



This week we saw the first veto of this Legislative Session. Governor Burgum vetoed **SB 2244**, which would have doubled the fees for commercial and noncommercial driver's licenses. The Governor did sign several other bills, including: **SB 2052** (relating to school district safety plans and levy authority for an additional 5 mills for a school safety plan); **SB 2225** (relating to familial duty to support for health services); **SB 2171** (relates to the credentials of teachers of computer and cyber science); **HB 1425** (relating to treatment standards for victims and medical screening and acute forensic medical examinations, and prosecution for sexual abuse of minors); **HB 1298** (relating to accessibility of the state capitol); and **HB 1066** (relates to infrastructure funds and oil and gas tax revenue allocations).

Another piece of legislation that caused a buzz at the Capitol this week was **HB 1097**, which sought to repeal North Dakota's "blue laws" and, if passed, would permit retail establishments to open before noon on Sundays. The bill passed the Senate this week by a close vote of 25-21 and the governor has indicated he will sign it.

Key Issues

A few more education-related bills were signed by the Governor this week. **SB 2157** relates to the age of student enrolled in a driver's training course and would require any enrolled student to be at least 14 years of age. The Governor signed the bill this past Thursday. **HB 1335**, which prohibits a public school from adopting a dress code policy prohibiting the wearing of tribal regalia at graduation ceremonies, was signed by the Governor this past Wednesday.

A number of our primary bills came out of committee this week. **SB 2181**, which would expand the definition of "bullying" under NDCC 15.1-19-17 to include certain conduct that occurs off school property and outside of school hours via electronic device (i.e. cyberbullying), was slightly amended by and received a 12-0-2 do pass recommendation from the House Education Committee. **SB 2230**, which as originally introduced would have prohibited any individual with a felony conviction or a host of misdemeanor convictions from serving on a school board, was amended by the House Judiciary Committee and received a 13-0-1 do pass recommendation. The bill, as amended, would now only apply to public schools located on land within the exterior boundaries of an Indian reservation in this state and would prohibit any individual who would not otherwise be eligible to run for tribal office from also being eligible to be a member of a public school board. **SB 2214** relating to the school construction assistance revolving loan fund was amended this week by the House Education Committee to call for the transfer of \$75 million from the Foundation Aid Stabilization Fund into the revolving loan fund during the next biennium, with \$5 million or so much of those funds as may be necessary for the Bank of ND to provide interest rate buydowns associated with loans issued under NDCC 15.1-36-06 and to provide additional funding for new loans to local school districts out of the fund. The bill, as amended, received a 11-0-3 do pass recommendation from the Committee. **SB 2217**, as amended in the Senate, calls for a legislative study of the feasibility and desirability of creating a teacher incentive for leadership program. The House Education further amended the bill this week by including additional criteria for the proposed study, including how such a program operates in relation to the statewide education strategic vision. The bill, as amended, received a 13-0-1 do pass recommendation from the Committee. **SB 2300** would have provided an appropriation to the Department of Health to provide grants to school districts to meet behavioral health needs. The House Education Committee issued a do not pass recommendation by a vote of 14-0-0.

A handful of education bills were heard on the Senate Floor this week. **HB 1454**, which seeks to increase the bidding threshold for school districts from \$25,000 to \$50,000, as well as except from the bidding requirements cooperative purchases made pursuant to a joint powers agreement, was amended back to its original version by the Senate Education Committee. The Committee issued a unanimous do pass recommendation and the bill passed on the Senate floor today by a vote of 43-0. **HB 1249**, which adds "current or new evidence-based behavior prevention or mitigation techniques" to the categories of professional development on youth behavioral health to be provided to teachers and administrators, received a do pass recommendation from the Senate Education Committee and passed the Senate by a vote of 46-0. **HB 1429** relates to the teacher shortage loan forgiveness program and transfers administrative responsibility for the program to the Department of Public Instruction. The bill received a do pass recommendation from the Senate Education Committee and passed the Senate by a vote of 46-0. **HB 1464** called for a legislative management study of the feasibility and desirability of developing a school choice program. The Senate Education Committee issued a do not pass recommendation and the bill failed on the Senate floor by a vote of 13-33.

