



NDSBA
NORTH DAKOTA SCHOOL
BOARDS ASSOCIATION

LEGISLATIVE 2019
UPDATE 19

Update No. 1

January 4, 2019

The 66th Legislative Assembly began on Thursday, January 3. Governor Doug Burgum presented his State of the State address to a joint session in the House Chamber in which he outlined his policy agenda for the session, announced that the Governor's office would begin displaying the flags of the Tribal Nations in North Dakota, and restated some of his budget recommendations.

The Legislative Update will be sent to NDSBA members each Friday during the 2019 Legislative Session. Updates will include a list and the status of all bills being monitored and a weekly hearing schedule. NDSBA is tracking 49 bills to date. Pre-filed bill numbers are up from the previous session at this time. As the pace picks up next week and we begin hitting bill introduction deadlines, we anticipate seeing even more bills come in.

Key Issues

It was a short week, but a couple of bills NDSBA is tracking were heard already. They included **HB 1067**, which would raise the threshold for when political subdivisions are required to bid out general obligation bonds and certificates of indebtedness from \$100,000 to \$1 million. **SB 2110** was also heard by the Senate Political Subdivisions Committee. This bill would allow the state's Information Technology Department (ITD) to officially continue to work with political subdivisions, including school districts, on cyber security strategy. There was some pushback from the committee and political subdivisions on the use of the word "regulate" in the bill, so we anticipate amendments that will clarify ITD's intent to allow political subdivisions to opt in to their services versus being forced into fee-based services. ITD seems amenable to the change.

A number of issues important to NDSBA will be heard next week. These bills include **SB 2052**, the bill that would allow districts to create a safety plan and levy five mills with voter approval; and **SB 2040**, which would prohibit school districts from protesting special improvement districts. Please see the hearing schedule below for the date, time, and location of these hearings and others. Bill text is also linked in the hearing schedule.

Remember to mark your calendar for School Leaders' Day at the Capitol on January 28. Watch for more details in next week's update.

Bill List and Status Report

This list includes the 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 scheduled 1/11)**

SB 2121 This bill bars a driver from operating a commercial vehicle if the driver has two convictions for "serious traffic violations" within three years. A serious traffic violation is defined as an offense that results in the loss of driving privileges for 60 days. The sanction affects a holder of a commercial driver's license or a commercial driver's learner permit. **(Hearing scheduled 1/11)**

School Safety

HB 1084 This bill relates to criminal history record checks by state schools. **(Hearing scheduled 1/9)**

HB 1088 This bill repeals a requirement that the superintendent of public instruction buy automated external defibrillators and distribute them to school districts. **(Hearing scheduled 1/7)**

SB 2052 This bill would allow districts to create a safety plan and levy five mills with voter approval. **(Hearing scheduled 1/8)**

[SB 2034](#) This bill creates exceptions to prohibitions of possession of firearms. *(Hearing scheduled 1/9)*

Technology & Cyber Security

[SB 2101](#) This bill changes references to PowerSchool in NDCC to "state student information system." *(Hearing scheduled 1/7)*

[SB 2110](#) This bill would require ITD oversee the cyber security strategy of political subdivisions, including school districts. *(Heard by the Senate)*

Finance & Tax

[HB 1066](#) This bill makes changes to the oil and gas tax distribution formula. *(Introduced)*

[HB 1067](#) Relating to municipal bid requirements and certificates of indebtedness. *(Heard in the House)*

[SB 2013](#) This bill includes the appropriation for DPI and the K12 funding formula. *(Introduced)*

[SB 2040](#) This bill would prohibit school districts from protesting special improvement districts that included property owned by the district. *(Hearing scheduled 1/8)*

[SB 2042](#) This bill removes reporting requirements for schools and counties receiving oil and gas gross production tax allocations. *(Hearing scheduled 1/7)*

Early Childhood Education

[HB 1104](#) 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. *(Hearing scheduled 1/8)*

[HB 1114](#) This bill changes some Department of Human Services regulations for early childhood education programs and defines "educational facility" as a public or nonpublic school. *(Hearing scheduled 1/8)*

HR Issues

[HB 1028](#) This bill sets out regulations for a self-insurance health care plan for the North Dakota Public Employees Retirement System, which would come into play if NDPERS switches to a self-insurance plan. *(Introduced)*

[HB 1060](#) This bill relates to surcharges paid by employers for employees who receive unemployment insurance benefits at a rate exceeding contributions paid into the system by the employer. *(Hearing scheduled 1/9)*

[SB 2023](#) This bill includes the appropriation for PERS. *(Hearing scheduled 1/8)*

[SB 2046](#) This bill affects retiree health insurance credits for new employees. *(Hearing scheduled 1/11)*

Elections

[HB 1059](#) This bill relates to part-time appointment of election workers and required presence at polling places. *(Heard in the House)*

[SB 2062](#) This bill relates to publication of election results by county auditors. *(Introduced)*

Mental & Behavioral Health Issues

[SB 2026](#) This bill includes the Department of Human Services appropriation. *(Hearing scheduled 1/7)*

[SB 2028](#) This bill provides \$600,000 for the Department of Human Services to offer behavioral health and early intervention services in the next two years. *(Introduced)*

[SB 2029](#) This bill provides \$7 million for the Department of Human Services to establish a community behavioral health program. *(Hearing scheduled 1/7)*

[SB 2030](#) This bill appropriates \$408,000 to implement recommendations for improving the state's behavioral health system. *(Introduced)*

[SB 2031](#) This bill includes an appropriation to the Department of Human Services for targeted case management services. *(Hearing scheduled 1/8)*

