1999 SENATE EDUCATION

SB 2281

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2281

Senate Education Committee

☐ Conference Committee

Hearing Date 2/1/99

Tape Number	Side A	Side B	Meter #					
1		X	583-5166					
2/1 2	X		2011-2400					
Committee Clerk Signature Junda Christman								

Minutes:

Senator Freborg opened the hearing on SB 2281.

Senator Thompson spoke in favor of the bill. Testimony attached.

Senator Freborg: State areas to glean money from the Governor's budget. The fiscal note is 77 million.

Senator Cook: What ideas do you have as to where we should look for the money.

Thompson: Would support increases where necessary.

Senator Wanzek: Is the 34 million in addition to the Governor's budget.

Thompson: Yes, in addition.

Senator Wanzek: Suggest 21 million from prison?

Thompson: Yes it is revenue producing.

Senator Tallackson spoke in favor of the bill. Said that if they lose any more teachers they won't

be accredited.

Senator Redlin: Some property taxes didn't go up, is that the case in your area?

Tallackson: No, ours go up.

Larry Klundt, NC Council of Educational Leaders. Testimony enclosed.

Senator Wanzek: Need agriculture and education. Explain why private schools are doing it for a

lower cost per average.

Larry: Not under the same rules and regulations, lower salaries, special education,

transportation, etc.

Senator Wanzek: I know they do some.

Larry: They don't need to provide the full range. No rules or regulations, that adds to the costs

and doesn't really add to quality.

Senator Cook: Your predictions?

Larry: Not going to get any cheaper.

Mary Splichal, ND Assoc. of Univ. Women, spoke in favor of the bill. Testimony enclosed.

Howard Snortland from the ND Retired Persons spoke in favor of the bill.

Senator Freborg: Why do the majority think that when mill levies fail they blame seniors.

Howard: Myth, I've always voted in favor.

Dr. Sanstead, Supt. of P.I. spoke in favor of the bill. Said he recognizes the need for this bill.

February 1, 1999

Senator Cook: I move for a Do Not Pass

Senator Wanzek: 2nd.

Page 3 Senate Education Committee Bill/Resolution Number Sb 2281 Hearing Date 2/1/99

Senator Wanzek: Not a tough issue, mechanism to address.

Vote: 4 (yes) 3 (no)

Carrier: Wanzek

FISCAL NOTE

(Return original and	(Return original and 14 copies)									
Bill/Resolution No.:	SB 2281		Amendme	Amendment to:						
Requested by Legis	slative Council		Date of R	equest: 01-1	3-99					
Please estimate special funds,	e the fiscal im counties, cities	pact (in dolla s, and schoo	r amounts) of the districts.	above measu	e for state ge	neral or				
million dollars	Narrative: This bill changes the base payment amount for foundation aid to \$2,400 for the first year and \$2,600 for the second year of the 1999-2001 biennium. Under the executive recommendation, \$475.9 million dollars was appropriated with payment rates established at \$2,129 and \$2,221 to distribute that amount of funding.									
the second bie	Increasing the rates to the amounts identified in this bill will require \$553.0 M. The fiscal impact of this bill is estimated at \$77.1 million (\$553.0M - \$475.9M) for the first biennium. The fiscal impact for the second biennium is estimated at \$149.0 (624.9-475.9). 2. State fiscal effect in dollar amounts:									
	1997-99 Bi General Fund	ennium Special Fund	1999-2001 General Fund	Biennium Special Funds	2001-03 General Fund	Biennium Special Funds				
Revenues:										
Expenditures:			77,100,000		149,000,000)				
3. What, if any, is	the effect of the	nis measure	on the appropriati	on for your age	encv or depart	tment:				
	1997-99 bieni			, ,	, , , , , , , , ,					
b. For the 19	99-2001 bienn	ium:				77,100,000				
c. For the 20	01-03 bienniur	n:				149,000,000				
4. County, City,	and School D	istrict fiscal	effect in dollar am	ounts:						
1997-99 Bien		199	9-2001 Biennium	001 Biennium 2001-03 Biennium						
Counties Cities	School Districts	Counties		hool tricts Counti 0,000	ies Cities	School Districts 149,000,000				
If additional space is attach a supplemen			Signed Jen	Um	2					
			Typed Name	Je	erry Coleman					
ate Prepared:	01-13-99		Department	ND Dept	of Public Instr	uction				
			Phone Number		328-4051					

