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SPECIAL SESSION

2003 SENATE EDUCATION

SB 2421

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2421

Senate Education Committee

Conference Committee

Hearing Date May 5, 2003

Tape Number	Side A	Side B	Meter #
1	X		1-end
1		X	1-500

Committee Clerk Signature *Mary Kay Wilcox*

Minutes:

Senator Freborg opened the hearing on SB2421. Roll call was taken, all committee members were present. This bill relates to teacher compensation.

Senator Freborg (mtr #45) - Section 38 is the only change in the bill. Have a new bill number but all sections have been heard and passed with the exception of section 38. Because it is a new bill, the hearing is open to testimony in any area of the bill. Without objection from the committee, highly recommends addressing only section 38. If it is necessary to talk about other areas of the bill, will allow it. But doesn't want to get into the rest of the bill unless someone has a very good reason for going there.

Anita Thomas, Legislative Council (mtr #145) - Section 38 replaced a prior legislative intent section. This provides that during the 2003-2005 biennium, the board of each school district would have to use at least 70%, or an amount equal to that, of the new moneys it receives for the purpose of increasing teacher compensation. Definition of new moneys is; new per student

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moneys received this biennium as opposed to last biennium. As currently drafted this requirement would not apply if the district's average annual teacher compensation level is at or above the state average for that level. Section 38 contains one additional exemption, that is for school districts that are providing educational services under a cooperative agreement approved by the Superintendent of Public Instruction. Those multiple districts will be treated as a single district for purposes of applying this section.

Senator Christenson (mtr #235) - Under section two, how many schools does that actually impact.

Ms. Thomas (mtr #247) - Believes there is a printout that shows where the school districts fall. Does not have that available right now.

Senator Freborg (mtr #284) - In response to Senator Christenson's question, believes the number is 16.

Senator Cook (mtr #310) - Looks to be more than that. It is 23 schools.

Bev Nielsen, School Board Association (mtr #390) - Testified in opposition to SB2421. We resist this concept because it impunes the integrity of local school boards by implying that boards will not raise teacher salaries unless the state mandates them to do so. The Governors continued efforts to intercede in salary negotiations on behalf of the teachers union only diminishes the school board position and its local collective bargaining process. Need to understand that there are unique negotiating agreements in each school district in the state. Teachers receive salary increases automatically moving along salary schedules. Salary freezes in North Dakota are unheard of. North Dakota law requires local school boards to collectively bargain with teachers to establish salary and benefits. If the Governor has no faith in that process, perhaps he should

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introduce legislation that repealing the collective bargaining law. Feels the state should respect the position of the locally elected school board and the teachers union. Believes the 70% language impedes that process.

Gloria Lokken, President, NDEA (mtr #596) - Testified in support of SB2421. Supports section 38 with the exception of provision #2. That provision applies to the average teacher compensation level. The intent of this section is to raise the average teacher salary in the state. Respects the remarks of the previous speaker, but twenty years of history shows that if it is left to collective bargaining the results are slow and the numbers are small.

Senator Taylor (mtr #767) - What does this mean to the rest of the schools outside of the twenty-three mentioned earlier. In schools that are facing declining enrollment will the teachers get a raise?

Ms. Lokken (mtr #811) - Just saw this language a few minutes ago, so have not had time to look at the numbers. But do know that 65 schools are getting less money in the next biennium.

Senator Flakoll (mtr #865) - Did you support of 70% in the House?

Ms. Lokken (mtr #876) - Not sure.

Senator Freborg (mtr #943) - Will return to testimony in opposition to SB2421.

Gary Engwhich, Superintendent of Schools in Killdeer ND (mtr #997) - Testified in opposition of SB2421. Is not in total opposition but has concerns. Handed and referenced exhibit A. Talked about Killdeers increasing enrollment next year. Killdeer will have a net gain of 40 students next year. Based on those figures with original bill, Killdeer would see a net gain of about \$130,000 in next years foundation aid payment. Because of the additional students, will need to increase staffing. Killdeer is currently deficit spending about \$100,000 in the current year. Because of

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that, the 70% factor would hit that school district hard. Would have to raise taxes significantly to offset the funds designated for teacher salaries. Not opposed to teachers getting justified raises. Have increased their compensation over 10% per year. Feels Killdeer is unique in the State of ND because of the projected growth. Governor had originally talked about a 1500.00 per year teacher salary increase. Would support if it was an additional option. Another thing that would help, would be if the moneys designated as new moneys could be used by schools with increasing enrollments to hire additional staff members.

Senator Krauter (mtr #1596) - Proposed amendment #.0103 that relates to the 140 mill issue in the legislation. The amendment refers to page 8 and 9 of the bill. Are asking here to basically exempt the K-8 environment out there.