This week, NDSBA appeared at a hearing on **HB 1461** held before the Senate Education Committee. This bill would require public schools to screen every student for dyslexia and to provide training for teachers and other staff. NDSBA appeared in opposition to the bill because of the significant cost and expense school districts would likely incur to meet the unfunded mandates included within the bill. NDCEL also appeared in opposition to the bill. Numerous parents appeared in support of the bill. The Senate Education Committee took no action following the completion of the hearing.

There are no committee hearings on NDSBA primary bills scheduled for next week; however, NDSBA will continue to closely watch several bills that will be worked on in committee, including **HB 1332** and **HB 1206**, both of which are expected to receive recommendations from

the Senate Energy and Natural Resources Committee next week. **HB 1332** is commonly referred to as the “armed first responder” bill. **HB 1206** would make it lawful for any individual with a valid class 1 exempt license under NDCC 62.1-04-03.2 to possess a firearm or dangerous weapon at a public gathering, including a public school. The bill creates this new class of firearm conceal and carry license, which would be issued to an individual who possesses a valid class 1 firearm license and who successfully completes the training and testing requirements outlined in the bill. We also expect **HB 1347** to receive a recommendation from the Senate Education Committee next week. This bill seeks to extend the period of time after which a public school teacher in ND achieves tenure status from one year after licensure to completion of three years of employment with a district. **HB 1346**, which relates to changing the requirement from instructional days to hours and weather emergencies, is still in the Senate Education Committee and will likely be worked on by the Committee next week. Finally, the Senate Finance and Taxation Committee may issue a recommendation next week on **SB 2362**, which clarifies the allocation of a portion of the state’s share of extraction taxes from oil and gas production within the boundaries of the Fort Berthold Indian Reservation to be deposited into the Common Schools Trust Fund and Foundation Aid Stabilization Fund for the benefit of public schools.

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. (Passed House 73-19, Senate Hearing held 2/7, Amended, Do Pass Recommendation 6-0-0, Passed Senate 44-0)
HB 1385	This bill relates to mandatory safety training for school bus drivers. (Passed House 84-8, Hearing held 2/28, Do Pass Recommendation 6-0-0, Passed Senate 44-1, Signed by Governor)

School Calendar/Instructional Time/Instruction Content

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. (Passed House 89-0, Hearing held 3/11)
HB 1346	This bill relates to the number of hours of instruction by school districts and weather emergencies. (Passed House 86-5, Hearing held 3/5)
SB 2149	This bill requires mandatory instruction for students in mental health awareness and suicide prevention. (Passed House 44-3, Hearing held 2/27, Amended, Do Pass Recommendation 14-0-0)
SB 2157	This bill relates to the age of student allowed to be enrolled in driver’s training courses. (Passed Senate 47-0, Hearing held 3/6, Do Pass Recommendation 13-0-1, Passed House 90-0, Signed by Governor)

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. (Passed House 59-34, Hearing held 3/13)
-------------------------	---

School Safety

HB 1162	This bill changes the definition of “infraction” under the criminal code. (Passed House 91-0, Hearing held 3/6, Do Not Pass Recommendation 4-0-2, Failed Senate 1-44).
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. (Passed House 78-14, Hearing held 3/14).
HB 1262	This bill, as amended, would allow for the expansion of existing school safety and crisis reporting programs. (Passed House 82-11, Hearing held 3/4, Do Not Pass Recommendation 7-0-0, Failed Senate 2-42)
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. (Passed House 77-15, Hearing held 3/14)
SB 2034	This bill creates exceptions to prohibitions of possession of firearms. (Passed by Senate 46-1, Hearing held 2/28)
SB 2052	This bill would allow districts to create a safety plan and levy five mills with voter approval. (Passed Senate 43-3, emergency clause carried, Hearing held 2/27, Do Pass Recommendation 10-2-2, Passed House 55-31, emergency clause failed, Signed by Governor)
SB 2172	This bill relates the possession of a firearm or dangerous weapon at a public gathering. (Passed Senate 46-0, Hearing held 2/28)
SB 2181	This bill adds cyberbullying off school premises to the definition of bullying under ND law. (Passed Senate 44-1, Hearing held 3/13, Amended, Do Pass Recommendation 12-0-2)
SB 2186	This bill relates to the provision of information regarding school safety and awareness issues to school districts to be posted in school common areas. (Passed Senate 44-1, Hearing held 3/5, Amended, Do Pass Recommendation 13-0-1)
SB 2209	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. (Passed Senate 47-0, Hearing held 3/4, Amended, Do Pass Recommendation 13-0-1)
SB 2281	This bill relates to limitations on permissible use of force on a child. (Passed Senate 27-19, Hearing held 3/19)

