



1 HB1192 – Property Tax limitations on school districts –

2 NDCEL Testimony in opposition 1/21/2021

3 Good morning Chairman Dockter and members of the House Political Subdivisions committee.  
4 For the record, my name is Dr. Aimee Copas. I am the Executive Director for the ND Council of  
5 Educational Leaders. NDCEL works with our ND School leaders and administrators such as -  
6 Superintendents, Business Officials, Principals, Technology Leaders, and most all others in the  
7 school building except our teachers and school board members.

8 We are here today to express concern about HB 1200 and to share with your committee information  
9 that may make you agree with this position regarding the negative position this would put school  
10 districts in and the state in from a fiscal standpoint.

11 HB 1192 is bringing to this committee a similar bill that this legislative body has seen for several  
12 sessions as well as being very similar to HB 1200 which was heard in House Finance and Tax  
13 earlier this week and received a do not pass recommendation. While I understand full well the  
14 positive intent of this bill to save taxpayers money, the reality is that it may – or may NOT do just  
15 that. Furthermore, it erodes the authority of another group of elected officials that have a very real  
16 duty and job to perform, and that is our locally elected school boards, as well as eroding voter  
17 approved levies already in place. This bill effectively limits the boards rightful authority to  
18 establish their local tax request with their patrons. School budget hearings are noticed and take  
19 place annually and the opportunity is very appropriate to allow those local communities work out  
20 the amount they wish to invest in their school.

21 When we think about conservative ideals – we must consider how we manage through decisions.  
22 It is possible that sponsors of this bill feel they are answering to the needs of their constituents or  
23 of their own beliefs to put a desire to control taxable rates in front of local decision making. In an  
24 effort to center more control in the capital, state lawmakers are restricting local elected officials’  
25 ability to make local quality of life decisions. At the same time in policy committees there is a

*NDCEL is the strongest unifying voice representing and supporting administrators and educational leaders in pursuit of quality  
education for all students in North Dakota.*

*Executive Director: Aimee Copas-----Assistant Director: Russ Ziegler*



1 deluge of bills before education each session (this one being no different) that often have a claim  
2 to **not** have a fiscal note, but which ultimately do cost school districts money upon their  
3 application. Local school boards must be able to respond and ensure those laws are applied and  
4 that they can be afforded.

5 Furthermore, allow me to highlight a few key issues and legislator approved pieces of the education  
6 formula that this bill removes...

- 7 • Although it allows to tax up to the 60 mills – that is the full amount that is deducted from  
8 the state, it removes the other “available” mills that are board approved and or voter  
9 approved. This is how districts locally handle things such as increases in health  
10 insurance cost, transportation costs not covered by state (state only covers about 40% of  
11 transportation costs), students that cost above the state reimbursed amount when they  
12 have special needs, as well as the full cost of new students coming into our students (state  
13 only covers 50% of these special needs student cost at this time).
- 14 • Voter approved safety levy authority that was approved by this legislature last session (5-  
15 year approval) has been removed.
- 16 • Furthermore, any other voter approved excess levy authority (which is a voter approved  
17 authority) would be removed in this bill as would sinking and interest saying that the  
18 votes of those communities would be null.
- 19 • The current formula came out of a result of the last lawsuit in our state regarding  
20 equitable education. This could potentially walk our districts and state back to a place of  
21 inequities and could set us up for possible further lawsuits.
- 22 • The cost of the annual vote to provided needed district funds would be a costly  
23 consequence of this bill as well.

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25 Last session we worked to partner with the legislature to put in place a plan that would bring ALL  
26 districts onto the formula within 7 years. We must stay the course on this pathway to ensure equity.  
27 Adjusting critical functions within the formula such as this one could derail the work done last  
28 session. We strongly encourage this committee to recommend a do-not-pass on this bill.