Sixty-sixth Legislative Assembly of North Dakota

SENATE BILL NO. 2313

Introduced by

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Senators J. Lee, Hogan, Poolman

Representatives Rohr, Westlind

1	A BILL for an Act to create and enact a new subsection to section 50-06-05.1 and a new
2	sectiontwo new sections to chapter 50-06 of the North Dakota Century Code, relating to duties
3	of the department of human services and, creation of a children's commission cabinet, and
4	creation of a commission on juvenile justice; and to repeal section 50-06-43 of the North Dakota
5	Century Code, relating to the children's behavioral health task force; to provide a report to the
6	legislative management; and to provide an expiration date.
7	BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:
8	SECTION 1. A new subsection to section 50-06-05.1 of the North Dakota Century Code is
9	created and enacted as follows:
10	To develop a system of convices and symposts to provide helpovieral health convices
. •	To develop a system of services and supports to provide behavioral health services

and supports in the community for children at risk of or identified as having a
behavioral health condition and for the families of these children. This system must
include early intervention, treatment, and recovery services and supports and must

interface with, but not include, child protective services or juvenile court.

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

Children's commissioncabinet - Membership - Duties.

- 1. The children's commission cabinet is created to assess, guide, and coordinate the care for children across the state's branches of government and the tribal nations.
- 2. The children's commission cabinet consists of the following members:
 - a. The governor, or the governor's designee;
 - b. The chief justice of the supreme court, or the chief justice's designee;
- c. The speaker of the house of representatives, or the speaker's designee;

ı		<u>a.</u>	The president pro tempore of the senate, or the president pro tempores
2			designee;
3		<u>e.</u>	The superintendent of public instruction, or the superintendent's designee;
4		<u>f.</u>	The executive director of the department of human services, or the executive
5			director's designee;
6	-	<u>g.</u>	The state health officer, or the state health officer's designee;
7		<u>h.</u>	The executive director of the Indian affairs commission, or the executive
8			director's designee;
9		<u>i.</u>	The executive director of the department of corrections and rehabilitation, or the
10			executive director's designee;
11		<u>j.f.</u>	The director of the committee on protection and advocacy, or the director's
12			designee;
13	<u> </u>	k. g.	A representative of each of the tribal nations in the state, who are appointed by
14			the governor; and
15		<u>l.h.</u>	Four individuals representing parents, private service providers, or other
16			community interests, who are appointed by the governor to serve a term of two
17			years, at the pleasure of the governor, and who are entitled to reimbursement
18			from the department of human services for travel and lodging at the same rate as
19			provided for state officers and employees.
20	<u>3.</u>	The	governor, or the governor's designee, shall serve as the presiding officer of the
21		<u>con</u>	nmission cabinet. The commission cabinet shall meet at least quarterly. Additional
22		me	etings may be held at the discretion of the presiding officer.
23	<u>4.</u>	The	e children's commission cabinet shall:
24		<u>a.</u>	Coordinate broad-based leadership across programs, agencies, branches of
25			government, and tribal nations to meet the needs of children;
26		<u>b.</u>	Develop strategies to address gaps or needs regarding education, medical and
27			behavioral health, community, child welfare, and juvenile justice;
28		<u>C.</u>	Develop strategies to provide for the full continuum of care in the delivery of
29			services, including promotion, prevention, early identification and intervention,
30			service delivery, and recovery;
31		<u>d.</u>	Seek to engage cooperation across public and private service providers;

1		<u>e.</u>	Provide a comprehensive vision for how and where children are best served,
2			attending to children in a respectful and relevant manner;
3		<u>f.</u>	Seek strategies to provide services to children without consideration of prior
4			engagement with juvenile services; and
5		<u>g.</u>	Provide for the active participation of consumers and providers statewide on
6			advisory committees.
7	<u>5.</u>	The	e department of human services shall provide the children's commissioncabinet
8		with	staffing and administrative services.
9	SEC	CTIO	N 3. A new section to chapter 50-06 of the North Dakota Century Code is created
10	and ena	acted	as follows:
11	Cor	<u>nmis</u>	sion on juvenile justice - Reports.
12	1.	The	e commission on juvenile justice is composed of:
13		<u>a.</u>	Three members of the house of representatives, two of whom must be selected
14			by the majority leader of the house of representatives and one of whom must be
15			selected by the minority leader of the house of representatives;
16		b.	Three members of the senate, two of whom must be selected by the majority
17			leader of the senate and one of whom must be selected by the minority leader of
18			the senate:
19		C.	The governor, or the governor's designee;
20		d.	The superintendent of public instruction, or the superintendent's designee;
21		e.	The executive director of the department of human services, or the executive
22			director's designee;
23		f.	The director of the department of corrections and rehabilitation's division of
24			juvenile services, or the director's designee;
25		g.	The executive director of the Indian affairs commission, or the executive
26			director's designee;
27		h.	A director of juvenile court services, appointed by the chief justice of the supreme
28			court;
29		i.	A representative from the commission on legal counsel for indigents; and
30		j	The following members appointed by the governor:
31			(1) A state's attorney;

1 (2) A representative of a children's advocacy center; and 2 (3) A representative of a city police department. 3 The governor shall designate one of the members of the commission to serve as the presiding officer. The governor's appointees serve at the pleasure of the governor. 4 5 Excluding ex officio members, the term of a commission member is two years. 6 The commission shall meet at least four times per year at the times and locations 7 designated by the presiding officer. The office of the governor shall provide staffing for 8 the commission. 9 The commission shall: 10 Review chapter 27-20; 11 Gather information concerning issues of child welfare, including education, 12 abuse, and neglect; 13 Receive reports and testimony from individuals, state and local agencies, 14 community-based organizations, and other public and private organizations, in 15 furtherance of the commission's duties: 16 Advise effective intervention, resources, and services for children; 17 Report to and be subject to the oversight of the children's cabinet; and 18 Annually submit to the governor and the legislative management a report with the 19 commission's findings and recommendations which may include a legislative 20 strategy to implement the recommendations. 21 A member of the commission who is not a state employee is entitled to reimbursement 22 for mileage and expenses as provided by law for state officers and employees to be 23 paid by the department of corrections and rehabilitation. A state employee who is a 24 member of the commission is entitled to receive that employee's regular salary and is 25 entitled to reimbursement for mileage and expenses to be paid by the employing 26 agency. A member of the commission who is a member of the legislative assembly is 27 entitled to receive per diem compensation at the rate provided under section 54-35-10 28 for each day performing official duties of the commission. The legislative council shall 29 pay the per diem compensation and reimbursement for travel and expenses as 30 provided by law for any member of the commission who is a member of the legislative 31 assembly.

Sixty-sixth	
Legislative	Assembly

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- SECTION 4. REPEAL. Section 50-06-43 of the North Dakota Century Code is repealed.
- 2 SECTION 5. EXPIRATION DATE. Section 3 of this Act is effective through July 31, 2025,
- 3 and after that date is ineffective.