



The 66<sup>th</sup> Legislative Assembly is now back from the crossover break and has hit the ground running working through the mountain of bills and resolutions still remaining. Legislators spent a good amount of time this week addressing additional resolutions seeking to toughen the requirements of the constitutional amendment initiative process. The latest discussion involves SCR 4015 sponsored primarily by Senator Jessica Unruh (R-Beulah). This resolution proposes that the process be changed in four ways: (1) raise the voting threshold to pass such an amendment to 60% (currently, a simple majority is required); (2) double the amount of required signatures from 4% to 8% of the state's population; (3) require 50% of the signatures to come from every county in the state at a proportionate rate to the population; and, (4) change the signature submission deadline to 240 days before the election (currently, it is 120 days). Another proposed resolution, HCR 3010, also calls for an increase in the voting requirement for constitutional amendments from 50% to 60%. Strong opposition to these proposals continues from such groups as the North Dakota AFL-CIO. Any such resolutions that pass both chambers would still need to be placed on the ballot in 2020 and approved by the voters.

### Key Issues

One of our primary bills has already passed both chambers. **HB 1082** prohibits any school employee, contractor, or agent from assisting another school employee, contractor, or agent in obtaining a new job if the individual or agency knows, there is confirmation, or there is an investigation underway based on a claim the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of law. The bill passed the Senate by a vote of 28-17 on Thursday. Because the House and Senate passed different versions of the bill, it will now head to conference committee so that the differences can be worked out. Both bodies will need to approve the final version of the bill before it heads to the Governor's desk.

The NDSBA returned to committee work this week on handful of primary bills. **SB 2149** would require school districts to provide instruction in mental health awareness and suicide prevention to students in grades 7 through 12. NDSBA opposed the original bill when introduced as it included certain unfunded mandates, including a certain minimal number of required instructional hours per semester and a requirement to employ a school counselor in each school within the district with specific training on suicide prevention and youth crisis issues. However, with the amendments made to the bill in the Senate, which either removed these items or allowed schools to fulfill the goals of the bill with existing staff and resources, NDSBA now supports the bill. Most schools already provide instruction, services, and information to students on suicide prevention and other youth crisis topics through their existing staff and school counselors. **SB 2149** in its current form gives public schools flexibility to choose the manner, the timing, and in what frequency instruction should be provided.

**SB 2300** provides an appropriation of \$1.3 million to the department of human services for the purpose of providing grants to school districts to address student behavioral needs. NDSBA testified in support of this bill as it provides an immediate, targeted source for much needed funding for schools to do more to address behavioral health issues.

**SB 2052** would permit a school district to levy an additional 5 mills for purposes of funding school safety initiatives. The bill requires school districts to develop a safety plan outlining the items to be funded by the additional mills. It also includes language that makes it clear that the details set forth in a school district safety plan are exempt from public disclosure. While NDSBA believes dedicated funding through state or other guaranteed sources would be out first choice, this bill is a good first step in the right direction.

The House Education Committee also held a hearing on **SB 2265**, one of a handful of bills proposed this session to modify the state foundation aid formula. The bill calls for a two- and three-percent increase in per pupil payments over the next biennium and change to on-time funding. NDSBA stood in support of the bill and urged the committee to issue a do pass recommendation.

Finally, the Senate Transportation Committee held hearings on the two bus driver bills NDSBA has been tracking. **HB 1369** clarifies that the school district may only responsible for the cost of initial school bus driver physical examinations (to the extent such costs are not covered by the individual's insurance). Any additional required examinations would be the responsibility of the individual bus driver. **HB 1385** seeks to add mandatory safety training for school bus drivers. NDSBA appeared in support of both bills.

As for next week, the following bills are scheduled for committee hearings: **SB 2013** (DPI appropriation bill, including the appropriation for state foundation aid payments to school districts); **HB 1335** (relates to limitations on school dress code policies); **HB 1262** (relates to the expansion of existing school safety and crisis reporting programs); **SCR 4004** (concurrent resolution directing a study on the impact of violent, disruptive and inappropriate behavior within the educational environment); **SB 2209** (relates to protection of records related to critical infrastructure and security planning, mitigation or threats); **SB 2101** (relates to requirements of student information system); **SB 2186** (relates to providing schools with information regarding school safety and awareness issues to be posted in school common areas); **HB**

**1066** (relates to infrastructure funds and oil and gas tax revenue allocations); **SB 2171** (relates to credentials for teachers of computer and cyber science); **SB 2312** (relates to allocation of revenue from oil and gas production and oil extraction taxes); **HB 1346** (relates to the required number of hours of instruction by school districts and weather emergencies); **HB 1162** (relates to multiple convictions of the same infraction); **HB 1125** (relates to plans for cooperating school districts); **SB 2157** (relates to the age of students enrolled in a driver's education course); **SB 2156** (relates to registration fees for motor vehicles and a driver's education fund); **SB 2340** (relates to protection of records shared for emergency purposes); **SB 2357** (provides for a Bank of ND loan guarantee program for federal works affected by the federal shutdown); and **SB 2110** (relates to cybersecurity).