Date:	2/1/99
Roll Call Vote #:	/ /

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. SB 228

Senate EDUCATION								
Subcommittee on								
or								
Conference Committee								
Legislative Council Amendment Nur	mber _							
Action Taken Motion	for a	Do	Not Pass					
Motion Made By	1	Sec By	onded <u>Wanzelo</u>					
Senators	Yes	No	Senators	Yes	No			
Senator Freborg, Chairman	V							
Senator Cook, Vice Chairman	V							
Senator Flakoll	V							
Senator Wanzek	V							
Senator Kelsh		V						
Senator O'Connell		V						
Senator Redlin		V						
	1							
	1			1				
	+			1				
	-			+				
				+				
	+	-		+				
Total (Yes)		No	3					
Absent								
Floor Assignment	Nans	(Ag			~			
If the victoris on an amendment brie	fly indicate	ete intent	••					

REPORT OF STANDING COMMITTEE (410) February 2, 1999 1:11 p.m.

Module No: SR-21-1688 Carrier: Wanzek Insert LC: Title:

REPORT OF STANDING COMMITTEE

SB 2281: Education Committee (Sen. Freborg, Chairman) recommends DO NOT PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2281 was placed on the Eleventh order on the calendar.

1999 TESTIMONY

SB 2281

Testimony on SB 2281 Senate Education Committee February 1, 1999

Mr. Chairmen, members of the Education Committee, my name is Mary Splichal and I represent the North Dakota Association of University Women, also known as AAUW.

AAUW is well know for it's support of education. The ND AAUW has approximately 400 members. Last year at our state convention, we passed a resolution saying that we will work with the 1999 legislature to increase per pupil funding to the 1981-1982 level of 63.7% of the total costs per pupil. SB2281 strives for a level of 70% and would more than meet our goal.

The ND AAUW members feel the reduction in per pupil funding has resulted in a crisis in our schools. In some districts the crisis is evident with deteriorating buildings, outdated textbooks and maps, differences in access to technology and training and low salaries for our teachers. These low salaries create difficulties in recruiting and retaining teachers in many communities and a declining quality education for those students.

In a report published by the Bismarck school district, the number of computers in each school significantly varies. This variance is not based on the number of students, but rather by how active and successful the PTO associations are with fund raisers. In smaller communities the inequity in funding is much more evident. Last week I heard testimony on a house bill that said the beginning wages for the teachers in Underwood, ND are less than \$14,000 a year plus benefits. That's below the poverty level!

The ND Association of University Women are proud of our teachers and proud of the quality of education provided in our state. It is very upsetting to hear we have the lowest paid teachers in the nation! Our teachers and our children deserve better. We urge you to pass this bill.

TESTIMONY ON SENATE BILL 2281 Monday, February 1, 1999

Mr. Chairman and members of the Senate Education Committee, my name is Wilfred Volesky and I am the Superintendent of the Beulah School District. I am in support of SB 2281 and the increase in Foundation Aid that it provides to schools.

On the third sheet of the handout I tried to make a comparison between what Senate Bill 2162, which you heard in Committee over a week ago, and what Senate Bill 2281 would do for the Beulah School District. SB 2162 provides payments of \$2129 and \$2221 for the next two years. On the handout you can see that the Beulah School District would receive an increase in foundation aid of \$7943.42 if the weighting factors would remain the same. If the weighting factor would change to 85% of the 5-year average cost of education than our school district would receive \$17519.42 less than what we received this year. With less state money next year and with our general fund levy at the 185 mill cap we will not have any additional money for employee salary increases, or for the inflated increase of school supplies, for maintenance, and all the other expenditures that a school district has no control over.