Larry Klundt, NDCEL (mtr #1787) - Is neutral on this bill. Did testify in favor of the 70% provision in the House Education committee. Superintendents are in a difficult position. They are responsible for administering the budgets along with trying to be the best advocate for staff that they can. The Association took the position early on, was a first priority for foundation aid. But also willing to say that if more money was possible for foundation aid, would not object to a portion of that stipulated for teacher compensation. Average across state shows 57% of expenditures goes to teacher compensation, foundation aid makes up 45% of the districts revenue. With those numbers feels that 100% of foundation aid is already going to teacher salaries. Suggests, and bill does reflect, that the focus remain on per pupil payments and not include tuition apportionment. Again stated that foundation aid is the first priority for his Association. And do not object to the 70% since it does retain the amount of money in the program for foundation aid

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Senator Taylor (mtr #2144) - On the 70% , with the foundation aid increase and declining enrollment, are the teachers going to see an increase in a lot of our schools?

Mr. Klundt (mtr #2190) - Believes that with the amount of money in foundation aid and whether it is 70% or 100%, nobody is going to get a substantial raise.

Sandy Clark, ND Farm Bureau (mtr #2270) - Testified in opposition of SB2421. Are opposed to the 70% dedication of new moneys to teacher compensation. ND Farm Bureau does support teachers and teacher salaries. Opposition is philosophical in nature. Feel that local school boards should have the flexibility to make these decisions. When the Governor attempts to dictate teacher compensation and how schools spend money, feel it is developing a dangerous precedence. Trend would be difficult to sustain over time and fear property taxes would be raised to pay salaries that are set by the state legislature. Feel teachers do receive a significant amount of foundation aid money. Feel school boards are doing a good job and are committed to teachers and quality education. Also feel if teachers receive 70% of new foundation aid, it only leaves 30% of new moneys for other costs such as building, technology and administrative staff. ND Farm Bureau would support the proposed amendment. Urges a do not pass on this bill.

Senator Freborg (mtr #2522) - What would they propose?

Ms. Clark (mtr #2545) - Recognizes the difficulty with this bill. Over the long term would like to see a combination of income taxes and property taxes for funding. Can agree with the rest of the bill without the 70% language.

Senator Flakoll (mtr #2742) - Question for Tom Decker from Dept of Public Instruction. Could you comment on the problem of declining enrollment. Gave numbers of teachers, students lost and the resulting net dollars. Will this trend continue?

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Tom Decker, Department of Public Instruction (mtr #2796) - Went over several reasons for the decline in student numbers and the increase in teachers.

Senator Flakoll (mtr #2866) - Clarified that we have peaked or flat lined on numbers of special education teachers.

Mr. Decker (mtr #2881) - That may be the case, but there is some tendency for increase there.

Senator Freborg (mtr #2960) - Closed the hearing on SB2421

Senator Freborg (mtr #3000) - Called the committee back to order. Open for discussion.

Senator Flakoll (mtr #3014) - Had conversations with Legislative Council, trying to get something that may be suitable for situations such as Kildeer and Halliday. Those amendments will not be ready until later.

Senator Freborg (mtr #3055) - We can discuss the contents now to cut down on time tomorrow.

Senator Flakoll (mtr #3120) - Amendment will attempt to protect the school districts against large numbers of students moving into the district and the sweeps that would result from that movement. Looking at, school districts that have more than 250 enrollments in K-12 that experience a single year growth of 7-8% would be exempt.

Senator Lee (mtr #3247) - Question regarding the reorganization, the newly reorganized districts for the second half of the biennium.

Senator Flakoll (mtr #3261) - Not sure if those numbers have been taken into account.

Senator Christenson (mtr #3320) - Comment regarding this bill, sees conflicting opinion, picking away at the bill, trying suit different districts. In the end feels we will end up frustrated. Some

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people feel this bill has huge impacts, other people say it doesn't make any difference if we are at 70% because there is no money. Feels the Governor of the state called us back in, in part, over nothing. Has become very unclear as to what this is all about. Subsection 2 of section 38 is abhorrent. They will be penalized because they are at the average for teacher salaries or above. Senator Flakoll (mtr #3463) - Understands that the number of schools above the average will not be penalized because this would not apply to them. Used Fargo as an example of a school that would not be impacted by this bill because more money than the 70% number is designated for teacher salaries.

Senator Christenson (mtr #3576) - Is addressing the issue of the language. Feels the language is symbolic. Also feels it is not about dollars but more about language.

Senator Flakoll (mtr #3650) - Questioned how this differs from other amendments that have been proposed.

Senator Freborg (mtr #3704) - Reviewed an amendment that had been proposed by Senator Christenson during the regular session. Question to Senator Christenson, what if "increasing" was taken out on line 23 and said 100% of that money could go to teachers?

Senator Christenson (mtr #3875) - Teachers getting 100% of anything would be good.

