

**SECOND ENGROSSMENT
with Senate Amendments**

Sixty-first
Legislative Assembly
of North Dakota

REENGROSSED 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; to provide
3 an expiration date; and to 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 a broad-based geographically distributed membership. The term of office
11 is four years expiring on July thirty-first with no more than two terms expiring in any
12 one year. Of the first members appointed, one member must be appointed for a
13 term of one year, two members must be appointed for terms of two years, two
14 members must be appointed for terms of three years, and two members must be
15 appointed for terms of four years. A vacancy occurring other than by reason of the
16 expiration of a term must be filled in the same manner as the original appointment,
17 except that the appointment may be made for only the remainder of the unexpired
18 term. The members are entitled to be paid for mileage and expenses incurred in
19 attending meetings and in performance of their official duties in amounts provided
20 by law for other state officers and employees. A member also is entitled to be
21 reimbursed up to one hundred dollars per day for the expenses incurred by the
22 member which relate to the hiring of a substitute early childhood services provider
23 in order that the member may attend meetings and perform the member's official
24 duties.

- 1 2. The early childhood services advisory board shall:
- 2 a. Advise the department as the department conducts a review of all early
- 3 childhood services rules, a review of which the department shall complete
- 4 before August 1, 2010;
- 5 b. Upon the completion of the department's review, with the assistance of the
- 6 department, conduct an analysis of and make recommendations to the
- 7 department regarding the department's review of the early childhood services
- 8 rules, however, final approval of any administrative rule changes must be
- 9 completed through the administrative rulemaking process set forth in chapter
- 10 28-32; and
- 11 c. On an ongoing basis, make recommendations to the department regarding
- 12 changes and revisions to the early childhood services rules. The
- 13 recommendations, the goal of which is to streamline and improve the quality
- 14 of the early childhood services process, must seek to balance the need for
- 15 rules that ensure safe quality child care with the need to revise or eliminate
- 16 rules that create unnecessary barriers for early childhood service providers.
- 17 3. To accommodate the process set forth in subdivisions a and b of subsection 2 ,
- 18 any rules the department adopts in response to legislation enacted in 2009 are
- 19 exempt from the deadline for rules to implement statutory changes set forth in
- 20 section 28-32-07, however, those rules must be in effect before January 1, 2011.

21 **SECTION 2. EXPIRATION DATE.** This Act is effective through June 30, 2013, and
22 after that date is ineffective.

23 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.