The unfortunate thing is that this scenario of no state increase for next year is going to happen in most school districts that are experiencing declining enrollment.

SB 2281 provides foundation aid payments of \$2400 the first year and \$2600 the second year. As the handout shows the Beulah School District would receive an increase in foundation aid of \$260,737 next year. This bill provides the kind of foundation aid increase that schools need. With this kind of an increase our district would be able to give our teachers the kind of respectable salary increase they deserve; pay our teachers to be available for professional development outside of the normal school day or school year; update computers, software, and other technology; and put the necessary supplies and equipment into the hands of teachers so they can do the best job of teaching possible.

If we received \$2400 and \$2600 for the next two years and then a 6.3% increase after that the discussions about lowering the mill deduct, or changing the weighting factor to 85% of the 5-year average, or the 185-mill cap could all be forgotten. Schools would get the kind of state aid that they have needed for a long time.

Thank you for allowing me to testify today. I will be happy to answer any questions that you may have.

BEULAH PUBLIC SCHOOL (Foundation Aid Comparison Between SB 2162 and SB 2281)

SB 2162 98-99 Actual Pupil Payment	Current WPU Enroll.	Entitlement \$2,129	Deduct 32 Mills	99-00 Payment	Inc./Dec.	WPU Using 85% W.F.	Entitlement \$2,129	Net Payment	Inc./Dec.
\$1,978,820.54	1,038.74	\$2,211,477.46	\$224,713.50	\$1,986,763.96	\$7,943.42	1,026.78	\$2,186,014.62	\$1,961,301.12	(\$17,519.42)
SB 2281 98-99 Actual Pupil Payment	Current WPU Enroll.	Entitlement \$2,400	Deduct 32 Mills	99-00 Payment	Inc./Dec.	WPU Using 85% W.F.	Entitlement \$2,400	Net Payment	Inc./Dec.
\$1,978,821.00	1,038.74	\$2,492,976.00	\$224,713.50	\$2,268,262.50	\$289,441.50	1,026.78	\$2,464,272.00	\$2,239,558.50	\$260,737.50

