

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER
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DESCRIPTION

2148

2001 SENATE EDUCATION

SB 2148

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2148

Senate Education Committee

Conference Committee

Hearing Date 01/16/01

Tape Number	Side A	Side B	Meter #
1		x	16.2 - 29.7

Committee Clerk Signature *Andrea Johnson*

Minutes: Chairman Freborg called the committee to order.

Roll call was taken with all members present.

Chairman Freborg opened the hearing on SB 2148 which relates to school district annexations, reorganizations, and dissolutions.

**Testimony in support of SB 2148.**

Tom Decker, Director of Finance and Organization, Dept. Of Public Instruction, spoke in support of the bill. (see attached)

LeaAnn Schneider, attorney for the State Board of Public School Education, spoke to clarification of the bill.

1. Amends the law to authorize and allow the Board to adopt rules relating to annexations, reorganization, and dissolutions instead of requiring them to.
2. Allows annexations to be suspended until the plan for reorganization is either approved or denied.

Page 2  
Senate Education Committee  
Bill/Resolution Number SB 2148  
Hearing Date 01/16/01

3. Clarifies which county committees hear a reorganization.
4. County committees have to make their decision separately.
5. Clarifies how many days of notice it requires for a meeting.
6. Removes subsection 9 which is not needed because any county committee decision can be appealed to the State Board.

**There was no opposition.**

The hearing was closed on SB 2148.

**Sen. O'Connell moved a DO PASS. Seconded by Sen. Kelsh.**

**Roll call vote: 7 Yes. 0 No. 0 Absent.**

**Carrier: Sen. O'Connell**

Date: 01-16-01  
Roll Call Vote #: ~~67~~ /

**2001 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. SB 2148**

Senate Education Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Sen. O'Connell Seconded By Sen. Kelsh

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	✓		Senator Christenson	✓	
Senator Flakoll - Vice Chairman	✓		Senator Kelsh	✓	
Senator Cook	✓		Senator O'Connell	✓	
Senator Wanzek	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen. O'Connell

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
January 19, 2001 2:22 p.m.

**Module No: SR-09-1319**  
**Carrier: O'Connell**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2148: Education Committee (Sen. Freborg, Chairman) recommends DO PASS**  
**(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2148 was placed on the**  
**Eleventh order on the calendar.**

2001 HOUSE EDUCATION

SB 2148

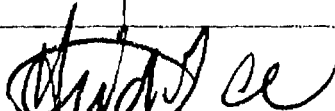
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2148

House Education Committee

Conference Committee

Hearing Date Feb. 28, 2001

Tape Number	Side A	Side B	Meter #
1	X		15.0-21.4
Committee Clerk Signature 			

Minutes:

LeaAnn Schneider: *Asst. Attorney Gen. Sponsor of bill with written testimony.*

Chairman Kelsch: Close the hearing on SB 2148.



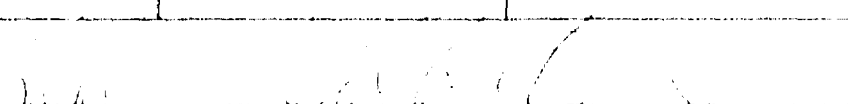
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2148 A

House Education Committee

Conference Committee

Hearing Date 03/05/01

Tape Number	Side A	Side B	Meter #
#2	X		1 to 420
Committee Clerk Signature 			

Minutes:

Chairman R. Kelsch, Vice-Chair T. Brusegaard, Rep. Bellew, Rep. Grumbo, Rep. Haas, Rep. Hanson, Rep. Hawken, Rep. Hunskor, Rep. Johnson, Rep. Meier, Rep. Mueller, Rep. Nelson, Rep. Nottestad, Rep. Solberg, Rep. Thoreson

Chairman Kelsch: We will now take up SB2148. What are the wishes of the committee?

Rep. Hawken: I move the amendments.

Rep. Brusegaard: Second.

Rep. Hawken: I move a DO PASS AS AMENDED.

Rep. Brusegaard: Second.

Chairman Kelsch: Committee discussion.

The motion of DO PASS AS AMENDED passes with 15 YAY 0 NAY 0 ABSENT

Floor assignment: Rep. Haas

Date: 3/6/01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB2148

House House Education Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number 18161.0101

Action Taken Do Pass As Amended

Motion Made By Rep. Hawken Seconded By Rep. Brusegaard

Representatives	Yes	No	Representatives	Yes	No
Chairman-RaeAnn G. Kelsch	✓		Rep. Howard Grumbo	✓	
V. Chairman-Thomas T. Brusegaard	✓		Rep. Lyle Hanson	✓	
Rep. Larry Bellew	✓		Rep. Bob Hunskor	✓	
Rep. C.B. Haas	✓		Rep. Phlllp Mueller	✓	
Rep. Kathy Hawken	✓		Rep. Dorvan Solberg	✓	
Rep. Dennis E. Johnson	✓				
Rep. Lisa Meier	✓				
Rep. Jon O. Nelson	✓				
Rep. Darrell D. Nottestad	✓				
Rep. Laurel Thoreson	✓				

Total (Yes) 15 No 0

Absent 0

Floor Assignment Rep. Haas

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)  
March 5, 2001 3:57 p.m.

