

## LEGISLATIVE COUNCIL STUDIES AND RESOLUTIONS TO BE PRIORITIZED FOR THE 2001-02 INTERIM (ARRANGED ACCORDING TO SUBJECT MATTER)

This memorandum lists the subject areas to be considered by the Legislative Council for study during the 2001-02 interim.

### AGRICULTURE

- 1390 § 1 **(Required Study)** Study the use of biodiesel fuel in this state
- 2282 § 1 Study methods to encourage production and consumption of ethanol
- 2419 § 2 Study issues regarding financial responsibility requirements for commercial pesticide applicators
- 4038 Study the benefits and risks associated with the use of contracts in agricultural production, including growing and sales provisions, labor arrangements, chemical usage, and provisions necessitated by emerging technologies
- 4043 Study the feasibility and desirability of promoting carbon sequestration programs in this state

### CORRECTIONS

- 1431 § 1 Study the correctional system in North Dakota, including its functions, responsibilities, funding, causes for increases in the state's inmate population, and the effectiveness of sentencing laws, incarceration, and treatment
- 2016 § 5 **(Required Study)** Study the facilities and operations of the Department of Corrections and Rehabilitation

### CRIMINAL JUSTICE

- 2016 § 4 Study wages paid to inmates sentenced to the state correctional system and the various deductions from those wages, including methods used to determine rates of pay; actual wages paid to inmates; deductions from inmate wages; and the effect deductions for incarceration costs, facility operator costs, and capital improvement costs have on inmate payments for child support and restitution
- 3067 Study the feasibility and desirability of establishing a behavior modification academy for certain adult and juvenile offenders
- 4018 Study the commitment procedures contained in North Dakota Century Code Chapter 25-03.1 and the commitment laws from other states to determine if North Dakota law sufficiently addresses the treatment needs of controlled substance abusers in this state, to study the mandatory minimum sentence requirements of North Dakota Century Code Chapter 19-03.1 and the mandatory minimum sentencing laws from other states and the federal government relating to drug offenders, and to study the need for legislation to assist in the cooperative efforts of state, local, and federal agencies to combat unlawful drug use and abuse in this state

### ECONOMIC DEVELOPMENT

- 2019 § 16 Study the availability of venture capital, tax credits, and other financing and research and development programs for new or expanding businesses, including an inventory of the programs available, review of the difference between public and private venture capital programs, an assessment of the needs of business and industry, the research and development efforts of the North Dakota University System, and a review of the investments of the State Investment Board and the feasibility and desirability of investing a portion of these funds in North Dakota
- 2019 § 17 Study the feasibility and desirability of expanding North Dakota's economic development marketing efforts to include international markets and establishing a global marketing division within the Department of Commerce
- 2020 § 4 Study workforce training and development programs in North Dakota, including efforts to recruit an

retain North Dakota's workforce, underemployment and skills shortages, current workforce training efforts, and the involvement of the new economy initiative goals and strategies; and the Work Force 2000 and new jobs training programs and other workforce training and development programs administered by agencies of the state of North Dakota, and the feasibility and desirability of consolidating in a single agency the funding and administration of those programs

- 3055 Study the effectiveness of various economic development incentives and the feasibility and desirability of creating a reporting system that assists in compiling a complete inventory of economic development incentive programs and in evaluating the effectiveness of the programs
- 3066 Study the feasibility and desirability of increasing the communication between the executive and legislative branches to monitor and assess the development of state policy regarding economics population, and business growth

### **EDUCATION**

- 1344 § 17 Study the feasibility and desirability of implementing a teacher compensation package that recognizes four levels of teachers from beginning to advanced and which bases the compensation level for each category on the individual teacher's ability to meet or exceed district standards for content knowledge, planning and preparation for instruction, instructional delivery, student assessment classroom management, and professional responsibility
- 2324 § 1 Study the delivery of a core curriculum to each elementary and high school student in this state and the feasibility and desirability of providing total state funding solely for the delivery of a core curriculum
- 2428 § 1 Study the state and local tax structure for funding of elementary and secondary education to determine the feasibility and desirability of enhanced state funding to school districts for delivery of core curriculum instruction, the equity of the existing degree of reliance on property tax revenues for elementary and secondary education funding, and whether improved efficiency is attainable in delivery of elementary and secondary education services
- 3002 Study the completed revision of those provisions of Title 15 of the North Dakota Century Code which relate to elementary and secondary education for the purpose of reconciling any inconsistencies or irregularities
- 3052 Study issues of safety, efficiency, and cost-effectiveness with respect to school district transportation
- 3060 Study the feasibility and desirability of providing school district property tax relief and replacement of revenues through state funding
- 3061 Study the delivery of elementary and secondary education during the ensuing 5, 10, and 20 years, with emphasis on a review of the current school district structure, reorganization options, the potential for creating alternate administrative units, and the equitable distribution of state aid to school districts and to obtain the information necessary for this study through a variety of means, including testimony from school district superintendents and business managers

