

**HOUSE BILL NO. 1210**

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, or in the alternative to create and enact a new section to chapter 15.1 of the  
3 North Dakota Century Code, relating to the authority of school boards; and to amend and  
4 reenact section 15-38.1-09 of the North Dakota Century Code, relating to the scope of  
5 negotiations by teacher organizations.

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

7 **SECTION 1.** If House Bill No. 1034 does not become effective, a new section to  
8 chapter 15-29 of the North Dakota Century Code is created and enacted as follows:

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

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

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

20 **SECTION 3.** A new section to chapter 15.1 of the North Dakota Century Code is  
21 created and enacted as follows:

22 **School board - Authority to provide merit or incentive pay.** Notwithstanding the  
23 outcome of any negotiations between school boards and teacher organizations, a school board

Fifty-sixth  
Legislative Assembly

- 1 may provide additional compensation in the form of merit pay or incentive pay to any teacher
- 2 employed by the board.