

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2162

That the House recede from its amendments as printed on pages 1249 and 1250 of the Senate Journal and pages 1251 and 1252 of the House Journal and that Engrossed Senate Bill No. 2162 be amended as follows:

Page 1, line 1, after "enact" insert "a new section to chapter 50-06 and"

Page 1, line 2, after "to" insert "criminal history record checks and to"

Page 1, line 3, after "reenact" insert "subdivision g of subsection 2 of section 12-60-24 and"

Page 1, line 7, after "to" insert "criminal history record checks,"

Page 1, line 11, after the first semicolon insert "to provide a statement of legislative intent;" and after the second semicolon insert "to provide an appropriation;"

Page 1, after line 13, insert:

"SECTION 1. AMENDMENT. Subdivision g of subsection 2 of section 12-60-24 of the North Dakota Century Code is amended and reenacted as follows:

- g. The department of human services for ~~carecheck registrations under section 50-11.1-06.2~~ criminal history record checks authorized under section 2 of this Act.

SECTION 2. A new section to chapter 50-06 of the North Dakota Century Code is created and enacted as follows:

Criminal history record checks. The department may require criminal history record checks as the department determines appropriate for:

1. Employees of the department upon hiring;
2. Providers licensed by the department under chapter 50-12, as well as for any employees of those providers; and
3. Applicants for early childhood services licensure, nonlicensed holders of a self-declaration, and in-home providers under chapter 50-11.1. The department also may require criminal history record checks for new staff members of those applicants, providers of an applicant, and a provider if the provider is providing early childhood services within the provider's home."

Page 2, line 9, replace "two" with "three"

Page 9, line 12, after "neglect" insert ". The department may issue a provisional in-home provider registration document in accordance with the rules of the department"

Page 10, remove lines 28 through 31

Page 11, remove lines 1 through 7

Page 11, line 8, replace "3." with "2."

Page 11, after line 9, insert:

"3. The department may issue a provisional self-declaration document in accordance with the rules of the department."

Page 11, line 27, replace "Applicants" with "Upon a determination by the department that a criminal history record check is appropriate, a provider holding or an applicant", replace the first "or" with an underscored comma, and after "self-declaration" insert an underscored comma

Page 11, line 28, after the second "as" insert "new"

Page 11, line 29, after "and" insert "new"

Page 12, line 20, overstrike "the applicant"

Page 13, line 2, replace the first "or" with an underscored comma and after "denial" insert ", or revocation"

Page 13, after line 3, insert:

"9. Any individual who is providing early childhood services solely for the provider's own children, grandchildren, nieces, nephews, and cousins as a licensed provider, a nonlicensed holder of a self-declaration, or an in-home provider may not be required to submit to a criminal history record check authorized under section 2 of this Act."

Page 19, line 11, replace "7" with "9"

Page 23, after line 27, insert:

"SECTION 28. LEGISLATIVE INTENT - FULL-TIME EQUIVALENT POSTIONS - BACKGROUND CHECKS. It is the intent of the sixty-first legislative assembly that of the new 2.0 full-time equivalent positions authorized for the attorney general to assist with conducting background checks under this Act, the attorney general may fill the positions only as necessary to meet workload demands for the biennium beginning July 1, 2009, and ending June 30, 2011.

SECTION 29. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$210,856, or so much of the sum as may be necessary, and \$82,904 in special funds, to the attorney general for the purpose of conducting background checks under this Act, for the biennium beginning July 1, 2009, and ending June 30, 2011."

Page 23, line 29, replace "3" with "5"

Renumber accordingly