



It was also another week of record bill filings. Members of the House have filed 545 bills and 22 resolutions – the highest number since 2009, and second highest since 1979 when representatives introduced 695 bills and 98 resolutions. There were 50 legislative districts that year and 150 total legislators compared to this session’s 141. One theory as to why we are seeing such an increase in bills this session is the significant uptick in newly elected legislators in the 2017 and 2015 sessions. Last session, there were nearly 30 new legislators. After serving a session or two, these legislators are coming into their own and feeling comfortable enough to submit a significant number of ideas for consideration. Senators have until Monday to submit their bills.

Much of the buzz around the Capitol this week related to the many gun bills being discussed, the passage of HB 1097 (a bill to repeal North Dakota’s “blue law”) in the House, and rumblings that the State and MHA nation may have come to an oil tax agreement.

Please plan to attend Education Leaders Day at the Capitol on January 28. Board members interested in attending should sign up at www.ndsba.org. The event is free to attend, but we’ll need a headcount to plan for the day. You’ll be asked to indicate which portions of the day you’d like to attend so that we can make the proper arrangements. Superintendents will be participating in conjunction with their midwinter conference, and the event will be a great opportunity to network with legislators. A schedule of events is below.

Administrators		Board Members	
7-11:30 a.m.	Conference	8-11 a.m.	Attend legislative hearings
11:30 a.m.	Load busses for the Capitol	11 a.m.-Noon	Lunch on your own
Noon-1 p.m.	Dessert social with Legislators in the Great Hall	Noon-1 p.m.	Dessert social with Legislators in the Great Hall
1 p.m.	Load busses for Conference and Lunch	1 p.m.	Observe floor sessions

Key Issues

NDSBA is now tracking 200 bills, which lead to another busy week of committee hearings for the NDSBA team. NDSBA testified in opposition to a number of gun bills heard by the Energy and Natural Resources Committee. **HB 1310** and **HB 1325** are similar in that both, if passed, would allow individuals lawfully in possession of a concealed weapon to bring such weapons on school property. NDSBA, as well as other education stakeholders, strongly opposed both bills. The Committee has not yet made a recommendation on either bill and NDSBA will continue to track their progress.

NDSBA also testified in opposition to **SB 2136**, which would require school districts to provide instruction on the Bible. NDSBA opposed the bill as it would require public schools to violate the Establishment Clause of the First Amendment.

The Senate Political Subdivisions Committee heard **SB 2166**, which would quadruple the liability limits for political subdivisions. NDSBA, NDIRF, cities, counties, parks and townships all testified in opposition. It looks like this bill will be turned into a study. Finally, NDSBA testified in support of **SCR 4004**, which is a resolution calling for the study of the impact of violent, disruptive, and inappropriate behavior on the educational environment perpetrated by students.

Among the important new bills that were filed this week was **HB 1454** which would raise the school district bid threshold from \$25,000 to \$50,000 and would provide an exception to the bidding requirements for cooperative purchases made by school districts pursuant to a joint powers agreement. Additionally, **SB 2230** would prohibit anyone with a felony conviction for running for a seat on a school board.

Primary Bill List and Status Report

This list includes the primary bills NDSBA is tracking and their current status.

Transportation

HB 1098	This bill says the Department of Transportation may not give a commercial driver's license to an operator unless the person has met entry-level driver training requirements that are set out in federal regulations. (Hearing held 1/11, Recommended do pass 8-4-2)
HB 1385	This bill relates to mandatory safety training for school bus drivers. (Introduced)