## Primary Bill List and Status Report

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

### Transportation

<a href="#"><u>HB 1098</u></a>	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. <b>(Passed House 73-19, Senate Hearing held 2/7, Amended, Do Pass Recommendation 6-0-0)</b>
<a href="#"><u>HB 1385</u></a>	This bill relates to mandatory safety training for school bus drivers. <b>(Passed House 84-8; Hearing held 2/28)</b>

### School Calendar/Instructional Time/Instruction Content

<a href="#"><u>HB 1237</u></a>	This bill would require each school district to make information relating to child sexual abuse available to students and parents/legal guardians of students. <b>(Passed House 89-0)</b>
<a href="#"><u>HB 1346</u></a>	This bill relates to the number of hours of instruction by school districts and weather emergencies. <b>(Passed House 86-5, Hearing scheduled 3/5)</b>
<a href="#"><u>SB 2149</u></a>	This bill requires mandatory instruction for students in mental health awareness and suicide prevention. <b>(Passed House 44-3, Hearing held 2/27)</b>
<a href="#"><u>SB 2157</u></a>	This bill relates to the age of student allowed to be enrolled in driver's training courses. <b>(Passed Senate 47-0, Hearing scheduled 3/6)</b>

### Teacher Contracts

<a href="#"><u>HB 1347</u></a>	This bill would allow school boards to nonrenew a teacher who has been teaching for 3 years or less without a due process hearing. <b>(Passed House 59-34)</b>
--------------------------------	--

### School Safety

<a href="#"><u>HB 1162</u></a>	This bill changes the definition of "infraction" under the criminal code. <b>(Passed House 91-0, Hearing scheduled 3/6).</b>
<a href="#"><u>HB 1163</u></a>	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. <b>(Passed House 78-14).</b>
<a href="#"><u>HB 1262</u></a>	This bill, as amended, would allow for the expansion of existing school safety and crisis reporting programs. <b>(Passed House 82-11, Hearing scheduled 3/4)</b>
<a href="#"><u>HB 1332</u></a>	This bill would allow a school district to designate an "armed first responder" to possess a firearm or dangerous weapon on school premises. <b>(Passed House 77-15)</b>
<a href="#"><u>SB 2034</u></a>	This bill creates exceptions to prohibitions of possession of firearms. <b>(Passed by Senate 46-1, Hearing held 2/28)</b>
<a href="#"><u>SB 2052</u></a>	This bill would allow districts to create a safety plan and levy five mills with voter approval. <b>(Passed Senate 43-3, emergency clause carried, Hearing held 2/27)</b>
<a href="#"><u>SB 2172</u></a>	This bill relates the possession of a firearm or dangerous weapon at a public gathering. <b>(Passed Senate 46-0, Hearing held 2/28)</b>
<a href="#"><u>SB 2181</u></a>	This bill adds cyberbullying off school premises to the definition of bullying under ND law. <b>(Passed Senate 44-1)</b>
<a href="#"><u>SB 2186</u></a>	This bill relates to the provision of information regarding school safety and awareness issues to school districts to be posted in school common areas. <b>(Passed Senate 44-1, Hearing scheduled 3/5)</b>
<a href="#"><u>SB 2209</u></a>	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. <b>(Passed Senate 47-0, Hearing scheduled 3/4)</b>
<a href="#"><u>SB 2281</u></a>	This bill relates to limitations on permissible use of force on a child. <b>(Passed Senate 27-19)</b>

### Technology & Cyber Security

<a href="#"><u>SB 2101</u></a>	This bill changes references to PowerSchool in NDCC to "state student information system," and allows the statewide longitudinal data system committee to exempt school districts from implementing "state student information system." <b>(Passed Senate 44-0, Hearing scheduled 3/4)</b>
<a href="#"><u>SB 2110</u></a>	This bill would require ITD oversee the cyber security strategy of political subdivisions, including school districts. <b>(Passed Senate 44-0, Hearing scheduled 3/8)</b>
<a href="#"><u>SB 2340</u></a>	This bill relates to the protection of records regarding emergency planning and response and provides an exemption to open records laws. <b>(Passed Senate 43-1, Hearing scheduled 3/7)</b>

