

May 11, 2005

## STUDIES TO BE CONSIDERED BY THE LEGISLATIVE COUNCIL FOR THE 2005-06 INTERIM

The following table identifies the bills and resolutions to be prioritized by the Legislative Council for study during the 2005-06 interim under authority of North Dakota Century Code Section 54-35-02.

Bill or Resolution No.	Subject Matter
1473 § 1	<b>(Required Study by an 18-Member Commission on Alternatives to Incarceration)</b> Study sentencing alternatives, mandatory sentences, treatment options, the expanded use of problem-solving courts, home monitoring, and other related issues
3047	Study sentencing alternatives with an emphasis on the expanded use of rehabilitation over incarceration, the provision of more treatment options, and the adequate funding of treatment programs
2015 § 12 (Amended by HB 1015 § 41)	<b>(Required Study by a Department of Corrections and Rehabilitation's Incarceration and Correctional Facility Needs Committee)</b> Develop a legislative strategic plan, including site and facilities' plans, for the Department of Corrections and Rehabilitation's incarceration and correctional facility needs
1015 § 29	Study employee salaries of the Department of Corrections and Rehabilitation, including a salary comparison of the department's employees to market, salary increases and equity adjustments from 1995 through 2005, salary increases and equity adjustments authorized for the 2005-07 biennium, employee turnover, and salary equity funding requested and provided
1523 § 1	<b>(Required Study by a Six-Member Workers' Compensation Review Committee)</b> Study workers' compensation claims that are brought to the committee by injured workers for the purpose of determining whether changes should be made to the laws relating to workers' compensation
1524 § 1	<b>(Required Study by a Seven-Member Tribal and State Relations Committee)</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
3031	Study issues relating to tribal-state relations, including methods for encouraging greater tribal-state cooperation; the promotion of economic development on Indian reservations in the state; the identification and study of health care, child welfare services, social services, environmental protection, education, and law enforcement issues on the reservations; the identification and study of the social and fiscal impact of providing social services in counties within and adjacent to the reservations; and the identification and proposals for the resolution of the water issues affecting the state and the tribes
3001	Study the legal and enforcement issues relating to child support collections on Indian reservations, including state and tribal court jurisdictions, recognition of income withholding orders, and logistics involved in transferring child support collected to custodial parents
2001 § 6	<b>(Required Study by the Legislative Management Committee)</b> Study the feasibility and desirability of arranging for the printing of bills and resolutions for the 60th Legislative Assembly by using computers and high-speed printers rather than printing multiple copies of all bills and having copies available in the bill and journal room
2001 § 7	<b>(Required Study by the Legislative Management Committee)</b> Study the need for additional legislative committee meeting rooms and expend available funds for remodeling legislative meeting rooms if additional meeting rooms are needed
2001 § 8	<b>(Required Study by the Legislative Management Committee)</b> Study the appropriateness of increasing the daily compensation for chairmen of substantive standing committee divisions established by rule of the House or Senate
1013 § 16	<b>(Required Study)</b> Study the state's elementary and secondary education system, including key measurements of student progress, programs that address the state's competitiveness with other states, costs incurred by the state relating to implementing the No Child Left Behind Act, and the most effective means of using taxpayer dollars at the state and local levels to ensure the best possible education for the children of this state
1434 § 1	<b>(Required Study)</b> Study the No Child Left Behind Act of 2001, including amendments to the Act, changes to federal regulations implementing the Act, and any policy changes and letters of guidance issued by the United States Secretary of Education
1013 § 15	Study the potential for cooperative field service delivery between North Dakota Vision Services - School for the Blind and the School for the Deaf
2404 § 1	<b>(Required Study)</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

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4009	Study school district and library funding sources to determine if a method can be found to provide an incentive to reduce school district and library property tax levies
4039	Study state and local taxes and other funding sources that may be used to more equitably spread the responsibility for funding elementary and secondary education, reduce reliance on property taxes, and enhance equity and adequacy of funding for elementary and secondary education
2003 § 23	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. Section 24 provides an appropriation of \$175,000 for the study.
1015 § 28	<b>(Required Study)</b> Study issues related to state employee compensation, including total state employee compensation, the human resources system, retirement benefits, health insurance benefits, and the feasibility and desirability of implementing equity pay, merit pay, and pay for performance compensation systems
1035 § 1	<b>(Required Study)</b> Study to establish a government performance and accountability system pilot project involving up to three executive branch agencies during the 2005-06 interim
2023 § 5	Study deferred maintenance and infrastructure for all state agencies and institutions and compile a list of all the deferred maintenance and long-term infrastructure needs
3005	Study 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
3036	Study state agency and institution continuing appropriation authority
3016	Study the delivery of veterans' services by the state and counties
1010 § 12	<b>(Required Study)</b> Study the appropriate minimum standard of loss ratio for accident and health insurers and whether that loss ratio is more appropriately set by statute or by rule
3013	Study the causes of and factors that reduce the severity of motor vehicle crashes
2215 § 1	Study feasibility and desirability of private sector employers securing health insurance for permanent and temporary employees or themselves through a health insurance pool
2004 § 20	Study the costs and benefits of adopting a comprehensive healthy North Dakota and workplace wellness program in collaboration with the State Department of Health, health insurers and other third-party payers, Workforce Safety and Insurance, interested nonprofit health-related agencies, and others who have an interest in establishing accident and disease prevention programs
1010 § 11	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
2004 § 21	<b>(Required Study)</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
2004 § 22	Study whether to change guidelines for funding programs as a result of additional tobacco settlement collections that are anticipated to be received and deposited in the community health trust fund from 2008 through 2017
3054	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
2395 § 4	Study issues relating to Medicaid and other public funding for the extraordinary health care needs of children who live in an institution or who are at risk of institutionalization; the Comprehensive Health Association of North Dakota program provided for under NDCC Chapter 26.1-08, including contracting for a cost-benefit analysis of this program; and the state programs providing services to children with special health care needs to determine whether the programs are effective in meeting these special health care