School Calendar/Instructional Time/Instruction Content

HB 1170	This bill would allow a school district to make up school days cancelled due to inclement weather by offering instruction through virtual means if certain requirements are met. (Hearing scheduled 1/23)
HB 1237	This bill would require each school district to make information relating to child sexual abuse available to students and parents/legal guardians of students. (Hearing held 1/15)
HB 1277	This bill requires a school district to include, as part of its health curriculum related to sexual health, instruction regarding medically accurate and age-appropriate sexual abuse education. (Hearing held 1/15)
HB 1346	This bill relates to the number of hours of instruction by school districts and weather emergencies. (Hearing scheduled 1/23)
HB 1416	This bill would repeal NDCC 15.1-06-04.1, which addresses school calendar days and teacher professional development conferences. (Hearing scheduled 1/23)
HB 1538	This bill would permit instruction on the strengths and weaknesses of scientific theories and controversies. (Introduced)
SB 2136	This bill would add instruction on the new and old testament of the Bible to graduation requirements. (Hearing held 1/15)
SB 2149	This bill requires mandatory instruction for students in mental health awareness and suicide prevention. (Hearing held 1/21)
SB 2157	This bill relates to the age of student allowed to be enrolled in driver's training courses. (Passed Senate 47-0)
SB 2229	This bill relates to making up instructional time if school is cancelled due to a no travel advisory. (Hearing scheduled 1/22)
SB 2299	This bill provides for the patriotic society's access to students during school hours. (Introduced)

Teacher Contracts

HB 1347	This bill would allow school boards to nonrenew a teacher who has been teaching for 3 years or less without a due process hearing. (Introduced)
HB 1414	This bill changes the amount of time for a teacher to accept or reject a contract from 14 days to 30 days. (Introduced)

School Safety

HB 1162	This bill changes the definition of "infraction" under the criminal code. (Passed House 91-0).
HB 1163	This bill changes the criminal penalty for possession of a firearm or dangerous weapon at a public gathering, including a public school from a class B misdemeanor to an infraction. (Introduced).
HB 1262	This bill would establish a school safety and crisis hotline program through the office of attorney general whereby persons could report school safety and crisis issues anonymously. (Hearing held 1/16)
HB 1310	This bill would except from criminal liability an individual who holds a conceal and carry permit under section 62.1-04-03 and possesses a firearm or dangerous weapon at a public gathering, including a public school. (Hearing held 1/17)
HB 1317	This bill would subject an owner of property to liability for injury or death caused by a firearm or dangerous weapon on the property. (Hearing held 1/17)
HB 1325	This bill would except from criminal liability for possession of a firearm or dangerous weapon at a public gathering, any individual who is not otherwise precluded from possessing a firearm or dangerous weapon concealed under chapter 62.1-04. (Hearing held 1/17)
HB 1332	This bill would allow a school district to designate an "armed first responder" to possess a firearm or dangerous weapon on school premises. (Hearing scheduled 1/25)