<b>Finance &amp; Tax</b>	
<a href="#">HB 1066</a>	This bill makes changes to the oil and gas tax distribution formula. <i>(Passed House 80-12, Hearing scheduled 3/5)</i>
<a href="#">HB 1067</a>	Relating to municipal bid requirements and certificates of indebtedness. <i>(Passed House 85-4, Hearing held 2/28)</i>
<a href="#">HB 1125</a>	This bill relates to plans for cooperating school districts. <i>(Passed House 88-0, Hearing scheduled 3/6).</i>
<a href="#">HB 1365</a>	This bill would make changes to the baseline funding calculation for state aid payments to school districts. <i>(Passed House 71-19)</i>
<a href="#">HB 1369</a>	This bill relates to the payment of school bus drive physical examinations. <i>(Passed House 88-0, Hearing held 2/28)</i>
<a href="#">HB 1454</a>	This bill relates to bids for school district contracts, increases the threshold amount to \$50,000 and provides an exception for cooperative purchases in the amount in excess of \$50,000 but below \$100,000, and made pursuant to joint powers agreements. <i>(Passed House 92-0)</i>
<a href="#">SB 2013</a>	This bill includes the appropriation for DPI and the K12 funding formula. <i>(Passed House 46-1, Emergency Clause carried, Hearing scheduled 3/4)</i>
<a href="#">SB 2040</a>	This bill would prohibit school districts from protesting special improvement districts that included property owned by the district. <i>(Passed Senate 47-0, Hearing held 2/27, Amended, Do Pass Recommendation 12-0-2)</i>
<a href="#">SB 2156</a>	This bill would establish an additional vehicle registration fee (25 cents) to be deposited into a driver's education fund and administered by DPI. <i>(Passed Senate 41-4, Hearing scheduled 3/6)</i>
<a href="#">SB 2214</a>	This bill relates to school construction loans, to authorize the use of funds, and to provide a bond issuance limitation. <i>(Passed Senate 47-0)</i>
<a href="#">SB 2255</a>	This bill relates to changes in school district tax levies. <i>(Passed Senate 46-1)</i>
<a href="#">SB 2265</a>	This bill relates to the determination of state aid payable to school district and to provide for a study. <i>(Passed Senate 47-0, Hearing held 2/27)</i>
<a href="#">SB 2276</a>	This bill relates to the infrastructure revolving loan fund. <i>(Passed Senate 31-16)</i>
<a href="#">SB 2312</a>	This bill relates to the allocation of revenue from oil and gas production and oil extraction taxes on production and extraction activity on a reservation. <i>(Passed Senate 40-5, Hearing scheduled 3/5)</i>
<b>Early Childhood Education</b>	
<a href="#">SB 2250</a>	This bill would require public schools to provide early childhood education services. <i>(Passed House 45-0, Hearing held 2/27)</i>
<b>HR Issues</b>	
<a href="#">SB 2217</a>	This bill would require legislative management to consider studying the feasibility and desirability of creating a teacher incentives for leadership in education program. <i>(Passed Senate 45-1)</i>
<b>Elections/School Board Membership Requirements</b>	
<a href="#">HB 1117</a>	This bill relates to publication of legal notices in a newspaper and online. <i>(Passed House 89-1, Hearing held 3/1)</i>
<a href="#">HB 1201</a>	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>(Passed House 80-12, Hearing held 2/28, Do Pass Recommendation 6-0-0)</i>
<a href="#">HB 1501</a>	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; bill would further authorize governor to suspend elected or appointed official if audit ordered due to financial irregularities or allegations of embezzlement and if in best interest of state. <i>(Passed House 59-34, Emergency Clause Failed)</i>
<a href="#">SB 2230</a>	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>(Passed Senate 32-15).</i>
<a href="#">SB 2356</a>	This bill, as amended, would provide for a legislative management study regarding absentee voting and voting by mail. <i>(Passed Senate 45-2)</i>
<b>Mental &amp; Behavioral Health Issues</b>	
<a href="#">HB 1249</a>	This bill, as amended, would add "current or new behavior mitigation techniques" as one of the list of possible required categories of professional development under section 15.1-07-34. <i>(Passed House 82-11)</i>
<a href="#">SCR 4004</a>	This bill would call for a study regarding impact of violent, disruptive, and inappropriate behavior within the educational environment perpetrated by students. <i>(Passed Senate, Hearing scheduled 3/4)</i>
<b>Licensure/Workforce Shortage</b>	
<a href="#">HB 1287</a>	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. <i>(Passed House 74-19)</i>
<a href="#">HB 1429</a>	This bill relates to the administrative authority for teacher shortage loan forgiveness program. <i>(Passed House 82-10)</i>

<a href="#">HB 1531</a>	This bill relates to allowing individuals who do not have a teaching license to teach noncore subjects upon meeting certain criteria. <b>(Passed House 82-7)</b>
<a href="#">SB 2171</a>	This bill relates to credentials of teachers of computer and cyber science. <b>(Passed Senate 46-0, Hearing scheduled 3/5)</b>
<a href="#">SB 2353</a>	This bill, as amended, creates a new chapter in Title 43 of the NDCC which addresses uniform board regulation of occupations and professions and to provide for a legislative management study. <b>(Passed Senate 42-5, )</b>