Senator Taylor (mtr #3896) - Here because Governor had vetoed our bill. Governor had proposed \$1500.00 per teacher in each school. Would be surprised if this passed the muster as well. In some school districts, 70% of nothing is nothing.

Senator Freborg (mtr #4000) - Question, if other districts were included would you like this amendment?

Senator Taylor - No.

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Senator Cook (mtr #4060) - To clarify, for the purpose of increasing compensation pay to teachers. Would compensation to new hires be included?

Senator Freborg (mtr #4123) - Would be an increase in compensation, could very well be.

Senator Cook (mtr #4145) - Would that solve the questions raised by the Superintendent from Killdeer?

Senator Freborg (mtr #4184) - It might. An increase of 42 students is a radical increase for that school.

Senator Cook (mtr #4215) - If we look at 70% of funding for new students, the new teachers needed will cost more than that. Understands that for the purpose of increasing compensation for teachers, that includes compensation paid to new teachers. But now wonders if that is so.

Mr. Decker (mtr #4323) - Regarding new hires in a place like Killdeer, would the cost of their salary be a part of that 70%. It is critically important that the committee decides on the record if they are included or not. Feels Senator Cook is right, if they are included it would solve Killdeer's problem with the 70%.

Senator Freborg (mtr #4418) - Question for Mr. Decker, how does the bill read?

Mr. Decker (mtr #4466) - Inclination now is that the bill already covers that because three new teachers in Killdeer would represent a total increase in compensation for the district over last year. But, so that there is no doubt about that, let's make sure we understand what your intent is.

Senator Flakoll (mtr #4564) - Should I stop the amendment process?

Senator Freborg - You have to make that decision.

Senator Lee (mtr #4603) - His question answered by Senator Cook's interrogation.

Senator Christenson (mtr #4685) - Would like to see subsection 2 of section 38 removed.

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Senator Freborg (mtr #4730) - If removed, would you support?

Senator Christenson (mtr #4790) - To delete that subsection would help.

Senator Christenson (mtr #4880) - Feels this is money vs. language. Does not like the exclusion of any group, especially in the area of salary. Making a statement that the status quo, the average, is good enough. Believes that overall the language is detrimental to the bill.

Senator Freborg (mtr #5030) - If you were serious about amending to improve the bill, I could support. Feels Senator Christenson's concern is not meaningless but will not fix the bill.

Senator Taylor (mtr #5160) - Senator Krauter had brought in amendment #.0103, but I would like to go further. Do not have an amendment drawn up, but do have the language. Will give you the language for consideration. Would remove the 140 mill levy minimum. Would remove lines 30 & 31 on page 8 of the bill. Would remove lines 1 & 2 on page 9. Would remove lines 19-22 on page 9. Would propose to support this instead of the amendment Senator Krauter proposed.

Senator Freeborn (mtr #5420) - Any discussion from committee? This would essentially remove the language for the 140 mill levy minimum.

Senator Cook (mtr #5500) - Feels there are two very important issues to deal with. No Child Left Behind and equity. SB2154 was the best bill passed as far as addressing equity. In regards to what we are doing here and why we are back, we have one section in the bill that is contentious. Hope to keep all efforts towards addressing the needs of that one section and leave the rest of the bill as it was.

Senator Freborg (mtr #5680) - Any amendments should be prepared today.

Senator Christenson (mtr #5807) - Amend her earlier comments on the "mess". Feels the bill contained good honest work. The whole funding issue of the state is beyond one bill.

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Senator Freborg (mtr #5980) - We know it was one of the best bills ever passed.

Senator Freborg (mtr #6180) - Will be limited for time tomorrow morning. If amendments are ready we will meet again at 4:00.

Tape 1, Side B

Senator Flakoll (mtr #1) - Will talk to Legislative Council about preparing amendments by 4:00 today.

Senator Freborg (mtr #45) - Committee will meet again at 4:15pm today. Meeting is recessed.

Senator Freborg (mtr #80) - Called the committee back to order.

Senator Flakoll (mtr #88) - Handed out an amendment for consideration. Explained amendment number 30807.0107 and its intent. Moved to amend with 30807.0107.

Motion seconded by Senator G. Lee. Roll Call vote 6 yea, 0 nay. Motion carried.

Senator Flakoll (mtr #201) - This would essentially take care of the concerns such as those that Halliday and Killdeer had.

Senator Flakoll (mtr #298) - Handed out amendment #30807.0104. Explained the amendment and its intent. Moved to amend with #30807.0104

Motion seconded by Senator Cook. Roll Call vote 5 yea, 1 nay, 0 absent. Motion carried

Senator Freborg (mtr #440) - Any other discussion? Any other amendments? Meeting is adjourned.

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2421

Senate Education Committee

Conference Committee

Hearing Date May 6, 2003

Tape Number	Side A	Side B	Meter #
1	X		1-3100

Committee Clerk Signature *Mary Kay Wabara*

Minutes:

Senator Freborg called the meeting to order. All committee members are present.