<u>HB 1537</u>	This bill relates to the seizure of a firearm by a law enforcement officer and the issuance of a public safety protection order. (Introduced)
<u>SB 2034</u>	This bill creates exceptions to prohibitions of possession of firearms. (Passed by Senate 46-1)
<u>SB 2052</u>	This bill would allow districts to create a safety plan and levy five mills with voter approval. (Amendment adopted, placed on calendar)
<u>SB 2172</u>	This bill relates the possession of a firearm or dangerous weapon at a public gathering. (Hearing held 1/14, amended and recommended do pass 6-0-0)
<u>SB 2181</u>	This bill adds cyberbullying off school premises to the definition of bullying under ND law. (Introduced)
<u>SB 2186</u>	This bill requires school districts to post information regarding child abuse and neglect in school buildings. (Introduced)
<u>SB 2209</u>	This bill provides that certain records relating to cybersecurity defenses, threat assessments and response plans and emergency response plans are exempt from open records requirements. (Hearing scheduled 1/21)
<u>SB 2281</u>	This bill relates to limitations on permissible use of force on a child (restraint and seclusion). (Hearing scheduled 1/22)
Technology & Cyber Security	
<u>SB 2101</u>	This bill changes references to PowerSchool in NDCC to "state student information system." (Hearing held 1/7)
<u>SB 2110</u>	This bill would require ITD oversee the cyber security strategy of political subdivisions, including school districts. (Hearing held 1/4)
<u>SB 2171</u>	This bill directs DPI to establish credentials for teachers of computer and cyber science. (Hearing held 1/16)
Finance & Tax	
<u>HB 1066</u>	This bill makes changes to the oil and gas tax distribution formula. (Hearing held 1/15)
<u>HB 1067</u>	Relating to municipal bid requirements and certificates of indebtedness. (Passed House 85-4)
<u>HB 1125</u>	This bill relates to plans for cooperating school districts. (Do pass recommendation 13-0-1).
<u>HB 1152</u>	This bill would reduce the baseline funding level relating to the determination of the amount of state aid payable to each district. (Hearing held 1/15).
<u>HB 1182</u>	This bill provides that the assessed valuation on any parcel of taxable property could not exceed the value assessed in the previous taxable year by more than 3%. (Hearing scheduled 1/21)
<u>HB 1208</u>	This bill establishes a teacher reimbursement program that would reimburse teachers for expenses up to \$200 incurred by the teacher for school supplies. (Hearing held 1/14)
<u>HB 1304</u>	This bill relates to bid requirements for public improvements. (Hearing held 1/17)
<u>HB 1321</u>	This bill would provide an income tax credit for taxpayers whose children receive nonpublic school or home education. (Introduced)
<u>HB 1350</u>	This bill relates to the common schools revolving loan fund and would permit a school district to apply for loans for school construction projects from fund. (Hearing scheduled 1/22)
<u>HB 1353</u>	This bill creates the common schools building and renovation grant fund from which school district could apply for grants to fund school construction and renovation project or reduce bonded debt. (Hearing scheduled 1/22)
<u>HB 1365</u>	This bill would make changes to the baseline funding calculation for state aid payments to school districts. (Hearing scheduled 1/22)
<u>HB 1369</u>	This bill relates to the payment of school bus drive physical examinations. (Introduced)
<u>HB 1370</u>	This bill would make changes to the baseline funding calculation for state aid payments to school districts. (Hearing scheduled 1/22)
<u>HB 1379</u>	This bill would require political subdivisions to seek voter approval of preliminary budget statements if certain requirements are met. (Introduced)
<u>HB 1380</u>	This bill relates to limitations on property tax levies by taxing districts without voter approval and relates to the determination of state aid payments to school districts. (Introduced)
<u>HB 1390</u>	This bill relates to limitations on the true and full valuation of property for tax purposes and limitations on property tax levies by taxing districts without voter approval; bill seeks to amend and reenact subsection 4 of section 15.1-27-04.1 of the North Dakota Century Code, relating to the determination of school district state aid payments. (Hearing scheduled 1/21)
<u>HB 1437</u>	This bill relates to city sales tax transfers to school districts for bonded indebtedness. (Introduced)

<u>HB 1449</u>	This bill relates to state aid distribution fund and oil extraction tax rate and distributions. <i>(Hearing scheduled 1/23)</i>
<u>HB 1454</u>	This bill relates to bids for school district contracts, increases the threshold amount to \$50,000 and provides an exception for cooperative purchases made pursuant to joint powers agreements. <i>(Hearing scheduled 1/23)</i>
<u>HB 1525</u>	This bill creates a common schools building and maintenance fund to be administered by the board of university and school lands; would require school districts to transfer all real property of the district to the board; the board would retire any outstanding related debt. <i>(Introduced)</i>
<u>SB 2013</u>	This bill includes the appropriation for DPI and the K12 funding formula. <i>(Hearings held 1/15)</i>
<u>SB 2040</u>	This bill would prohibit school districts from protesting special improvement districts that included property owned by the district. <i>(Hearing held 1/8, bill amended and sent to and adopted on Senate Floor, Passed by Senate 47-0)</i>
<u>SB 2116</u>	This bill would allow higher ed institutions to apply for and receive loans from the infrastructure revolving loan fund. <i>(Hearing held 1/7)</i>
<u>SB 2156</u>	This bill would establish an additional vehicle registration fee to be deposited into a driver's education fund. <i>(Hearing held 1/14)</i>
<u>SB 2160</u>	This bill relates to the state student aid payments to school districts. <i>(Hearing scheduled 1/15)</i>
<u>SB 2161</u>	This bill relates to the rapid enrollment construction grant program and provides for an appropriation. <i>(Hearing held 1/15)</i>
<u>SB 2214</u>	This bill relates to school construction loans, to authorize the use of funds, and to provide a bond issuance limitation. <i>(Hearing scheduled 1/22)</i>
<u>SB 2255</u>	This bill relates to changes in school district tax levies. <i>(Hearing scheduled 1/21)</i>
<u>SB 2265</u>	This bill relates to the determination of state aid payable to school district and to provide for a study. <i>(Hearing scheduled 1/21)</i>
<u>SB 2276</u>	This bill relates to the infrastructure revolving loan fund. <i>(Hearing scheduled 1/22)</i>
<u>SB 2280</u>	This bill relates to state foundation aid payments to school districts. <i>(Hearing scheduled 1/23)</i>
<u>HCR 3017</u>	This bill relates to allowable uses of the common schools trust fund. <i>(Introduced)</i>

