

Fifty-fifth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1251**

Introduced by

Representatives Grosz, Carlson

Senator Wanzek

1 A BILL for an Act to create and enact a new section to chapter 15-29 of the North Dakota  
2 Century Code, relating to the authority of school boards; and to amend and reenact section  
3 15-38.1-09 of the North Dakota Century Code, relating to the scope of negotiations by teacher  
4 organizations.

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

6 **SECTION 1.** A new section to chapter 15-29 of the North Dakota Century Code is  
7 created and enacted as follows:

8 **School boards - Authority to provide merit or incentive pay.** Notwithstanding the  
9 outcome of any negotiations between school boards and teacher organizations under the  
10 provisions of chapter 15-38.1, a school board may provide additional compensation in the form  
11 of merit pay or incentive pay to any teacher employed by the board.

12 **SECTION 2. AMENDMENT.** Section 15-38.1-09 of the North Dakota Century Code is  
13 amended and reenacted as follows:

14 **15-38.1-09. Subject of negotiations.** The scope of representation includes matters  
15 relating to terms and conditions of employment and employer-employee relations, including, ~~but~~  
16 ~~not limited to,~~ salary, hours, and other terms and conditions of employment. The scope of  
17 representation does not include matters relating to merit pay or incentive pay for teachers  
18 employed by the board, as authorized by section 1 of this Act.