Technology & Cyber Security	
<u>SB 2101</u>	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." <i>(Passed Senate 44-0, Hearing held 3/4, Amended, Do Pass Recommendation 12-0-2, Passed House 87-2)</i>
<u>SB 2110</u>	This bill would require ITD oversee the cyber security strategy of political subdivisions, including school districts. <i>(Passed Senate 44-0, Hearing held 3/8, Hearing held 3/18)</i>
<u>SB 2340</u>	This bill relates to the protection of records regarding emergency planning and response and provides an exemption to open records laws. <i>(Passed Senate 43-1, Hearing held 3/7, Amended, Do Pass Recommendation 11-2-1, Passed House 82-7)</i>
Finance & Tax	
<u>HB 1066</u>	This bill makes changes to the oil and gas tax distribution formula. <i>(Passed House 80-12, Hearing held 3/5, Appropriations Hearing held 3/11, Passed Senate 46-0, Signed by Governor)</i>
<u>HB 1067</u>	Relating to municipal bid requirements and certificates of indebtedness. <i>(Passed House 85-4, Hearing held 2/28, Amended, Do Pass Recommendation 6-0-0, Passed Senate 45-0)</i>
<u>HB 1125</u>	This bill relates to plans for cooperating school districts. <i>(Passed House 88-0, Hearing held 3/6).</i>
<u>HB 1365</u>	This bill would make changes to the baseline funding calculation for state aid payments to school districts. <i>(Passed House 71-19, Hearing held 3/13)</i>
<u>HB 1369</u>	This bill relates to the payment of school bus drive physical examinations. <i>(Passed House 88-0, Hearing held 2/28, Amended, Passed Senate 44-1)</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 in the amount in excess of \$50,000 but below \$100,000, and made pursuant to joint powers agreements. <i>(Passed House 92-0, Hearing held 3/11, Amended, Do Pass Recommendation 7-0-0, Passed Senate 43-0)</i>
<u>SB 2013</u>	This bill includes the appropriation for DPI and the K12 funding formula. <i>(Passed House 46-1, Emergency Clause carried, Hearing held 3/4, Hearing held 3/12, Hearing held 3/15)</i>
<u>SB 2040</u>	This bill would prohibit school districts from protesting special improvement districts that included property owned by the district. <i>(Passed Senate 47-0, Hearing held 2/27, Amended, Do Pass Recommendation 12-0-2, Passed House 87-2)</i>
<u>SB 2156</u>	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 held 3/6, Do Not Pass Recommendation 14-0-0)</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>(Passed Senate 47-0, Hearing held 3/12, Amended, Do Pass Recommendation 11-0-3)</i>
<u>SB 2255</u>	This bill relates to changes in school district tax levies. <i>(Passed Senate 46-1, Hearing held 3/11, Do Pass Recommendation 12-1-1, Passed House 78-8)</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>(Passed Senate 47-0, Hearing held 2/27)</i>
<u>SB 2276</u>	This bill relates to the infrastructure revolving loan fund. <i>(Passed Senate 31-16, Hearing held 3/14, Amended, Do Pass Recommendation 9-5-0)</i>
<u>SB 2312</u>	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 held 3/5, Do Pass Recommendation 12-2-0, Passed House 84-8)</i>
<u>SB 2362</u>	This bill relates to the allocation of oil extraction tax from production on the Fort Berthold Indian Reservation, including allocations into the Common Schools Trust Fund and Foundation Aid Stabilization Fund <i>(Hearing held 3/13)</i>
Early Childhood Education	
<u>SB 2250</u>	This bill would require public schools to provide early childhood education services. <i>(Passed House 45-0, Hearing held 2/27, Do Pass Recommendation 10-4-0, Failed House 46-46)</i>
HR Issues	
<u>SB 2217</u>	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, Hearing held 3/12, Amended, Do Pass Recommendation 13-0-1)</i>
Elections/School Board Membership Requirements	
<u>HB 1117</u>	This bill relates to publication of legal notices in a newspaper and online. <i>(Passed House 89-1, Hearing held 3/1, Do Pass Recommendation 6-0-0, Passed Senate 45-0, Signed by Governor)</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>(Passed House 80-12, Hearing held 2/28, Do Pass Recommendation 6-0-0, Passed Senate 43-0, Signed by Governor)</i>