Early Childhood Education

<u>HB 1104</u>	This bill transfers the responsibility of conducting a quality rating and improvement system for early childhood programs from the Department of Human Services to DPI. <i>(Hearing held 1/8)</i>
<u>SB 2250</u>	This bill would require public schools to provide early childhood education services. <i>(Hearing scheduled 1/23)</i>

HR Issues

<u>HB 1509</u>	This bill would provide all private and public employees with paid family medical leave. <i>(Introduced)</i>
<u>SB 2217</u>	This bill relates to a teacher incentives for leadership in education program. <i>(Hearing scheduled 1/22)</i>

Elections/School Board Membership Requirements

<u>HB 1117</u>	This bill relates to publication of legal notices in a newspaper and online. <i>(Hearing held 1/15, reported back amended, do pass recommendation 12-1-1)</i>
<u>HB 1201</u>	This bill modifies the time period in which an elected official may be recalled if the recall election would occur within one year of the next regularly scheduled election in which the official would be reelected. <i>(Hearing scheduled 1/25)</i>
<u>HB 1375</u>	This bill would require candidates for certain municipal offices to indicate a party designation. <i>(Introduced)</i>
<u>HB 1501</u>	This bill would give the superintendent of public instruction authority to suspend a board member pending the results of a forensic, fiscal, or performance audit upon the filing of a petition to remove by the governor. <i>(Hearing scheduled 1/21)</i>
<u>SB 2230</u>	This bill would require criminal background checks for all candidates for school board elections and would prohibit individuals with any felony conviction and other convictions from running for office of school board member. <i>(Hearing scheduled 1/21)</i> .
<u>SB 2310</u>	This bill would require random drug testing for school board members at least once every 12 months during an individual's term. <i>(Introduced)</i>
<u>SB 2311</u>	This bill removes limitations on the recall of elected officials. <i>(Hearing scheduled 1/25)</i>

Mental & Behavioral Health Issues

<u>HB 1211</u>	This bill relates to a school district obligation to prohibit a student from participating in any extracurricular activity if the student has pled guilty or been convicted of certain criminal offenses identified in the bill. (Hearing scheduled 1/21)
<u>HB 1249</u>	This bill would increase the amount of required teacher professional development days per year, as well as increase the amount of hours of professional development covering youth behavioral health. (Hearing held 1/15)
<u>HB 1260</u>	This bill would add “mental injury” to a child to the definition of child abuse or neglect under the mandatory reporting provisions of the CC. (Hearing held 1/16)
<u>SB 2266</u>	This bill relates to restraint and seclusion requirements and limitations, and reporting requirements of incidents of restraint and seclusion. (Introduced)
<u>SCR 4004</u>	This bill would call for a study regarding impact of violent, disruptive, and inappropriate behavior within the educational environment perpetrated by students. (Hearing held 1/15)