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	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
3022	Study data regarding cervical cancer and human papillomavirus, evaluate current methods of public education and access to regular cervical cancer screening, and consider options for increasing screening accuracy
3038	Study organ and tissue donation and actions that may be taken at the regional, state, local, and private levels to increase organ and tissue donations
1332 § 3	<b>(Required Study)</b> Study the pharmacy benefits management industry, including the extent of competition in the marketplace for health insurance and prescription drugs; whether protecting the confidentiality of trade secret or proprietary information has a positive or negative impact on prescription drug prices; the ownership interest or affiliation between insurance companies and pharmacy benefits management companies and whether such relationships are good for the consumer; the impact of disclosure of information regarding relationships between pharmacy benefits management companies and their customers; the use of various cost-containment methods by pharmacy benefits managers, including the extent to which pharmacy benefits managers promote the use of generic drugs; the actual impact of the use of pharmacy benefits management techniques on community pharmacies; the impact of mail service pharmacies on consumers and community pharmacies; the impact of generic and brand name drugs in formulary development, drug switches and mail order operations, as well as spread pricing, data sales, and manufacturers rebates and discounts; the price consumers actually pay for prescription drugs in North Dakota; and consideration of the legality of imposing statutory restrictions on pharmacy benefits managers
1459 § 5	Study the Medicaid medical reimbursement system, including costs of providing services, fee schedules, parity among provider groups, and access
1012 § 12	Study the Department of Human Services system of paying qualified service providers, including a review of the appropriateness of payment levels to various providers
1012 § 15	Study the services provided by residential treatment centers and residential child care facilities and the appropriateness of the payments provided by the state for these services
1012 § 14	Study methods of improving the sustainability of funding long-term care services in the state, including a review of case mix and rate equalization, consideration of additional support for facilities providing additional restorative care services, and consideration of options for reducing the number of required reports of facilities providing high-quality care or for seeking waivers to change the survey process
4030	Study the delivery of long-term care services in North Dakota with primary emphasis on the individual's preferred method of care, patient safety, quality of care, potential duplication of service, and the direction of state assistance
4027	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
3043	Study the need for supportive housing and services, including emergency shelters, transition housing, and permanent supportive housing for homeless individuals and families with children
1198 § 1	<b>(Required Study)</b> Study reemployment processes and costs and an appropriate method for providing a limitation on the total average number of job-attached unemployment insurance claimants
2018 § 9	Study the implementation by Job Service North Dakota of a shared work demonstration project
3040	Study the unemployment insurance tax rate structure; the structure's impact on the unemployment insurance trust fund, with special focus on the impact of the current unemployment insurance tax structure on new businesses; the historical cyclical risks faced by the industries in which new businesses are beginning to operate; and whether the unemployment insurance tax impact is reasonably favorable to the desired economic development of the state
1195 § 7	Study the feasibility and desirability of requiring professional employer organizations operating in North Dakota to register with the state, including consideration of how other states address the issue of registration of professional employer organizations
1260 § 1	<b>(Required Study)</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
2160 § 1	Study administration and enforcement of the State Building Code and its relationship to local standards and enforcement
2032 § 17	<b>(Required Study)</b> Study the state's business climate through a business climate initiative, including