Senator Taylor (mtr #41) - Distributed amendment #30807.0106 which deals with the 140 mill levy minimum. Explained the intent of the amendment. For the record is not against equity. But feels the funding should come from a broader base. Motioned to amend with 30807.0106.

Motion seconded by Senator Christenson.

Discussion followed. Roll call vote 1 yea, 5 nay, 0 absent. Motion failed.

Senator Flakoll (mtr #480) - Distributed amendment #30807.0105. Explained the amendment and its intent. This would allow a school board to exempt itself from the items listed in section 38 with a two-thirds vote of the board. Motioned to amend with 30807.0105. Motion seconded by Senator G. Lee.

Discussion

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Senator Christenson (mtr #649) - Feels this is setting a dangerous precedent in terms of local school districts ability to avoid state law?

Senator Flakoll (mtr #677) - Feels it could also be argued that the state is infringing on their rights and obligations. They can request waivers on other things.

Senator Christenson (mtr #718) - Is always bothered by the definition of local control. Feels at some time the legislative body needs to take a stand, to nullify and negate a law is not one of them.

Roll call vote 4 yea, 2 nay, 0 absent. Motion carried.

Senator Freborg (mtr #845) - Any other amendments? Will reconvene at 9:15am today. Meeting is recessed.

Senator Freborg (mtr #885) - Called the meeting to order.

Senator Flakoll (mtr #903) - Distributed amendment #38241.0348 which was drafted for SB2154. In lieu of the 70% in section 38, all per pupil payments received by the state, old and new, would be used for teacher compensation. This amendment was not presented before.

Senator Cook (mtr #1027) - Pointed out that the amendments were prepared for SB2154 not SB2421.

Senator Flakoll (mtr #1082) - Was just bringing the language forward for consideration.

Senator Freborg (mtr #1130) - Feels it the language still fits. There is no motion at this time, any discussion?

Senator Taylor (mtr #1158) - Clarify that this would use to supersede section 38 in the current bill.

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Senator Flakoll (mtr #1190) - Believes that would be the correct course of action.

Senator Taylor (mtr #1203) - Wouldn't need to delete section 38. Do not see the need for the amendment if schools use 100% of old and new moneys.

Senator Flakoll (mtr #1224) - If that would be the case then section 38 would be counter to this and not needed. This would be a replacement.

Senator Freborg (mtr #1260) - Clarified that in the end this amendment would replace section 38.

Senator Taylor (mtr #1274) - If the school district receives 45% of its funds from the state, we would be looking at 100% going towards compensation. So a school board could have 45% of its budget dedicated to teacher salaries

Senator Flakoll (mtr #1307) - Answered based on cost and compensation.

Senator Christenson (mtr #1357) - Earlier amendment we passed allowed a school board to exempt themselves by a two-thirds vote. Is that going to disappear with section 38 or is it in conjunction with this amendment.

Senator Flakoll (mtr #1379) - Not sure if we would have to decide if there is anything to keep in section 38. Feels it is worth consideration by the committee.

Senator Cook (mtr #1538) - Commented that the clock is ticking on getting the bill out of committee.

Senator Freborg (mtr #1550) - We will get this bill out on time.

Senator Christenson (mtr #1562) - Feels there is a lack of coordination in this section and in this bill. Several ideas are fighting with each other. One contradicts the other, one is all encompassing and one is nothing. The content is unclear and may be unclear to others.

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Senator Flakoll (mtr #1658) - The bill before us does not require the two-thirds vote language.

That would have to be added on.

Senator Christenson (mtr #1695) - To clarify, this section totally supplants section 38.

Senator Flakoll - True.

Senator Christenson (mtr #1746) - Is at a loss of where everything stands, would like subsection 2 deleted from section 38. But now looking at other proposals that have an impact in that. What are we going for?

Senator Freborg (mtr #1809) - Everything is up for discussion. We have not adopted this amendment at this time.

Senator Christenson (mtr #1900) - Is there a different timeline.

Senator Freborg (mtr #1919) - The bill will go out today. Adjourned the meeting until 10:20am.

Senator Freborg called the Education Committee back to order.

Senator Christenson (mtr #2025) - Moves to remove subsection 2 of section 38 of the bill.


Motion seconded by Senator Taylor.

Senator Christenson (mtr #2075) - Explained why she moved to remove subsection 2. Feels that subsection is sending the wrong message regarding teacher pay.

Roll call vote 3 yea, 3 nay, 0 absent. Motion failed for lack of majority.

Senator Freborg (mtr #2275) - Distributed amendment #30807.0109.

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Senator Flakoll (mtr #2435) - Regarding the amendments. Procedurally would have to pull the previous amendment off the bill if we were to adopt this amendment. Moves to reconsider the committee action on #30807.0105.

Motioned seconded by Senator Cook. Roll call vote 6 yea, 0 nay, 0 absent. Motion carried.