Licensure/Workforce Shortage

<u>HB 1253</u>	This bill relates to state licensure after criminal convictions. (Introduced)
<u>HB 1287</u>	This bill would require ESPB to grant an initial teaching license to an individual who possess a bachelor’s degree, passes a criminal history record check, and successfully completes the American board for certification of teacher excellence alternative teacher certification program. (Introduced)
<u>HB 1429</u>	This bill relates to the administrative authority for teacher shortage loan forgiveness program. (Introduced)
<u>HB 1531</u>	This bill relates to allowing individuals who do not have a teaching license to teach noncore subjects upon meeting certain criteria. (Introduced)
<u>SB 2126</u>	This bill would require ESPB to issue a teaching license to a foreign practitioner who is licensed for at least 7 years before submitting an application to ESPB. (Hearing held 1/17)
<u>SB 2127</u>	This bill adds military dependent as defined by section 43-51-11.2(2) as an individual able to engage in profession of teaching without first obtaining a license or approval from ESPB. Also applies to administrative credentials issued by DPI. (Hearing scheduled 1/25)
<u>SB 2171</u>	This bill relates to credentials of teachers of computer and cyber science. (Hearing held 1/16)
<u>SB 2199</u>	This bill relates to teaching licensing in areas of documented teacher shortages. (Introduced)

Miscellaneous

<u>HB 1082</u>	This bill aligns state code with federal regulations implemented by ESSA and relates to policy ABCE. (Amended, do pass recommendation 9-5-0)
<u>HB 1228</u>	This bill would give control of education to each local school district, including content standards, required instruction, instruction time, assessments, attendance, graduation requirements, employment, licensure, student discipline, and safety policies. (Hearing held 1/16)
<u>HB 1335</u>	This bill would prohibit a school district from adopting a dress code policy that prohibits the wearing of tribal regalia or other objects of cultural significance at school sponsored activities. (Hearing scheduled 1/21)
<u>HB 1434</u>	This bill relates to the dissolution of school districts. (Hearing scheduled 1/23)
<u>HB 1464</u>	This bill calls for a study of a school choice program. (Hearing scheduled 1/21)
<u>SB 2025</u>	This bill directs the Superintendent of Public Instruction to call an annual meeting to review the statewide strategic vision for education. (Amended, do pass recommendation 7-0-0)
<u>SB 2142</u>	This bill would establish an education savings account program for use by students receiving instruction from nonpublic schools, private tutoring, online learning or other qualified providers. (Hearing held 1/15)
<u>SB 2148</u>	This bill implements the requirements of Measure 1 relating to restrictions on lobbyists and public officials and the creation of an ethics commission. (Introduced)
<u>SB 2157</u>	This bill alters the age of students enrolled in a driver's training course. (Passed Senate 47-0)
<u>SB 2166</u>	This bill would increase the liability caps for political subdivisions from \$250,000 to \$1M for single occurrence and from \$1M to \$4M for occurrence involving injury to 3 or more persons. (Hearing held 1/17)
<u>SB 2215</u>	This bill creates a kindergarten through grade twelve education commission to coordinate with schools to support elementary and secondary education in the state. (Hearing scheduled 1/23)
<u>SB 2216</u>	This bill relates to the authorization of enrollments to the center for distance education by a school superintendent. (Hearing scheduled 1/23)
<u>SB 2300</u>	This bill relates to the creation of a reading program grant fund. (Hearing scheduled 1/21)

HCR 3011	This resolution directs legislative management to consider studying the provisions of the NDCC relating to provision of elementary and secondary education. <i>(Hearing held 1/14)</i>
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Hearing Schedule (Jan. 21-25)

