a feedstock
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
1324 § 34	Study the feasibility and desirability of providing a homestead credit for all North Dakota residential property owners and occupants
1338 § 1	(Required Study) 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
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
1391 § 1	(Required Study) Study unmet health care needs in the state
1400 § 61	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
1400 § 62	Study the cancellation of school and early dismissal as a result of severe weather or other emergency conditions
1400 § 63	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
1403 § 1	(Required Study) 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
1412 § 2	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
1425 § 1	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
1449 § 3	(Required Study) Study the development of wind resources and other natural resources in the same location
1459 § 4	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
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
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
1509 § 2	Study wind easements and wind energy leases
1545 § 1	Study the feasibility and desirability of creating a new type of limited liability company called a low-profit limited liability company
1562 § 1	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
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
1577 § 1	Study the factors impacting the cost of health insurance
2001 § 7	Study the classified state employee compensation system, including a review of the development and determination of pay grades and classifications

Bill or Resolution No.	Subject Matter
2003 § 31	Study options for funding higher education institutions
2003 § 32	Study the impact of tuition waivers on institutions under the control of the State Board of Higher Education
2003 § 33	Study the feasibility and desirability of creating a department to oversee early childhood, elementary, secondary, and postsecondary education
2003 § 34	Study the establishment of a higher education student trust fund, including available funding sources
2004 § 10	Study the state immunization program
2012 § 24	Study the feasibility and desirability of relocating the Fargo district office facility
2012 § 25	Study the potential options for matching federal highway construction funding
2018 § 18	Study technology-based entrepreneurship and economic development best practices
2018 § 19	Study the state's system for addressing workforce needs through a workforce system initiative
2021 § 8	Study the value of the Information Technology Department's Criminal Justice Information Sharing Initiative
2032 § 13 (2007)	(Required Study during the 2007-08, 2009-10, and 2011-12 interims) 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
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
2038 § 9	(Required Study - Required committee during 2009-10 interim) Study issues affecting higher education
2050 § 5	Study the emergency medical services funding system within the state, including state and local emergency medical services and ambulance services funding and the feasibility and desirability of transitioning to a statewide funding formula
2051 § 2	Study impact and taxation issues relating to production of mineral resources in North Dakota, 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 environmental, economic, and governmental impact, infrastructure maintenance, employment issues, tax structures in North Dakota and other states, and water demands relating to mineral production
2267 § 2	Study the state's whistleblower protection laws, including whether the laws adequately address the public policy issues related to whistleblower protection
2324 § 31	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
2336 § 1	(Required Study - Required committee until November 30, 2013) Legislative overview of water-related topics and related matters and for any necessary discussions with adjacent states on water-related topics
2342 § 2	Study the impact of Johnes disease on livestock producers in the state
2355 § 4	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
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
2390 § 1	Study the establishment and development of certified technology parks
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
2401 § 1	(Required Study) Study public improvement and capital construction bid requirements, plans and specifications, and the employment of architects and engineers
2417 § 1	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
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
2420 § 2	Study the establishment of an ombudsman program for consumers of child and family services
2421 § 3	Study the involuntary mental health commitment procedures under NDCC Chapter 25-03.1

Bill or Resolution No.	Subject Matter
2422 § 1	Study Century Code provisions governing the purchase and procurement of goods and services by political subdivisions
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
3003	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
3004	Study Indian education issues
3005	Study the feasibility and desirability of adopting the Revised Uniform Limited Liability Company Act, including consideration of issues other states have addressed in considering the Act
3006	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
3008	Study workers' compensation laws in this state and other states with respect to prior injuries, preexisting conditions, and degenerative conditions
3013	Study the availability of legal representation to assist injured employees in understanding and pursuing Workforce Safety and Insurance decisions
3019	Study Article X, Section 18, of the Constitution of North Dakota
3023	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
3044	Study the allocation of wind rights
3045	Study severed and abandoned mineral rights and methods to reduce the discount for oil produced in North Dakota
3048	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
3051	Study imposition of criminal and civil penalties, fines, fees, and forfeitures by administrative rule
3061	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
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 st Legislative Assembly
4006	Study professional development opportunities for teachers and the most effective and efficient methods of providing professional development opportunities
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
4010	Study mass, public, and special needs transportation, including the creation of local passenger rail transportation and bus transportation within this state
4027	Study the leasing of state lands
4028	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