Senator Flakoll (mtr #2594) - Moved amendment #30807.0109.

Motion seconded by Senator Lee.

Senator Freborg (mtr #2660) - Regarding the .0109 amendment. Does look like the board would need some kind of reason for financial/administrative hardship. Must apply for exemption to DPI.

Senator Flakoll (mtr #2700) - Further clarification on the procedure the school boards would take.

Senator Christenson (mtr #2746) - Voiced same problems as before, allowing local school districts to exempt themselves from state law.

Roll call vote on previous motion to adopt amendment .0109 4 yea, 4 nay, 0 absent. Motion carried.

Senator Freborg (mtr #2900) - Any discussion or issues to bring before the committee? Given none, will accept a motion on the bill.

Senator Cook moved a Do Pass as Amended on SB2421. Second by Senator Lee.

Roll call vote 4 yea, 2 nay, 0 absent. Motion carried.

Senator Freborg adjourned the meeting.

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2421

Senate ^{Education} Appropriations Committee

Conference Committee

Hearing Date May 7, 2003

Tape Number	Side A	Side B	Meter #
1	X		1-300

Committee Clerk Signature *Marybeth K. ...*

Minutes:

Senator Freborg called the Education Committee to order. Roll call taken, all committee members are present.

Senator Freborg (mtr#38) - Reviewed the language in the amendment proposed by the House. House took our sections four and five out and put this language in. It is not acceptable to us. Thought in only fair that the committee get a look at the amendment and know how it came about. Referred to the blacked out language on the copies.

Senator Flakoll (mtr #125) - Clarified that the blacked out language on the copies was something that was highlighted on the original copy.

Senator Freborg (mtr #132) - Agreed. Was highlighted and came out black on the copy. It reads now that the board after public hearing determines "in its discretion" and by an affirmative vote of two-thirds. It was fully our intent to have the language in there that says, in the boards

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Hearing Date May 7, 2003

discretion. We believe that's necessary, it was totally out of the boards hands prior to that and now it is not. It is our intent that, that be in there. Was not acceptable to us.

Senator Cook (mtr #192) - We don't see subsection 1 here.

Senator Freborg (mtr #211) - Did not bring it down. Subsection 1 has not changed. 1,2 and 3 are still there they took out our 4 and 5 and put only number 4 with three subsections.

Senator Cook (mtr #234) - Agrees with Senator Freborg. The language "in its discretion" is our intent.

Senator Lee (mtr #255) - Under the first line on page 32, "and tuition apportionment", that is different.

Senator Freborg (mtr #269) - That is different. That was in the original. Tuition apportionment and transportation were included, isn't anyway we would agree to transportation.

Senator Lee (mtr #308) - Where is states "two-thirds of its members" in A. That means the elected members of the board?

Senator Freborg (mtr #315) - I believe that is does. Hope something as important as these decisions, the boards would make certain that they had more than the bare quorum.

Senator Lee (mtr #351) - Seems to me that that language is important "in its discretion" and that gives the school board the decision, whether or not it meets the provisions that we are intending it to meet. Is important language to be there.

Senator Freborg (mtr #374) - It now says what we originally wanted it to say.

Senator Christenson (mtr #400) - Do I understand that subsection 2 is out?

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Deanna G. L. [Signature]
Operator's Signature

10/23/03
Date

Page 3 *Educate*
Senate Appropriations Committee
Bill/Resolution Number SB2421
Hearing Date May 7, 2003

Senator Freborg (mtr #415) - We did take out the language that required all the schools below the statewide average. Now it takes in all the schools. Stated that subsection 2 is out, it will apply to all districts. Tuition apportionment money is in. Now have four subsections to section 38.

Senator Flakoll (mtr #480) - Review for clarification. Added tuition apportionment, taking out the statewide average language so it applies to all teachers. It would be my opinion that "in its discretion" would be helpful because it clarifies who has full and final say.

Senator Taylor (mtr #562) - Commented. Added public hearing language in there. We don't put allot of specifics in there about what they need to do for a public hearing.

Senator Freborg (mtr #586) - To clarify. Every school board meeting other than executive session is a public meeting and could be considered a public hearing. All they have to do is designate a portion of that meeting be dedicated to this and it is a public hearing. Wanted the committee to be aware of what the amendment is, so that you know ahead of time. We are going to accept the amendment.

Meeting adjourned.

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Operator's Signature

10/23/03
Date

FISCAL NOTE
 Requested by Legislative Council
 05/05/2003

Bill/Resolution No.: SB 2421

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$546,733,990	\$0	\$546,733,990	\$0
Appropriations	\$0	\$0	\$0	\$0	\$546,733,990	\$0

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$546,733,990	\$0	\$0	\$546,733,990

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

SB 2421 reintroduced
 SB 2154 in its entirety and amends Section 38.

