

PROPOSED AMENDMENTS TO SENATE BILL NO. 2260

That the House recede from its amendments as printed on pages 1078-1080 of the Senate Journal and pages 1226-1228 of the House Journal and that Senate Bill No. 2260 be amended as follows:

Page 1, line 3, remove "a new subsection to section 43-28-06,"

Page 1, line 5, after the third comma insert "15.1-06-06,"

Page 1, line 8, after "checks" insert "; to provide for limitations on correctional facility construction or remodeling; to provide an expiration date"

Page 3, line 6, overstrike "The agencies", remove ", officials.", and overstrike "and entities named in subsection 2 shall require each" and insert immediately thereafter "Each"

Page 3, line 7, remove "or name change" and overstrike the first "to" and insert immediately thereafter "or name change who is subject to a criminal history record check under subsection 2 shall"

Page 4, line 6, overstrike "each" and insert immediately thereafter "a final"

Page 4, line 18, after "The" insert "department of", overstrike "department", and overstrike "section"

Page 4, line 19, overstrike "50-11-06.8" and insert immediately thereafter "chapter 50-11" and overstrike "section 50-11.3-01" and insert immediately thereafter "chapter 50-11.3"

Page 4, line 20, overstrike "section 50-12-03.2" and insert immediately thereafter "chapter 50-12"

Page 4, line 22, overstrike "sections" and insert immediately thereafter "chapters" and replace "section" with "chapter"

Page 4, line 23, replace "50-11-06.8" with "50-11", replace "50-11.3-01" with "50-11.3", and replace "50-12-03.2" with "50-12"

Page 4, line 25, replace "sections" with "chapters"

Page 4, line 26, after "The" insert "department of" and overstrike "department"

Page 5, line 15, overstrike "each" and insert immediately thereafter "a final"

Page 5, line 17, overstrike "each" and insert immediately thereafter "a final"

Page 5, line 19, overstrike "employees assigned duties related to"

Page 5, line 20, overstrike "bioterrorism and homeland security issues" and insert immediately thereafter "a final applicant for or an employee in a specified occupation with the department"

Page 5, line 21, overstrike "a nurse aide seeking to have a finding of neglect removed from the"

Page 5, line 22, overstrike "nurse aide registry; or" and overstrike "state"

Page 5, line 23, overstrike "of health who holds a license, certificate, or registration in a"

Page 5, line 24, overstrike "health-related field" and insert immediately thereafter "; or, when requested by the department, an applicant for registration, certification, or licensure by the department"

Page 5, remove lines 25 through 28

Page 5, line 29, replace "p." with "o."

Page 6, line 1, replace "q." with "p."

Page 6, line 5, replace "r." with "q."

Page 6, line 8, replace "s." with "r."

Page 6, line 11, replace "t." with "s."

Page 6, line 12, after "or" insert "final"

Page 6, line 15, replace "u." with "t."

Page 6, line 17, replace "v." with "u.", replace the first underscored comma with "and", and remove the second underscored comma

Page 6, line 18, replace "applicants" with "a final applicant"

Page 6, line 19, after "or" insert "a final"

Page 6, line 22, replace "w." with "v."

Page 6, line 23, replace "all agents, employees," with "each agent and employee" and replace "applicants" with "a final applicant"

Page 6, line 24, replace "have" with "has"

Page 6, line 25, replace "exercise" with "exercises"

Page 6, line 26, after "or" insert "a final"

Page 6, line 30, replace "x." with "w." and replace "each" with "a final"

Page 7, line 3, replace "y." with "x.", after "The" insert "governing", after "a" insert "public", replace "district" with "or, for a nonpublic school, the superintendent of public instruction,", and replace "or individuals seeking" with "designated by the governing board or nonpublic school. The governing board or the nonpublic school is"

Page 7, remove lines 4 through 7

Page 7, line 8, remove "individuals must be" and remove the second "for"

Page 7, after line 9, insert:

"y. The governing board of a public school or, for a nonpublic school, the superintendent of public instruction, for a final applicant seeking employment with the school or otherwise providing services to the school, if that individual has unsupervised contact with the students. For purposes of this subdivision, "unsupervised contact" with students means being in proximity to one or more students, on school grounds or at school functions, outside the presence of an individual who has been subject to a criminal background check. The governing board or the nonpublic school is responsible for paying the costs associated with obtaining a background check."

Page 7, after line 13, insert:

**"SECTION 5. AMENDMENT.** Section 15.1-06-06 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-06-06. Approval of public and nonpublic schools.** Each public and nonpublic school in this state offering elementary or secondary education to students must be approved by the superintendent of public instruction. Except as otherwise provided by law, the superintendent may not approve a school unless:

1. Each classroom teacher is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board;
2. Each classroom teacher is teaching only in those course areas or fields for which the teacher is licensed or for which the teacher has received an exception under section 15.1-09-57;
3. The students are offered all subjects required by law; ~~and~~
4. The school is in compliance with all local and state health, fire, and safety laws; and
5. The school has conducted all criminal history record checks required by section 12-60-24."

Page 11, remove lines 1 through 13

Page 19, after line 4, insert:

**"SECTION 21. DEPARTMENT OF CORRECTIONS AND REHABILITATION FACILITIES.** Notwithstanding North Dakota Century Code section 54-23.3-04, the director of the department of corrections and rehabilitation may not advertise for bids or issue a request for qualifications for a construction manager for construction of a new correctional facility or remodeling of the existing state penitentiary until the concept is authorized by the emergency commission and approved by the budget section.

**SECTION 22. EXPIRATION DATE.** Section 21 of this Act is effective through June 30, 2009, and after that date is ineffective."

Renumber accordingly