[SB 2032](#) This bill relates to peer support specialist certification and to provide an appropriation. *(Hearing scheduled 1/8)*

[SB 2124](#) This bill creates a network of human services zones and outlines their authority and duties. *(Introduced)*

Miscellaneous

[HB 1019](#) This bill includes the appropriation for CTE. *(Hearing scheduled 1/9)*

[HB 1021](#) This bill includes the appropriation for ITD. *(Hearing scheduled 1/11)*

[HB 1027](#) This bill replaces references to No Child Left Behind in Century Code with ESSA. *(Hearing scheduled 1/10)*

- [HB 1052](#) This bill would allow a child’s parent or legal guardian to supervise his or her home education and includes new defined terms. *(Hearing scheduled 1/8)*
- [HB 1082](#) This bill aligns state code with federal regulations implemented by ESSA and relates to policy ABCE. *(Hearing scheduled 1/9)*
- [HB 1108](#) This bill relates to child abuse and neglect family services assessments and evidence-based screening tool records. *(Hearing scheduled 1/8)*
- [SB 2010](#) This bill includes the appropriation for the Insurance Department but will also likely include language allowing the North Dakota Insurance Reserve Fund to take over administration of the Fire and Tornado Fund. *(Hearing scheduled 1/8)*
- [SB 2043](#) This bill outlines regulations and procedures for assessments of child abuse and neglect. Eliminates a requirement for child care workers to be certified in the use of an automated external defibrillator. *(Hearing scheduled 1/8)*
- [SB 2025](#) This bill directs the Superintendent of Public Instruction to call an annual meeting to review the statewide strategic vision for education. *(Hearing scheduled 1/8)*
- [SB 2053](#) This bill adds the assistant superintendent of a school district to a list of officials who have access to a student’s law enforcement and correctional facility records. *(Hearing scheduled 1/8)*

Hearing Schedule (Jan. 7-11)

(Note: Primary bills are italic.)

Date	Time	Bill	Committee	Room	Summary
1/7	9 a.m.	<u>SB 2026</u>	Senate Human Services	Red River	Department of Human Services Appropriations
1/7	10:30 a.m.	<u>SB 2029</u>	Senate Human Services	Red River	Behavioral Health
1/7	10:30 a.m.	<u>SB 2101</u>	Senate Education	Sheyenne River	Power School
1/7	1 p.m.	<u>HB 1088</u>	House Education	Coteau A	Purchase of AEDs
1/7	2 p.m.	<u>SB 2042</u>	Senate Finance & Tax	Lewis & Clark	Reporting requirements for schools and counties receiving oil and gas gross production tax allocations
1/8	8:30 a.m.	<u>SB 2010</u>	Senate Approp.	Harvest	Insurance Department appropriation - Fire and Tornado Fund
1/8	9 a.m.	<u>SB 2053</u>	Senate Judiciary	Fort Lincoln	Inspection of law enforcement and correctional facility records and files of a child by an assistant superintendent
1/8	9 a.m.	<u>SB 2040</u>	Senate Finance & Tax	Lewis & Clark	Special improvement district protests
1/8	9 a.m.	<u>SB 2031</u>	Senate Human Services	Red River	Case management appropriation
1/8	9:30 a.m.	<u>SB 2032</u>	Senate Human Services	Red River	Peer support specialists
1/8	9:30 a.m.	<u>HB 1104</u>	House Human Services	Fort Union	Early childhood services
1/8	9:30 a.m.	<u>SB 2023</u>	Senate Approp.	Harvest	PERS appropriation
1/8	9:45 a.m.	<u>HB 1108</u>	House Human Services	Fort Union	Child abuse and neglect family assessments
1/8	10 a.m.	<u>SB 2025</u>	Senate Education	Sheyenne River	Strategic vision reviews
1/8	10 a.m.	<u>HB 1027</u>	House Education	Coteau A	ESSA language housekeeping
1/8	10:30 a.m.	<u>HB 1052</u>	House Education	Coteau A	Home education definitions
1/8	10:30 a.m.	<u>HB 1114</u>	House Human Services	Fort Union	Early childhood services
1/8	2 p.m.	<u>SB 2052</u>	Senate Education	Sheyenne River	School district safety plans
1/9	9 a.m.	<u>HB 1082</u>	House Judiciary	Prairie	Prohibition on aiding and abetting sexual abuse
1/9	9:20 a.m.	<u>HB 1084</u>	House Judiciary	Prairie	Criminal history checks for state school teachers

1/9	10:30 a.m.	SB 2034	Senate Judiciary	Fort Lincoln	Possession of firearms
1/9	1:30 p.m.	HB 1019	House Approp.	Roughrider	CTE Appropriation
1/9	3 p.m.	HB 1060	House IBL	Peace Garden	Employer Surcharges for unemployment benefits
1/11	8:30 a.m.	HB 1021	House Approp.	Medora	ITD Appropriation
1/11	9 a.m.	HB 1098	House Transportation	Fort Totten	Commercial driver's licenses
1/11	9:15 a.m.	SB 2046	Senate GVA	Sheyenne River	Employer contributions to PERS
1/11	9 a.m.	SB 2047	Senate GVA	Sheyenne River	PERS - computation of retirement benefits
1/11	9:30 a.m.	SB 2121	Senate Transportation	Lewis & Clark	Commercial vehicle driver's licenses
1/11	9:45 a.m.	SB 2048	Senate GVA	Sheyenne River	Increased employer and employee contributions to PERS
1/11	10 a.m.	SB 2049	Senate GVA	Sheyenne River	PERS - Computation of final average salary for employees who terminate employment after December 31, 2021

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 14	Deadline for Representatives to introduce bills
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