Module No: HR-37-4860  
Carrier: Haas  
Insert LC: 18161.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

**SB 2148: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2148 was placed on the Sixth order on the calendar.

Page 4, line 29, after "superintendent" insert "after July 31, 2001"

Renumber accordingly

2001 TESTIMONY

SB 2148

**TESTIMONY ON SB 2148**  
**SENATE EDUCATION COMMITTEE**  
**January 16, 2001**  
**by Tom Decker, Director of Finance and Organization**  
**328-2267**  
**Department of Public Instruction**

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Mr. (Madam) Chairman and members of the committee:

I am here to speak in support of Senate Bill 2148.

The Department of Public Instruction introduced SB 2148 to respond to issues which arose over the biennium regarding the process of annexation, reorganization, and dissolution. Most of the changes in the bill simply are housekeeping. There is one substantive change that appears in Section 3 on pages 4 and 5. Before we go through that Section, other changes in the bill such as the clarification of language on line 14, page 1, and on page 3, lines 13, 26, and 27 provide clarifications for aspects of the current process. In Section 3, the new language starting at line 29, page 4, renders annexations involving property currently included in proposed organization plan void and limits annexations until the reorganization process is completed or defeated by the voters. It is important to remember, school districts in the course of the reorganization process have the right to leave parts of any district involved in the reorganization out of the organization. If they do that, those parts left out of the reorganization plan would be involved in a hearing process before the State Board of Public Education. The Board would make a decision about where that land would be attached. After reorganization is completed, any patron of the new district would again have access to the annexation process under the statutory provisions for annexation. The new language in Section 4, page 6, lines 14-21, again provides clarification of the current reorganization hearing process. The same is true on the added language on page 7, lines 4-8. There is similar additional language in Section 5, page 9, lines 2-4 and 16-18.

TESTIMONY OF ASSISTANT ATTORNEY GENERAL  
LEA ANN SCHNEIDER REGARDING SENATE BILL NO. 2148  
BEFORE THE HOUSE EDUCATION COMMITTEE ON FEBRUARY 28, 2001.

Chairperson Kelsch, members of the committee, my name is Lea Ann Schneider. I am an Assistant Attorney General and am appearing here in my capacity as legal advisor for the State Board of Public School Education.

Senate Bill 2148 relates to school district annexations, reorganizations, and dissolutions. The bill does six things:

1. It authorizes the State Board of Public School Education to make rules regarding annexations, reorganizations, and dissolutions instead of requiring it to make such rules.
  - State law is quite detailed regarding the requirements for school district annexations, reorganizations, and dissolutions, which makes rulemaking unnecessary.
  - (See Section 1 of the bill.)
2. It suspends all annexation petitions until a reorganization plan has completed the process and has been either approved or denied by the voters.
  - The suspension of annexation petitions is currently in the law for dissolutions.
  - Suspension of the annexation petitions makes the process cleaner.
  - (See page 4 line 29, page 5 lines 1 – 6.)
3. It clarifies which county committees hear a reorganization.
  - (See page 6 lines 14 – 21.)
4. It provides that, when two or more county committees hear an annexation, the county committees shall make their decisions separately regarding approval of the annexation.
  - Left out of the title 15 rewrite last session.
  - County committees have always voted separately.
  - (See page 3, lines 26 – 27.)

5. It clarifies how many days notice must be given for State Board hearings or meetings regarding annexations, reorganizations, and dissolutions.
  - The law requires county committees to give fourteen days notice and the State Board has always given fourteen days notice for its meetings and hearings.
  - (See page 3 line 13, page 7 lines 4 – 8, page 9 lines 2 – 4, and page 9 lines 16 – 18.)
6. It removes the limitation on the frequency with which annexation petitions involving the same property may be brought before the county committee.
  - All decisions of county committees may be appealed to the State Board and the law currently provides for the frequency with which an annexation involving the same property can be brought before the county committee if it is denied by the State Board.
  - (Compare page 3 lines 28 -- 31 and page 4 lines 1 – 2, with page 4 lines 3 – 7.)

I would like to propose one amendment to clarify that the filing of a reorganization plan on and after the effective date of the bill will suspend annexation petitions. If the bill is passed, it will be effective on August 1, 2001.

I would be glad to answer any questions.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2148

Page 4, line 29, after "superintendent" insert "after July 31, 2001"

Renumber accordingly