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	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 held before June 1, 2006, and a Business Congress held before June 1, 2008. The Legislative Council is to contract with a third party to provide professional services to plan, facilitate, report on, and coordinate followup for the focus groups and Business Congresses included within the study
2032 § 18	<b>(Required Study)</b> Study the issues relating to venture and risk capital and whether and how some of these issues may be negatively impacting business development in the state
4033	Study whether enhancing the quality of child care and increasing access to affordable child care would favorably impact economic development in the state
3028	Study utilization of the state's abundant energy resources to attract energy-intensive economic development projects to the state
3039	Study the appropriate level of state-sponsored tourism marketing
2390 § 1	Study city and county development impact fees
1203 § 11	Study the current system under which property taxes levied by school districts are abated for the purpose of furthering economic development and whether this practice of abating property taxes levied by school districts should continue to be a part of economic development efforts in this state
1203 § 12	Study the system of local economic developers to determine whether the existing system provides the most effective and efficient system; whether the system could be improved by providing for increased uniformity in the provision of local economic development services or uniform applications, project investment standards, and economic development services or uniform applications, project investment standards, and economic development authority governance; and whether there are undesirable gaps or duplications in local economic development services, particularly in rural communities
4031	Study the feasibility and desirability of adopting the Uniform Trust Code
4032	Study the feasibility and desirability of adopting Revised Article 1 of the Uniform Commercial Code - General Provisions
1453 § 2	Study the feasibility and desirability of creating an emblem for the sole use of the North Dakota Legislative Assembly, members of the Legislative Assembly, and the Legislative Council
3045	Study the feasibility and desirability of authorizing nonprofit organizations to participate in a government liability self-insurance pool
3014	Study judicial elections and recent federal court decisions affecting the conduct of judicial elections
2372 § 1	<b>(Required Study)</b> Study the feasibility and desirability of establishing an organization or ombudsman to support and coordinate federal, tribal, state, including institutions of higher education, and local government and private efforts to discourage destructive behavior, including alcohol and drug abuse and tobacco use
1396 § 1	Study driving under the influence, repeat offenses, prevention, enforcement, and penalties
2257 § 1	Study the feasibility and desirability of creating a diversion program for people who have written bad checks as an alternative to prosecution
3042	Study the laws of this state and other states as they relate to the unauthorized acquisition, theft, and misuse of personal identifying information belonging to another individual
4016	Study the feasibility and desirability of adopting a statewide procedure for conducting missing persons investigations
3025	Study the issues of fairness and equity as they relate to the issuance and enforcement of child visitation orders
2361 § 2	Study the state's marriage laws and methods for strengthening the institution of marriage in the state, including premarital requirements, such as marital education and counseling, waiting periods, and marital blood tests; the availability of marriage counseling and parenting education in the state; and the implementation of predivorce requirements, such as divorce-effects education
3010	Study the feasibility and desirability of establishing a state Brownfields law; superfund law; other efforts to encourage the remediation and redevelopment of sites on which there has been a release of pollution, contaminants, or petroleum; and measures to encourage property owners to invest in and redevelop these sites
2115 § 1	Study the process to negotiate and quantify reserved water rights
2113 § 1	Study issues related to hunting and fishing privileges by nonresidents and nonresidents who are former residents

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4037	Study the laws pertaining to fences located outside the corporate limits of the state's cities and the relevancy of those laws in the 21st century
2268 § 1	Study issues related to waste rubber recycling, abatement and remediation of waste rubber tire stockpiles, and the recovery of components of petroleum-based products
1280 § 6	Study the feasibility and desirability of creating an Allied Health Professions Board to regulate the practice of members of allied health professions, including the feasibility and desirability of a North Dakota Allied Health Professions Board entering joint professional licensure agreements with neighboring states
2269 § 2	Study the fiscal impact and the feasibility and desirability of establishing an umbrella licensing organization for a group consisting of counselors, psychologists, marriage and family therapists, and social workers
2171 § 1	Study the licensure and regulation of acupuncturists practicing in the state, as well as the possibility of multistate joint licensure and regulation programs
1008 § 7	Study the changes in responsibilities and duties of the Public Service Commission since its inception, including an evaluation of what additional duties have been given to the commission and those duties no longer performed
1370 § 1	Study the railroad fuel surcharges
1009 § 14	Study the feasibility and desirability of implementing a license fee for businesses receiving state meat inspection program services and whether the fee would impact the number of businesses that would use the federal meat inspection service rather than the state service
1272 § 2	Study the feasibility and desirability of revising the process for appointing or electing individuals to the North Dakota Wheat Commission
2393 § 1	Study sales, use, and gross receipts tax exemptions and reductions, with emphasis on those that are available for only certain purchasers, including for each exemption or reduction a detailed analysis of the fiscal impact to the state, benefits to the state economy from eliminating the exemption or rate reduction, benefits to the state economy of retaining the exemption or rate reduction, relationship of the exemption or reduction to tax policies of other states and to federal or state laws or regulations, and who are the beneficiaries of each exemption or reduction, including the extent to which the benefits flow to out-of-state concerns
1530 § 1	Study North Dakota's oil and gas tax structure, including comparison to the oil and gas tax structure of other producing states and consideration of the feasibility and desirability of simplification of North Dakota's oil and gas tax structure
2272 § 2	Issues related to transferability of income tax credits for installation of geothermal, solar, or wind energy devices
4010	Study alternatives to the current method of expressing property tax levies in mills per dollar of taxable valuation
2272 § 1	Study circumstances in which property should cease to be considered agricultural property for property tax purposes
4011	Study assessment and taxation of mobile homes and similar housing alternatives with an emphasis on making assessment and taxation of those housing alternatives equitable in comparison with assessment and taxation of traditional residential housing