SB2281

School	98-99 Pupil Payment	WPU-ENR	Entitlement \$2,129	Deduct	99-00 Pupil Payment	Inc/Dec	Pupil Payment \$2,400 ✓	Inc/Dec \$2,400
Bottineau	\$1,437,165.00	814.59	\$1,734,262.00	\$ 231,310.00	\$ 1,502,952.00	\$ 65,787.00	\$ 1,723,706.00	\$ 286,541.00
Devils Lake	\$3,574,028.26	1983.96	\$4,223,850.84	\$ 479,346.34	\$ 3,744,504.50	\$ 170,476.24	\$ 4,282,157.66	\$ 708,129.40
Dickinson	\$ 5,443,880.95	2988.75	\$6,363,048.75	\$ 698,517.28	\$ 5,664,531.47	\$ 220,650.52	\$ 6,474,482.72	\$1,030,601.77
Divide Co	\$ 649,699.00	400.14	\$ 851,898.00	\$ 200,846.00	\$ 651,052.00	\$ 1,353.00	\$ 759,490.00	\$ 109,791.00
Elgin-New Leipzi	\$ 651,181.38	348.64	\$ 742,254.56	\$ 120,594.82	\$ 621,659.74	\$ (29,521.64)	\$ 716,141.18	\$ 64,959.80
Ellendale	\$ 666,984.37	414.14	\$ 881,704.06	\$ 184,921.29	\$ 713,312.77	\$ 29,798.40	\$ 809,014.71	\$ 142,030.34
Grafton	\$ 2,008,925.86	1108.64	\$2,360,294.56	\$ 278,191.00	\$ 2,082,103.56	\$ 73,177.70	\$ 2,382,545.00	\$ 373,619.14
Hankinson	\$ 652,057.00	343	\$ 730,247.00	\$ 114,878.00	\$ 615,369.00	\$ (36,688.00)	\$ 708,322.00	\$ 56,265.00
Hazen	\$1,754,881.18	889.16	\$1,893,021.64	\$ 143,985.00	\$ 1,749,036.64	\$ (5,884.54)	\$ 1,989,999.00	\$ 235,117.82
Hebron	\$ 444,683.34	252.42	\$ 537,402.18	\$ 101,626.00	\$ 435,776.18	\$ (8,907.16)	\$ 504,182.00	\$ 59,498.66
Jamestown	\$ 4,984,432.01	2794.69	\$5,949,895.01	\$ 742,233.00	\$ 5,207,662.01	\$ 223,230.00	\$ 5,965,023.00	\$ 980,590.99
Kenmare	\$ 662,650.97	398.65	\$ 848,726.00	\$ 176,800.61	\$ 671,925.39	\$ 9,274.42	\$ 779,959.39	\$ 117,308.42
Linton	\$ 624,884.53	379.43	\$ 807,806.47	\$ 105,490.85	\$ 702,315.62	\$ 77,431.09	\$ 805,141.15	\$ 180,256.62
McKenzie Co	\$1,102,712.55	659.99	\$1,405,118.00	\$ 279,129.00	\$ 1,125,989.00	\$ 23,277.00	\$ 1,304,847.00	\$ 202,134.45
Thompson	\$1,002,902.32	543.13	\$1,156,323.77	\$ 122,702.14	\$ 1,033,621.63	\$ 30,719.31	\$ 1,180,809.86	\$ 177,907.54
Turtle Lake-Merc	\$ 441,100.24	262.39	\$ 558,628.31	\$ 103,826.49	\$ 454,801.82	\$ 13,701.99	\$ 525,909.51	\$ 84,809.27

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		Z	AB	AD		AF	AG	АН		A J
38	Proposed i	1	indation Aid using the	1	d local dollars to r	each 70 percent	of cost.	'		
			\$2,400 for 1999-00							ACTUAL &
40		. ,	ACTUAL & EST.							ESTIMATED
41		COST OF	TAXABLE			t				ANNUAL
42	YEAR	EDUCATION*	VALUATION			& lund				PUPIL
43	1987-88	\$339,880,539			-Part	1111 (82	281			PAYMENT
44	1988-89	\$359,024,316	\$962,760,380		$\mathcal{O}(\mathcal{O}(\mathcal{O}))$	y Klundto J SB3				\$1,385
45	1989-90	\$381,754,751	\$959,536,307		\bigcirc 1					\$1,411
46	1990-91	\$379,624,866	\$956,278,185							\$1,480
47	1991-92	\$413,439,692	\$943,144,462	ESTIMATED	NET PUPIL	ESTIMATED	70 PERCENT OF	ACTUAL AND		\$1,552
48	1992-93	\$424,581,235	\$941,390,009	32 MILL LOCAL	PAYMENT FROM	EQUALIZED	EST. C.O.E.	ESTIMATED		\$1,541
49	1993-94	\$434,730,804	\$958,547,588	EQUALIZED	STATE SOURCES	ANNUAL		WEIGHTED		\$1,570
50	1994-95	\$443,724,524	\$995,153,293	SHARE		APPROPRIATION		PUPIL UNITS		\$1,636
5 1	1995-96	\$464,283,896	\$1,030,810,153							\$1,757
52	1996-97	\$485,726,940	\$1,107,165,252							\$1,862
1	1	\$501,663,641						121,314		\$1,954
	•		* \$1,186,353,540 *		\$214,793,970			119,016	*	\$2,032
	1		* \$1,224,921,893 *				\$374,585,994	119,871	*	\$2,400 *
56			* \$1,264,744,104 *				\$386,876,160	118,316	*	\$2,600 *
57	1		* \$1,305,860,935 *				\$399,569,567	115,807	*	\$2,813 *
58	1		* \$1,348,314,474 *				\$412,679,444	113,739	*	\$3,034 *
	1		* \$1,392,148,178 *			\$365,522,728		111,646	*	\$3,274 *
60	1		* \$1,437,406,915 *				\$440,203,717	109,690	*	\$3,530 *
61	1		* \$1,484,137,014 *				\$454,646,801	108,060	*	\$3,796 *
62	i		* \$1,532,386,308 *				\$469,563,763	106,377	*	\$4,086 *
63	1		* \$1,582,204,187 *				\$484,970,150	104,664	*	\$4,401 *
64	1		* \$1,633,641,645 *			-	\$500,882,020			*
	2009-10	\$739,022,799	* \$1,686,751,335 *	\$53,976,043	\$463,340,047	\$517,316,090	\$517,315,960			*
66			*USING 4 YR. AVG.							
67		MULTIPLIER		MILL RATE	MULTIPLIER			RATIO = 1.07		PROJECTED=P
68	1	1.03281		0.032	1.063094	BIENNIAL APPRO		NET PAYMENT		
69	1						TOTAL	FROM STATE		
70						1999-2001	\$595,312,000			
7 1						2001-2003	\$670,863,321	\$585,929,708		
72						2003-2005	\$752,745,268	\$662,199,506		
73	1					2005-2007	\$844,926,002			
7 4						2007-2009	\$948,722,334	\$845,815,268	*	