Date	Time	Bill	Committee	Room	Summary
1/21	9 a.m.	HB 1182	House FinTax	Ft Totten	limitations on increases in property assessments for property tax purposes
1/21	9a.m.	SB 2255	Senate FinTax	Lewis & Clark	changes in school district tax levies; and to provide an effective date
1/21	9 a.m.	SB 2265	Senate Edu	Sheyenne	determination of state aid payable to school districts; to provide for a legislative management study
1/21	10 a.m.	SB 2230	Senate Judiciary	Ft Lincoln	limitations on serving as a board member
1/21	10 a.m.	SB 2300	Senate Edu	Sheyenne	reading program grant fund and a school Medicaid matching grant fund
1/21	10:20 a.m.	HB 1211	House Judiciary	Prairie	performance-based and meritorious sentence reduction credit, medical parole, length and supervision of probation, student misconduct, and definition of a firearm
1/21	10:30 a.m.	HB 1390	House FinTax	Ft Totten	limitations on the true and full valuation of property for tax purposes and limitations on property tax levies by taxing districts without voter approval; determination of school district state aid payments
1/21	10:45 a.m.	SB 2209	Senate IBL	Roosevelt Pk	protection for records related to critical infrastructure and security planning, mitigation, or threats
1/21	2:30 p.m.	SB 2149	Senate Edu	Sheyenne	mandatory instruction for students in mental health awareness and suicide prevention
1/21	2:30 p.m.	HB 1335	House Edu	Coteau A	dress code bill
1/21	2:45 p.m.	HB 1464	House Edu	Coteau A	school choice study
1/21	3 p.m.	HB 1501	House Edu	Coteau A	suspension of a board member
1/22	9 a.m.	SB 2214	Senate Edu	Sheyenne	debt service payments; school construction loans
1/22	9 a.m.	HB 1370	House Edu	Coteau A	state foundation aid payments to school districts.
1/22	9:45 a.m.	SB 2217	Senate Edu	Sheyenne	TILE
1/22	10 a.m.	HB 1365	House Edu	Coteau A	state foundation aid payments to school districts.
1/22	10:15 a.m.	HB 1353	House Edu	Coteau A	common schools building and renovation grant fund
1/22	10:30 a.m.	SB 2229	Senate Edu	Sheyenne	making up instructional time if school is canceled due to a no travel advisory
1/22	11 a.m.	HB 1350	House Edu	Coteau A	common schools revolving loan fund
1/22	2:30 p.m.	SB 2276	Senate Edu	Sheyenne	infrastructure revolving loan fund
1/23	9 a.m.	SB 2280	Senate Edu	Sheyenne	state foundation aid payments to school districts; and to provide a continuing appropriation
1/23	9:15 a.m.	HB 1346	House Edu	Coteau A	required number of hours of instruction by school districts and weather emergencies
1/23	9:30 a.m.	HB 1416	House Edu	Coteau A	school calendar days and pd conferences
1/23	9:45 a.m.	SB 2250	Senate Edu	Sheyenne	requiring public schools to provide early childhood education services
1/23	9:45 a.m.	HB 1434	House Edu	Coteau A	dissolution of school districts
1/23	10 a.m.	HB 1170	House Edu	Coteau A	school calendar days on days of inclement weather
1/23	10:45 a.m.	HB 1454	House Edu	Coteau A	bids for school district contracts

1/23	11 a.m.	HB 1449	House FinTax	Fort Totten	state aid distribution fund and the oil extraction tax rate and distributions
1/23	2:15 p.m.	SB 2216	Senate Edu	Sheyenne	distance education; and to repeal authorization of enrollments to the center for distance education by a superintendent of a school
1/23	3 p.m.	SB 2215	Senate Edu	Sheyenne	coordination Council
1/25	9 a.m.	HB 1201	House PoliSubs	Prairie	relating to recalling elected officials.
1/25	9:30 a.m.	SB 2311	Senate PoliSubs	Red River	relating to recalls of elected officials of political subdivisions.
1/25	9:30 a.m.	HB 1332	House ENR	Coteau A	sentinel bill – armed first responders in schools
1/25	9:30 a.m.	SB 2127	Senate GVA	Sheyenne River	military spouse professional licenses

How to Contact Your Legislators

During a legislative session, a legislator can be reached through the Contact My Legislator platform found [here](#). Legislators can also be reached by mail or email, and address rosters are posted [here](#).

2019 Legislative Calendar

Date	Topic
January 21	Deadline for Senators to introduce bills
January 28	School Leaders Day at the Capitol – see next week’s update for more information!
February 22	Crossover date for bills
February 25-26	Recess
March 6	Crossover date for resolutions
April 19	Good Friday (In 2017 the House and Senate were in session on Good Friday.)
April 30	Session is limited to 80 legislative days