There is no impact on state expenditures or appropriations.

3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Jerry Coleman	Agency:	Public Instruction
Phone Number:	328-4051	Date Prepared:	05/06/2003

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Deanna Williams
 Operator's Signature

10/23/03
 Date

30807.0103
Title.

Prepared by the Legislative Council staff for
Senator Krauter
May 5, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2421

Page 8, line 30, after the first "the" insert "district is a high school district and if the"

Page 9, line 19, after the first "the" insert "district is a high school district and if the"

Renumber accordingly

Page No. 1

30807.0103

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Deanna H. Hester
Operator's Signature

10/23/03
Date

30807.0107
Title.

Prepared by the Legislative Council staff for
Senator Flakoll
May 5, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2421

Page 32, line 24, after "teachers" insert "and for the purpose of providing compensation to
teachers who begin employment with the district on or after July 1, 2003"

Renumber accordingly

Page No. 1

30807.0107

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Deanna Hall
Operator's Signature

10/23/03
Date

Date: 8-8-03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2421

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number 0107

Action Taken Do pass bill and 30807.0107

Motion Made By Sen. Flakoll Seconded By Sen. G. Lee

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	✓		Senator Christenson	✓	
Senator Gary Lee - Vice Chair	✓		Senator Taylor	✓	
Senator Cook	✓				
Senator Flakoll	✓				

Total (Yes) 6 No 0

Absent _____

Floor Assignment _____

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

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Deanna Chalmers 10/23/03
Operator's Signature Date

30807.0104
Title.

Prepared by the Legislative Council staff for
Senator Flakoll
May 5, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2421

Page 32, line 26, replace "level is at or above the average annual" with "is equal to or greater than forty-six thousand six hundred sixty-eight dollars."

Page 32, remove lines 27 and 28

Renumber accordingly

Page No. 1

30807.0104

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Deanna Hall
Operator's Signature

10/23/03
Date

Date: 5 5 03
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken De plus # ~~0104~~ 30807.0104

Motion Made By Sen. Flakoll Seconded By Sen. Cook

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	/		Senator Christenson		/
Senator Gary Lee - Vice Chair	/		Senator Taylor	/	
Senator Cook	/				
Senator Flakoll	/				

Total (Yes) 5 No 1

Absent _____

Floor Assignment _____

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

30807.0106
Title.

Prepared by the Legislative Council staff for
Senator Taylor
May 5, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2421

Page 8, line 26, after the underscored semicolon insert "and"

Page 8, line 29, replace "; and" with an underscored period

Page 8, remove lines 30 and 31

Page 9, remove lines 1 and 2

Page 9, line 15, after the underscored semicolon insert "and"

Page 9, line 18, replace "; and" with an underscored period

Page 9, remove lines 19 through 22

Page 30, remove lines 29 through 31


Page 31, remove lines 1 through 3

Renumber accordingly

Page No. 1

30807.0106

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Operator's Signature

10/23/03
Date

Date: 5.6.03
 Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. SB 2421

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Amend 30807. 0106

Motion Made By Sen. Taylor Seconded By Sen. Christenson

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	/	/	Senator Christenson	/	/
Senator Gary Lee - Vice Chair	/	/	Senator Taylor	/	/
Senator Cook	/	/			
Senator Flakoll	/	/			

Total (Yes) 1 No 5

Absent _____

Floor Assignment _____

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

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Deanna [Signature]
 Operator's Signature

10/23/03
 Date

30807.0105
Title.

Prepared by the Legislative Council staff for
Senator Flakoll

May 5, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2421

Page 33, after line 3, insert:

- "5. The superintendent of public instruction shall exempt the board of a school district from complying with the requirements of this section upon receiving notification from the school board that the board has, by an affirmative vote of two-thirds of its members, requested the exemption."

Renumber accordingly

Page No. 1

30807.0105

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Deanna Hall
Operator's Signature

10/23/03
Date

Date: 5.6.03
 Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. SB 2421

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Amend 30807.0105

Motion Made By Sen. Flakoll Seconded By Sen. Lee

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	/		Senator Christenson	/	
Senator Gary Lee - Vice Chair	/		Senator Taylor	/	
Senator Cook	/				
Senator Flakoll	/				

Total (Yes) 4 No 2

Absent _____

Floor Assignment _____

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

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Deanna Hill Operator's Signature 10/23/03 Date

Date: 5.6.03
Roll Call Vote #: 3

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2421

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Remove subsection 2 of section 38

Motion Made By Sen. Christenson Seconded By Sen. Taylor

*Roll called by
8/1/03
critter*

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman		✓	Senator Christenson	✓	
Senator Gary Lee - Vice Chair	✓		Senator Taylor	✓	
Senator Cook		✓			
Senator Flakoll		✓			

Total (Yes) 3 No 3

Absent _____

Floor Assignment _____

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

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Deanna Hall 10/23/03
Operator's Signature Date