NORTH DAKOTA SENATE

STATE CAPITOL 600 EAST BOULEVARD BISMARCK, ND 58505-0360



Minority Caucus
Chairman
COMMITTEES
Industry, Business
and Labor
Transportation



SB 2281

Mr. Chairman and members of the Senate Education Committee, every year most candidates, while campaigning, tell voters they support more funding for K-12. In fact, our Century Code indicates that it is the legislative intent to for the state to provide 70% State Aid for local schools. Today I see figures that state aid (not mandated) is at about 42%. If anyone looks at their real estate tax statements over the last number of years, you will see local property taxes have gone up dramatically to help support school funding since were are not at the legislative intent of the 70% State Aid.

Yesterday after church, my local Principal and another teacher asked me what this legislature was going to do about education funding. They are tired of lip service. North Dakota is at a crossroads, if there is not more of a state commitment for increased funding, this state will no longer continue the proud history of high test scores and standards we have experienced over the years. Educators tell me moral is at an all time low. One school in my district does not have a science teacher because they couldn't pay enough for a quality teacher. I'm told there are a number of teachers with 20 to 30 years of teaching experience that are receiving less than \$25,000 per year, while still taking continuing education courses. One teacher in my district gave up on his profession to help build roads in our area by driving truck. He drives truck about 7 months of the year and makes \$35,000. He doesn't need a 4 year degree or continuing education to drive truck. It is for these concerns I have that I introduced SB 2281.

SB 2281 is a straight forward bill that will increase per pupil Foundation Aid to \$2,400 the first year and \$2600 the second year of the biennium. It will also ask for a 6.3% increase each year until the State gets to the legislative intent of 70% State Aid. Increases in state aid for K-12 means property tax relief.

The first question you will probably ask is where will the funds come from to pay for this proposal? So this proposal can be called "responsible legislation", I have identified \$34.6 million from the Governor's proposed budget that can be redirected for K-12. The money would come from the following:

\$21 million from the prison budget, by double bunking prisoners and allowing excess prisoners to be housed in regional law enforcement centers.

\$9 million from E,D&F, by transferring responsibilities back to the State Bank of North Dakota

\$3 million from new license plates. There is a bill in the House that would generate revenue for anyone who wants to buy a vanity Lewis & Clark license plate.

\$1.3 million from a reciprocal agreement the Governor signed with Manitoba provinces. These provinces do not belong to the International Registration Plan and do not pay their fair share for driving our state roads.

