Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019

SENATE BILL NO. 2313
(Senators J. Lee, Hogan, Poolman)
(Representatives Rohr, Westlind)

AN ACT to create and enact two new subsections to section 50-06-05.1 and two new sections to chapter 50-06 of the North Dakota Century Code, relating to duties of the department of human services, creation of a children's cabinet, and creation of a commission on juvenile justice; to repeal section 50-06-43 of the North Dakota Century Code, relating to the children's behavioral health task force; to provide a report to the legislative management; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 50-06-05.1 of the North Dakota Century Code is created and enacted as follows:

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 subsection to section 50-06-05.1 of the North Dakota Century Code is created and enacted as follows:

To provide resources on mental health awareness and suicide prevention to the behavioral health resource coordinator at each school. The resources must include information on identifying warning signs, risk factors, and the availability of resources in the community.

SECTION 3. A new section to chapter 50-06 of the North Dakota Century Code is created and enacted as follows:

Children's cabinet - Membership - Duties.

1. The children's 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 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;

   d. The president pro tempore of the senate, or the president pro tempore's designee;

   e. The superintendent of public instruction, or the superintendent's designee;

   f. The director of the committee on protection and advocacy, or the director's designee;

   g. A representative of the tribal nations in the state, who is appointed by the governor; and

   h. Four individuals representing parents, private service providers, or other community interests, who are appointed by the governor to serve a term of two years, at the

pleasure of the governor, and who are entitled to reimbursement from the department of human services for travel and lodging at the same rate as provided for state officers and employees.

3. The chairman of legislative management, shall serve as the presiding officer of the cabinet. The cabinet shall meet at least quarterly. Additional meetings may be held at the discretion of the presiding officer.

4. The children's cabinet shall:

   a. Coordinate broad-based leadership across programs, agencies, branches of government, and tribal nations to meet the needs of children;

   b. Develop strategies to address gaps or needs regarding early care and education, medical and behavioral health, community, child welfare, and juvenile justice;

   c. Develop strategies to provide for the full continuum of care in the delivery of services, including promotion, prevention, early identification and intervention, service delivery, and recovery;

   d. Seek to engage cooperation across public and private service providers;

   e. Provide a comprehensive vision for how and where children are best served, attending to children in a respectful and relevant manner;

   f. Seek strategies to provide services to children without consideration of prior engagement with juvenile services;

   g. Provide for the active participation of consumers and providers statewide on advisory committees; and

   h. Receive information and recommendations from the department of human services, department of corrections and rehabilitation, and other state agencies.

5. The department of human services shall provide the children's cabinet with staffing and administrative services.

SECTION 4. A new section to chapter 50-06 of the North Dakota Century Code is created and enacted as follows:

Commission on juvenile justice - Reports.

1. The commission on juvenile justice is composed of:

   a. Three members of the house of representatives, two of whom must be selected by the majority leader of the house of representatives and one of whom must be selected by the minority leader of the house of representatives;

   b. Three members of the senate, two of whom must be selected by the majority leader of the senate and one of whom must be selected by the minority leader of the senate;

   c. The governor, or the governor's designee;

   d. The superintendent of public instruction, or the superintendent's designee;

   e. The executive director of the department of human services, or the executive director's designee;

   f. The director of the department of corrections and rehabilitation's division of juvenile services, or the director's designee;

g. The executive director of the Indian affairs commission, or the executive director's designee;

h. A director of juvenile court services, appointed by the chief justice of the supreme court;

i. A representative from the commission on legal counsel for indigents; and

j. The following members appointed by the governor:

(1) A state's attorney;

(2) A representative of a children's advocacy center; and

(3) A representative of a city police department.

2. 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. Excluding ex officio members, the term of a commission member is two years.

3. The commission shall meet at least four times per year at the times and locations designated by the presiding officer. The office of the governor shall provide staffing for the commission.

4. The commission shall:

a. Review chapter 27-20;

b. Gather information concerning issues of child welfare, including education, abuse, and neglect;

c. Receive reports and testimony from individuals, state and local agencies, community-based organizations, and other public and private organizations, in furtherance of the commission's duties;

d. Advise effective intervention, resources, and services for children;

e. Report to and be subject to the oversight of the children's cabinet; and

f. Annually submit to the governor and the legislative management a report with the commission's findings and recommendations which may include a legislative strategy to implement the recommendations.

5. A member of the commission who is not a state employee is entitled to reimbursement for mileage and expenses as provided by law for state officers and employees to be paid by the department of corrections and rehabilitation. A state employee who is a member of the commission is entitled to receive that employee's regular salary and is entitled to reimbursement for mileage and expenses to be paid by the employing agency. A member of the commission who is a member of the legislative assembly is entitled to receive per diem compensation at the rate provided under section 54-35-10 for each day performing official duties of the commission. The legislative council shall pay the per diem compensation and reimbursement for travel and expenses as provided by law for any member of the commission who is a member of the legislative assembly.

SECTION 5. REPEAL. Section 50-06-43 of the North Dakota Century Code is repealed.

SECTION 6. EXPIRATION DATE. Section 3 of this Act is effective through July 31, 2025, and after that date is ineffective.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2313.

Senate Vote:	Yeas 47	Nays 0	Absent 0
House Vote:	Yeas 81	Nays 9	Absent 4

Secretary of the Senate

Received by the Governor at 11:09 A.M. on April 4, 2019.

Approved at 3:10 P.M. on April 8, 2019.

Governor

Filed in this office this 9th day of April, 2019,

at 9:48 o'clock A. M.

Secretary of State