

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1472

Introduced by

Representatives Thoreson, Berg, Hofstad, Wieland

Senators Flakoll, Horne

1 A BILL for an Act to create and enact a new section to chapter 50-11.1 of the North Dakota
2 Century Code, relating to the creation of an early childhood services advisory board; and to
3 declare an emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 50-11.1 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Early childhood services advisory board - Membership - Duties.**

8 1. The early childhood services advisory board is composed of seven members
9 appointed by the director of the department. The members of the board must
10 include at least four members who represent for-profit early childhood service
11 providers and not more than three members who represent nonprofit early
12 childhood service providers. The term of office is four years expiring on July
13 thirty-first with no more than two terms expiring in any one year. Of the first
14 members appointed, one member must be appointed for a term of one year, two
15 members must be appointed for terms of two years, two members must be
16 appointed for terms of three years, and two members must be appointed for terms
17 of four years. A vacancy occurring other than by reason of the expiration of a term
18 must be filled in the same manner as the original appointment, except that the
19 appointment may be made for only the remainder of the unexpired term. The
20 members are entitled to be paid for mileage and expenses incurred in attending
21 meetings and in performance of their official duties in amounts provided by law for
22 other state officers and employees. A member also is entitled to be reimbursed up
23 to one hundred dollars per day for the expenses incurred by the member which

1 relate to the hiring of a substitute early childhood services provider in order that the
2 member may attend meetings and perform the member's official duties.

3 2. The early childhood services advisory board shall:

4 a. Advise the department as the department conducts a review of all early
5 childhood services rules, a review of which the department shall complete
6 before August 1, 2010;

7 b. Upon the completion of the department's review, with the assistance of the
8 department, conduct an analysis of and make recommendations to the
9 department regarding the department's review of the early childhood services
10 rules, however, final approval of any administrative rule changes must be
11 completed through the administrative rulemaking process set forth in chapter
12 28-32; and

13 c. On an ongoing basis, make recommendations to the department regarding
14 changes and revisions to the early childhood services rules. The
15 recommendations, the goal of which is to streamline and improve the quality
16 of the early childhood services process, must seek to balance the need for
17 rules that ensure safe quality child care with the need to revise or eliminate
18 rules that create unnecessary barriers for early childhood service providers.

19 3. To accommodate the process set forth in subdivisions a and b of subsection 2,
20 any rules the department adopts in response to legislation enacted in 2009 are
21 exempt from the deadline for rules to implement statutory changes set forth in
22 section 28-32-07, however, those rules must be in effect before January 1, 2011.

23 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.