### Miscellaneous

<a href="#">HB 1082</a>	This bill aligns state code with federal regulations implemented by ESSA and relates to policy ABCE. <b>(Passed House 72-16, Hearing held 2/4, Amended, Do Pass Recommendation 4-2-0, Passed Senate 28-17)</b>
<a href="#">HB 1335</a>	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. <b>(Passed house 90-2, Hearing scheduled 3/4)</b>
<a href="#">HB 1434</a>	This bill relates to the dissolution of school districts. <b>(Passed House 73-19)</b>
<a href="#">HB 1464</a>	This bill calls for a study of a school choice program. <b>(Passed House 73-19)</b>
<a href="#">SB 2025</a>	This bill directs the Superintendent of Public Instruction to call an annual meeting to review the statewide strategic vision for education. <b>(Passed Senate 46-0, Hearing held 2/27)</b>
<a href="#">SB 2148</a>	This bill implements the requirements of Measure 1 relating to restrictions on lobbyists and public officials and the creation of an ethics commission. <b>(Passed Senate 46-0)</b>
<a href="#">SB 2215</a>	This bill creates a kindergarten through grade twelve education commission to coordinate with schools to support elementary and secondary education in the state. <b>(Passed Senate 47-0)</b>
<a href="#">SB 2216</a>	This bill relates to the authorization of enrollments to the center for distance education by a school superintendent. <b>(Passed Senate 47-0)</b>
<a href="#">SB 2300</a>	This bill provides an appropriation to the Department of Health to provide grants to school districts to meet behavioral health needs. <b>(Passed Senate 47-0, Hearing held 2/27)</b>
<a href="#">SB 2357</a>	This bill permits the Bank of ND to provide loans to federal workers affected by the federal shutdown. <b>(Passed Senate 41-4, Hearing scheduled 3/7)</b>
<a href="#">HCR 3011</a>	This resolution directs legislative management to consider studying the provisions of the NDCC relating to provision of elementary and secondary education. <b>(Passed House)</b>
<a href="#">SCR 4007</a>	This resolution would urge Congress and the FDA to end the marketing and advertising of e-cigarettes to youth. <b>(Passed Senate)</b>

### Hearing Schedule (Mar. 4-Mar. 8)

Date	Time	Bill	Committee	Room	Summary
3/4	9 a.m.	<a href="#">SB 2013</a>	House App. - Edu & Enviro	Roughrider	DPI and K-12 funding formula appropriations
3/4	9 a.m.	<a href="#">HB 1335</a>	Senate Edu	Sheyenne	Student dress codes
3/4	9:30 a.m.	<a href="#">HB 1262</a>	Senate Edu	Sheyenne	School safety and crisis reporting programs
3/4	2 p.m.	<a href="#">SCR 4004</a>	House Edu	Coteau	Study of violent behavior in schools
3/4	2 p.m.	<a href="#">SB 2209</a>	House IBL	Peace Garden	Security records exemptions
3/4	2:30 p.m.	<a href="#">SB 2101</a>	House Edu	Coteau	State student information system
3/5	9 a.m.	<a href="#">SB 2186</a>	House Edu	Coteau	Posting information regarding child abuse and neglect
3/5	9 a.m.	<a href="#">HB 1066</a>	Senate FinTax	Lewis & Clark	Oil and gas tax revenue allocations
3/5	9:45 a.m.	<a href="#">SB 2171</a>	House Edu	Coteau	Computer and cyber science credentials
3/5	10 a.m.	<a href="#">SB 2312</a>	House FinTax	Ft. Totten	Oil and gas tax revenue allocations
3/5	1:30 p.m.	<a href="#">HB 1346</a>	Senate Edu	Sheyenne River	Seat time - days to hours
3/6	10:30 a.m.	<a href="#">HB 1162</a>	Senate Judiciary	Ft. Lincoln	Convictions
3/6	1:30 p.m.	<a href="#">HB 1125</a>	Senate Edu	Sheyenne	Requirements for cooperating school districts
3/6	2 p.m.	<a href="#">SB 2157</a>	House Edu	Coteau	Age of students in driver's ed
3/6	2:30 p.m.	<a href="#">SB 2156</a>	House Edu	Coteau	Driver's ed fund
3/7	10:30 a.m.	<a href="#">SB 2340</a>	House PoliSubs	Prairie	Emergency records exemptions
3/8	8:30 a.m.	<a href="#">SB 2110</a>	House GVA	Ft. Union	Cyber security of political subdivisions

### 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
March 6	Crossover date for resolutions
April 19	Good Friday (In 2017 the House and Senate were in session on Good Friday.)
May 2	Session is limited to 80 legislative days