

Sixty-sixth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2313

Introduced by

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 two new  
2 sections to chapter 50-06 of the North Dakota Century Code, relating to duties of the  
3 department of human services, creation of a children's cabinet, and creation of a commission on  
4 juvenile justice; to repeal section 50-06-43 of the North Dakota Century Code, relating to the  
5 children's behavioral health task force; to provide a report to the legislative management; and to  
6 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 services and supports to provide behavioral health services  
11 and supports in the community for children at risk of or identified as having a  
12 behavioral health condition and for the families of these children. This system must  
13 include early intervention, treatment, and recovery services and supports and must  
14 interface with, but not include, child protective services or juvenile court.

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

17 **Children's cabinet - Membership - Duties.**

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

- 1           d. The president pro tempore of the senate, or the president pro tempore's  
2           designee;
- 3           e. The superintendent of public instruction, or the superintendent's designee;
- 4           f. The director of the committee on protection and advocacy, or the director's  
5           designee;
- 6           g. A representative of each of the tribal nations in the state, who are appointed by  
7           the governor; and
- 8           h. Four individuals representing parents, private service providers, or other  
9           community interests, who are appointed by the governor to serve a term of two  
10          years, at the pleasure of the governor, and who are entitled to reimbursement  
11          from the department of human services for travel and lodging at the same rate as  
12          provided for state officers and employees.
- 13          3. The governor, or the governor's designee, shall serve as the presiding officer of the  
14          cabinet. The cabinet shall meet at least quarterly. Additional meetings may be held at  
15          the discretion of the presiding officer.
- 16          4. The children's cabinet shall:
- 17           a. Coordinate broad-based leadership across programs, agencies, branches of  
18           government, and tribal nations to meet the needs of children;
- 19           b. Develop strategies to address gaps or needs regarding education, medical and  
20           behavioral health, community, child welfare, and juvenile justice;
- 21           c. Develop strategies to provide for the full continuum of care in the delivery of  
22           services, including promotion, prevention, early identification and intervention,  
23           service delivery, and recovery;
- 24           d. Seek to engage cooperation across public and private service providers;
- 25           e. Provide a comprehensive vision for how and where children are best served,  
26           attending to children in a respectful and relevant manner;
- 27           f. Seek strategies to provide services to children without consideration of prior  
28           engagement with juvenile services; and
- 29           g. Provide for the active participation of consumers and providers statewide on  
30           advisory committees.

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

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

5       **Commission on juvenile justice - Reports.**

6       1. The commission on juvenile justice is composed of:

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

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

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

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

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

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

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

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

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

24          j. The following members appointed by the governor:

25               (1) A state's attorney;

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

27               (3) A representative of a city police department.

28       2. The governor shall designate one of the members of the commission to serve as the  
29       presiding officer. The governor's appointees serve at the pleasure of the governor.

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

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

27      **SECTION 4. REPEAL.** Section 50-06-43 of the North Dakota Century Code is repealed.

28      **SECTION 5. EXPIRATION DATE.** Section 3 of this Act is effective through July 31, 2025,  
29      and after that date is ineffective.