Date: 5-6-03
Roll Call Vote #: 4

**2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.**

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Reconsider 30807.0105

Motion Made By Sen. Flakoll Seconded By Sen. Cook

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	<u>✓</u>		Senator Christenson	<u>✓</u>	
Senator Gary Lee - Vice Chair	<u>✓</u>		Senator Taylor	<u>✓</u>	
Senator Cook	<u>✓</u>				
Senator Flakoll	<u>✓</u>				

Total (Yes) 6 No 0

Absent _____

Floor Assignment _____

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

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Deanna Galbraith 10/23/03
Operator's Signature Date

30807.0109
Title.

Prepared by the Legislative Council staff for
Senator Flakoll
May 6, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2421

Page 33, after line 3, insert:

- "5. If a school board determines that the impact of implementing this section will cause financial or administrative hardships or cause a disruption in the salary administration plan for all school district employees, the school board may, by an affirmative vote of two-thirds of its members, apply to the superintendent of public instruction for an exemption from this section. The superintendent of public instruction shall exempt the board of a school district from complying with the requirements of this section upon receiving notification from the school board that the board has, by an affirmative vote of two-thirds of its members, requested the exemption."

Renumber accordingly

Page No. 1

30807.0109

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Deanna Ballantyne
Operator's Signature

10/23/03
Date

Date: 5.6.03
Roll Call Vote #: 5

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2421

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken amend # 30807.0109

Motion Made By Sen. Flakoll Seconded By Sen. Lee

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	✓		Senator Christerson	✓	
Senator Gary Lee - Vice Chair	✓		Senator Taylor	✓	
Senator Cook	✓				
Senator Flakoll	✓				

Total (Yes) 4 No 2

Absent _____

Floor Assignment _____

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

Date: 5.6.03
 Roll Call Vote #: 6

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB242

Senate Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass as amended

Motion Made By Sen. Cook Seconded By Sen. Lee

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	/		Senator Christenson		/
Senator Gary Lee - Vice Chair	/		Senator Taylor		/
Senator Cook	/				
Senator Flakoll	/				

Total (Yes) 4 No 2

Absent _____

Floor Assignment Sen. Freborg

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

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Deanna Blum
 Operator's Signature Date 10/23/03

REPORT OF STANDING COMMITTEE (410)
May 6, 2003 12:45 p.m.

Module No: SS-02-0066
Carrier: Freborg
Insert LC: 30807.0110 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2421: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (4 YEAS, 2 NAYS, ABSENT AND NOT VOTING). SB 2421 was placed on the Sixth order on the calendar.

Page 32, line 24, after "teachers" insert "and for the purpose of providing compensation to teachers who begin employment with the district on or after July 1, 2003"

Page 32, line 26, replace "level is at or above the average annual" with "is equal to or greater than forty-six thousand six hundred sixty-eight dollars."

Page 32, remove lines 27 and 28

Page 33, after line 3, insert:

"5. If a school board determines that the impact of implementing this section will cause financial or administrative hardships or cause a disruption in the salary administration plan for all school district employees, the school board may, by an affirmative vote of two-thirds of its members, apply to the superintendent of public instruction for an exemption from this section. The superintendent of public instruction shall exempt the board of a school district from complying with the requirements of this section upon receiving notification from the school board that the board has, by an affirmative vote of two-thirds of its members, requested the exemption."

Page 33, line 17, after the second boldfaced period insert "Sections 1 through 6 and sections 8 through 41 of this Act become effective on July 1, 2003."

Renumber accordingly

SPECIAL SESSION

2003 HOUSE EDUCATION

SB 2421

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10/23/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2421

House Education Committee

Conference Committee

Hearing Date May 6, 2003

Tape Number	Side A	Side B	Meter #
1	XX		0-21.2
1		XX	0-end
Committee Clerk Signature <i>Keely Schmidt</i>			

Minutes: **Rep. Kelsch** called the meeting to order, roll was taken with the following present:

Rep. Kelsch, Rep. Johnson, Rep. Haas, Rep. Hanson, Rep. Hawken, Rep. Herbel, Rep. Hunsakor, Rep. Meier, Rep. Mueller, Rep. Meier, Rep. Nelson, Rep. Norland, Rep. Sitte, Rep. Williams, Absent was Rep. Solberg, a quorum was present.

Rep. Kelsch advised the committee was present to address to Section 38 of SB 2421. The Senate amended the bill in the education committee. She called for testimony in support of SB 2421.