### **FAMILY LAW**

- 1012 § 17 Study the feasibility and desirability of state administration of child support, including the fiscal effect on counties and the state
- 3044 Study the feasibility and desirability of establishing a putative fathers' adoption registry
- 3054 Study the impact on domestic relations law of using the term "parental responsibility" in lieu of "custody" and "parenting time" in lieu of "visitation"
- 3068 Study the feasibility and desirability of creating a tiered early childhood facility licensure system that requires licensure of facilities not required to be licensed under the current system
- 4014 Study the adoption laws of this state and other states

### **GOVERNMENT ADMINISTRATION**

- 1003 § 14 Study the Racing Commission, including its authority to schedule, promote, support, and regulate

- live or simulcast racing in North Dakota
- 2007 § 3 Study the management structure and oversight of the Veterans Home and the selection process for the commandant or administrator of the home
- 2012 § 2 Study the efficiency and effectiveness of the operations of the State Fleet Services program of the Department of Transportation
- 2015 § 16 Study the mission of the Industrial Commission relating to the responsibilities of the Oil and Gas Division and Geological Survey and the potential for efficiencies resulting from shared administrative and service delivery functions
- 3048 Study the feasibility and desirability of creating a State Department of Health Division of Women's Health and an Advisory Committee on Women's Health
- 4020 Study state employee compensation and benefit levels

### GOVERNMENT SERVICES

- 2027 § 2 Study during the 2003-04 interim the efficiency and effectiveness of each motor vehicle branch office included in the motor vehicle branch office pilot project
- 2380 § 6 Study programs dealing with the prevention and treatment of alcohol, tobacco, and drug abuse and other kinds of risk-associated behavior which are operated by various state agencies, including the Department of Corrections and Rehabilitation, the Attorney General, the State Department of Health, the Department of Human Services, the Department of Public Instruction, the Department of Transportation, the National Guard, and the Supreme Court, and whether better coordination among the programs within those agencies may lead to a more effective and cost-efficient way of operating the programs and providing services
- 4011 Study the library system in North Dakota to determine the most efficient and effective methods for delivery of library services

### HEALTH

- 1338 § 1 Study issues related to genetic modification, including impacts on health, the environment, the food supply, product labeling, and actions by other jurisdictions regarding experimental medicine and research, and the promulgation of accurate information regarding genetic modification efforts that exist or are expected to exist in the near future
- 2354 § 1 Study the feasibility and desirability of an alternatives-to-abortion services program that would provide information, counseling, and support services to assist women to choose childbirth and to make informed decisions regarding the choice of adoption or parenting
- 3058 Study current and 5-, 10-, 25-, and 50-year projections of the delivery of health care services in the state, including the capacity, distribution, and accessibility of the system of providing health services; the changing dynamics of delivery and funding of health services; possible health care services strategies to better serve residents; the role of health care services in future development in this state; and the effects of having inadequate reimbursement in this state, including the impact of inadequate reimbursement on the continued availability, viability, and financial stability of health care
- 4049 Study limiting actions for lead-based paint claims

### HEALTH INSURANCE

- 1015 § 22 Study health insurance company benefit limitations, including maximum payments or reimbursements for prescribed medicines and treatments and the effect of limiting benefit payments or reimbursements on consumers, family members, and individuals with incurable illnesses
- 1407 § 2 **(Required Study?)** Study existing mandated health insurance coverage of services and the feasibility and desirability of repealing state laws mandating health insurance coverage of services (Section 2 contains a requirement that the Insurance Commissioner evaluate each health insurance coverage mandate and present a report to the Legislative Council before July 1, 2002)

- 1441 § 3 Study coordination of the medical assistance and the children's health insurance programs, including the development of a single application form for both programs, whether the children's health insurance program should be administered by the state or the counties, the effects of eliminating the asset eligibility requirement for the medical assistance program, the standardization of the definition of "income" for all programs administered by the Department of Human Services, and the feasibility and desirability of seeking a federal waiver to allow the children's health insurance program plan to provide coverage for a family through an employer-based insurance policy if an employer-based insurance policy is more cost-effective than the traditional plan coverage for the children
- 3062 Study issues relating to the high and rising cost of prescription drugs in the United States and inequitable prescription drug pricing in the United States and possible methods of containing prescription drug costs
- 4027 Study the prices for prescription drugs and possible mechanisms to lower those costs to consumers and the state, and whether the state should establish a program to assist in the purchase of prescription drugs based upon income

### **HIGHER EDUCATION**

- 2003 § 17 Study the responsibilities and the functions of the College Technical Education Council and the implementation of the workforce training regions including how the regions are functioning
- 2003 § 18 Study the Board of Higher Education's implementation of the performance and accountability measures report required by Senate Bill No. 2041, including information on education excellence economic development, student access, student affordability, and financial operations