\$230,000 for a Presidential Primary in February, kids are more important than national politicians.

\$120,00 for a lobbyist in Washington, DC.

Total for just these proposals amount to \$34.65 million.

Mr. Chairman and members of the Education Committee, for the future of our most precious resource "our youth", I respectfully ask for your serious and favorable consideration. Since 1980, over half the counties in our state have had outmigration of over 20% -- one of the best ways to stop outmigration is to provide more funding for schools. There are other education supporters here who would like to testify and can clarify any of the details of the proposal.

Thank you,

Sen. Vern Thompson

CHAPTER 663

HOUSE BILL NO. 1724 (Swiontek, Unhjem, Hughes, Lipsiea, R. Anderson)

OIL EXTRACTION TAX DEVELOPMENT FUND

AN ACT to provide for distribution of certain education aid funds; to amend and reenact sections 57-51.1-07 and 57-51.1-08 of the North Dilota Century Code, relating to allocation of moneys in the oil extraction tax development fund and to legislative intent; to provide an effective date; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

*SECTION 1. AMENDMENT. Section 57-51.1-07 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-51.1-07. Allocation of moneys in oil extraction tax development fund. Moneys deposited in the oil extraction tax development fund shall be apportioned quarterly by the state treasurer as follows:



TAXATION

- 1. Sixty percent shell be ellocated to the state rebed aid program for use in accordance with the provisions of chapter 15-40-1; it is the intent of the electors and the legislative essembly that the allocation made by this subsection shall not exceed seventy powered of the educational cost per pupil in public Community and secondary education as determined under the provisions of chapter 15-40-1; Should the allocation exceed seventy percent; the balance of the allocation above seventy percent shall be deposited in the general fund. Should the allocation not exceed seventy percent; it is the intent of the electors and the legislative assembly for state aid to schools in accordance with chapter 15-40-1; when added to the amount allocated under this subsection; shall provide at least seventy percent of the fundarequired to meet the educational cost per pupil in public elementary and secondary education as determined under the provisions of chapter 15-40-1;
- * NOTE: Section 57-51.1-07 was also amended by section 11 of Senate Bill No. 2342, chapter 686.

- Ten percent shall be allocated and credited to the sinking fund established for payment of the state of North Dakota water development bonds, southwest pipeline series, and any moneys in excess of the cum necessary to maintain principal and anterest on the bonds, shall be credited to special trust fund, to be known as the resources trust fund, te. The resources trust fund shall be established in the state treasury and the funds therein shall be deposited and invested as are other state funds to earn the maximum amount permitted by law which income shall be deposited in the resources trust fund. Provided, the first fifteen million dollars allocated and credited to the resources trust fund shall be appropriated by the legislative assembly for Grafton state school for the remedeling or reconstruction and equipping of existing buildings and other fectities, for the construction end equipping of new buildings and other facilities; and for providing additional steffing for that institution, as shall be provided by the legislative assembly. The principal and income of the resources trust fund may be expended only pursuant to legislative appropriation and shall be available to:
 - a. The state water conservation commission for planning for and construction of comprehensive water supply facilities, including rural water systems; and
 - b. The industrial commission for the funding of programs for development of energy conservation and renewable energy sources; for studies for development of cog@meration systems that increase the capacity of a system to produce more than one kind of energy from the same fuel; for studies for development of waste products utilization; and for the making of grants and loans in connection therewith.
- 3- 2. Thirty Ninety percent shall be allocated and credited to the state's general fund for general state purposes.

SECTION 2. AMENDMENT. Section 57-51.1-08 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-51.1-08. Intent. It is the intent of the electors of the state of North Dakota and the legislative assembly to increase the funding of educational opportunities for students in the elementary and secondary schools fund public elementary and secondary education in North Dakota at the level of seventy percent of the educational cost per pupil as determined under the provisions of chapter 15-40.1, to provide funds for Crafton state school, and to provide for water development and utilization and energy conservation and development programs, and to equalize the tax structure and revenue