HB 1501	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, Hearing held 3/11)</i>
SB 2230	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, Hearing held 3/11, Amended, Do Pass Recommendation 14-0-0).</i>
SB 2356	This bill, as amended, would provide for a legislative management study regarding absentee voting and voting by mail. <i>(Passed Senate 45-2, Hearing held 3/14, Do Not Pass Recommendation 7-6-1)</i>

Mental & Behavioral Health Issues

HB 1249	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, Hearing held 3/13, Amended, Do Pass Recommendation 7-0-0, Passed Senate 46-0)</i>
SCR 4004	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 held 3/4, Amended, Do Pass Recommendation 14-0-0)</i>

Licensure/Workforce Shortage

HB 1287	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, Hearing held 3/12)</i>
HB 1429	This bill relates to the administrative authority for teacher shortage loan forgiveness program. <i>(Passed House 82-10, Hearing held 3/11, Amended, Do Pass Recommendation 7-0-0, Passed Senate 46-0)</i>
HB 1531	This bill relates to allowing individuals who do not have a teaching license to teach noncore subjects upon meeting certain criteria. <i>(Passed House 82-7, Hearing held 3/12)</i>
SB 2171	This bill relates to credentials of teachers of computer and cyber science. <i>(Passed Senate 46-0, Hearing held 3/5, Do Pass Recommendation 12-0-2, Passed House 90-0, Signed by Governor)</i>
SB 2353	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. <i>(Passed Senate 42-5, Hearing held 3/15)</i>

Miscellaneous

HB 1082	This bill aligns state code with federal regulations implemented by ESSA and relates to policy ABCE. <i>(Passed House 72-16, Hearing held 2/4, Amended, Do Pass Recommendation 4-2-0, Passed Senate 28-17)</i>
HB 1335	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. <i>(Passed house 90-2, Hearing held 3/4, Do Pass Recommendation 7-0-0, Passed Senate 45-0, Signed by Governor)</i>
HB 1434	This bill relates to the dissolution of school districts. <i>(Passed House 73-19, Hearing held 3/11)</i>
HB 1461	This bill would require dyslexia screenings and training for teachers and other staff and addresses credentials for dyslexia specialists. <i>(Passed House 87-2, Hearing held 3/20)</i>
HB 1464	This bill calls for a study of a school choice program. <i>(Passed House 73-19, Hearing held 3/13, Do Not Pass Recommendation 7-0-0, Failed Senate 13-33)</i>
SB 2025	This bill directs the Superintendent of Public Instruction to call an annual meeting to review the statewide strategic vision for education. <i>(Passed Senate 46-0, Hearing held 2/27, Amended, Do Pass Recommendation 11-0-3, Passed House 69-20)</i>
SB 2148	This bill implements the requirements of Measure 1 relating to restrictions on lobbyists and public officials and the creation of an ethics commission. <i>(Passed Senate 46-0, Hearing held 3/12)</i>
SB 2215	This bill creates a kindergarten through grade twelve education commission to coordinate with schools to support elementary and secondary education in the state. <i>(Passed Senate 47-0, Hearing held 3/12)</i>
SB 2216	This bill relates to the authorization of enrollments to the center for distance education by a school superintendent. <i>(Passed Senate 47-0, Hearing held 3/12)</i>
SB 2300	This bill provides an appropriation to the Department of Health to provide grants to school districts to meet behavioral health needs. <i>(Passed Senate 47-0, Hearing held 2/27, Do Not Pass Recommendation 14-0-0)</i>
SB 2357	This bill permits the Bank of ND to provide loans to federal workers affected by the federal shutdown. <i>(Passed Senate 41-4, Hearing held 3/7, Amended, Do Pass Recommendation 8-5-1, Failed House 18-71)</i>
HCR 3011	This resolution directs legislative management to consider studying the provisions of the NDCC relating to provision of elementary and secondary education. <i>(Passed House, Hearing held 3/11, Do Pass Recommendation 7-0-0)</i>
SCR 4007	This resolution would urge Congress and the FDA to end the marketing and advertising of e-cigarettes to youth. <i>(Passed Senate, Hearing held 3/19, Do Pass Recommendation 11-1-2)</i>

Hearing Schedule (Mar. 25-Mar. 29)

****There are no committee hearings on any NDSBA primary bills scheduled for next week.****

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
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