### **HUMAN SERVICES**

- 1012 § 18 Study the senior citizen mill levy matching grant program
- 1196 § 29 Study the long-term care needs and the nursing facility payment system in North Dakota
- 2174 § 1 Study the feasibility of altering North Dakota medical assistance requirements to permit the disregard of income of the spouse of a disabled individual up to the amount of the cap established under Section 1924(d)(3)(C) of the Social Security Act [ 42 U.S.C. 1396r-5(d)(3)(C)]
- 2187 § 1 Study trusts for individuals with disabilities
- 2330 § 1 Study coordination of benefits for children with special needs under the age of 21 among the Department of Public Instruction, the Department of Human Services, and private insurance companies, with the purpose of optimizing and coordinating resources and expanding services including augmentative communication devices and therapy services
- 3050 Study the feasibility and desirability of realigning the divisions within the Department of Human Services or moving some divisions or functions to the Department of Health or other state agencies
- 4032 Study the feasibility and desirability of exempting funds set aside in a trust for a child's education when determining the child's eligibility for certain human services programs
- 4034 Study the issues and concerns of implementing charitable choice, the privatization of federally funded welfare services through faith-based organizations

### **INFORMATION TECHNOLOGY**

- 3057 Study the technological capacity and needs of the state

### **JUDICIARY**

- 2002 § 7 Study the implementation of the clerk of court unification, including a review of the delivery of services by clerks of court and the responsibility for restitution collection and enforcement activities
- 3015 Study the separation of powers between the legislative, executive, and judicial branches and the distinction between the responsibilities of each branch

- 3017 Study the method of providing legal representation for indigent criminal defendants and the feasibility and desirability of establishing a public defender system
- 4033 Study the commitment procedures for individuals with mental illness
- 4042 Study the feasibility and desirability of a centralized process for administering noncriminal traffic violations

### **LEGISLATIVE PROCESS**

- 3043 Study the fiscal note process

### **LEGISLATIVE REDISTRICTING**

- 3003 Study and develop a legislative redistricting plan or plans for use in the 2002 primary election

### **NATURAL RESOURCES**

- 1269 § 1 **(Required Study)** Study issues relating to resident and nonresident hunting in this state
- 3022 Study the use of incentive programs in North Dakota as a way of keeping elk in the state and providing increased opportunities for landowners, hunters, and the general public
- 3023 Study the use of easements to protect agricultural and other lands in North Dakota
- 3026 Study the feasibility and desirability of wind energy development in North Dakota
- 3059 Study the water concerns and needs of North Dakota
- 4046 Study issues related to the Missouri River in this state

### **OCCUPATIONS AND PROFESSIONS**

- 1377 § 2 Study the ability of occupational and professional boards with less than 100 licensees to process disciplinary complaints and carry out other statutory responsibilities

### **PRIVACY**

- 4019 Study medical and financial privacy laws in this state, the effectiveness of medical and financial privacy laws in other states, the interaction of federal and state medical and financial privacy laws, and whether current medical and financial privacy protections meet the reasonable expectations of the citizens of North Dakota

### **PUBLIC EMPLOYEE BENEFITS PROGRAMS**

- 4017 Study the feasibility and desirability of implementing a retirement program for all law enforcement and correctional officers within the state of North Dakota which provides retirement benefits similar to those provided to the members of the Highway Patrolmen's retirement system pursuant to North Dakota Century Code Chapter 39-03.1

### **TAXATION**

- 1206 § 2 Study all aspects of improvements by special assessment and property tax assessment and abatements, to include a determination of the true and full value of subsidized housing for property tax assessments, and the homestead tax valuation for senior citizens
- 2448 § 1 Study compliance and jurisdictional issues under the tobacco, alcohol, and fuels tax laws
- 3010 Study the property tax exemption for public housing authorities
- 3047 Study the property tax assessment and valuation of agricultural property
- 4001 Study the property tax exemption for institutions of public charity providing a combination of health and housing services
- 4031 Study the state corporate income tax laws

### **TRANSPORTATION**

- 2159 § 5 Study highway construction and maintenance funding, including revenue sources and distribution

formulas for the state, cities, and counties

- 3005 Study the fees and point demerits for traffic offenses
- 3013 Study the designation of highways in the state highway system and the county road system
- 3037 Study the feasibility and desirability of creating cost-sharing or funding mechanisms for the unexpected discovery of cultural or paleontological resources within local road projects
- 3056 Study the state of and future demands on the transportation infrastructure in this state
- 3065 Study the negative impact due to diminishing rail access and service, the cost to industry, business, and communities of shifting rail services to state and local highway systems, and the feasibility and desirability of funding enhanced rail facilities including an intermodal rail facility in this state

### **WORKERS COMPENSATION**

- 3064 Study workers' compensation fraud by employers, employees, attorneys, health care providers, and rehabilitation service providers in order to identify the financial impact of such fraud on the North Dakota workers' compensation fund, the most appropriate method of addressing such fraud, and the cost of addressing such fraud