Joe Wesby, NDEA spoke in support of SB 2421. In section 38, section 5, it severely limits the amount of dollars that are impacted by the 70%, subsection 2 exempts school districts that have average salaries and benefits totally for \$46, 668. That eliminates most of the largest districts in the state, approx. 24 districts from the 70% provision. That takes out about 4500 teachers from being covered by this bill. With the limited funding in SB 2421, 65 school districts will receive

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Dorinda Halverson
Operator's Signature

10/23/03
Date

*House
Education*

less money the first year and 88 will receive less in the second year. When coupled with the top districts there doesn't leave much for the middle districts. That concerns us a great deal. We believe subsection 2 of Section 38 needs to be removed. Subsection 5 would allow school board by a two thirds vote to appeal to DPI to be exempted from the 70% provision if they can demonstrate a hardship. We think that should also be removed as it further limits the application of the 70% to school districts. We would like to see something more substantial than what is being proposed.

Rep. Mueller How many teachers will be effected in those districts?

Joe Westby I haven't totaled all the numbers, I was told by someone else those 24 districts would include about 4500 teachers.

Bev Nelson, School Board Association we are supportive of SB 2421 with the addition of subsection 5 we believe it now acknowledges the local elected school boards responsibility for the districts budgets.

Rep. Kelsch Do you see a potential problem with State Legislators setting state law and then say local school board if you don't want to comply with it, they can just take vote and not comply with it.

Bev Nelson if the amendments are adopted, that is the state law. You are saying, here's what you we say you should do, but with two-thirds a vote you can apply for a waiver. I have a problem with a collective bargaining law on the books, for two session now we have been interceding and corrupting that law too. You know our position on the state setting these types of salaries anyway.

Rep. Nelson what portion of a budget is paid toward teacher compensation?

Deanna Hill
Operator's Signature

10/23/03
Date

Page 3

~~Government Operations Division~~

Bill/Resolution Number SB 2421

Hearing Date May 6, 2003

*House
Education*

Bev Nelson we don't collect that type of data. Terry Coleman has done research, it shows it has been fairly steady at 62-68% of school budgets to salaries and benefits.

Rep. Nelson let's pick 65%, in the bill we are talking 70% of new dollars, Is that really doing to create a hardship for school districts.

Bev Nelson Our objection is a philosophical one. We have a collective bargaining process, school systems are accountable for developing their districts budgets and as the Governor and/or Legislature, each session, starts mandating pieces of that state funded FTE's now have to be sustained. We supported that, that took the first 15M of what might have been available for foundation aid. Then last session and this session the state is going to mandate minimum salaries. So, we have the FTE's, the mandated minimum salaries and now a step further which will mandate a percentage of foundation aid which will also go to teacher pay. Our point is, as long as the state continues their efforts to intercede in salary negotiations on behalf of the teachers union if diminished the school board position in local collective bargaining. The next step will be the desire of the state to dictate the entire school district budget and say what percent of the local budget should go to teacher pay, now your dictating local funds as well as state funds.

Rep. Mueller why are we doing section 38 at all, being the fact they have the opportunity to exempt.

Bev Nelson we don't want to do the 70% at all for all previous stated reasons. With this language you are acknowledging the school board authority and accountability to set school board budgets and assure the solvency of their district.

Rep. Herbel why do you suppose the state is interceding with these issues

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Deanna [Signature]
Operator's Signature

10/23/03
Date

Page 4

Government Operations Division
Bill/Resolution Number SB 2421
Hearing Date May 6, 2003

*House
Education*

Bev Nelson I think 1. It's popular to say we believe in teachers salaries, and it sounds like school boards don't think teachers should be paid. By the large infusion of millions of dollars in the last biennium, that clearly put money in the pockets of teachers. We would submit if 35M of new money went into foundation aid you would have seen and increase in teachers salaries as well. Salaries are not the only expense school districts have.

Rep. Herbel I would like to comment school boards have not meet the obligation, that is part of the reason the state has had to intervene.

Rep. Nelson How many districts have exceeded the required amounts from last session?

Bev Nelson I have the numbers available, as do you. I know some did. Those negotiations at the local level take into account their own district. Our position is, if the collective bargaining process doesn't work, then it seems to be to repeal the collective bargaining law and let the state pay teachers.

Sandy Clark, ND Farm Bureau spoke in support of Section 38 and commend the Senate for the local control provisions. We concur with several provisions, however we oppose the 140 mil level minimum and we oppose the hold harmless language on the FTE payments. We support the K-12 interim study.

Hearing no further testimony the hearing was closed by the chair.

Meeting recessed until after the floor session.

Rep. Williams introduced amendment 30807.0101. He commented we exempt the larger schools who don't get the new money, those in the middle can not opt out. This amendment deletes section 38 and changes language to what we wanted last time with the five hundred in compensation.

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10/23/03
Date

Page 5

~~Government Operations Division~~
Bill/Resolution Number SB 2421
Hearing Date May 6, 2003

*House
Educ*

Rep. Kelsch this amendment doesn't include the deletion of Section 38

Rep. Williams the language isn't included because we didn't know what the Senate would do
20 minutes ago.

Anita, Legislative Council explained this amendment would offer reimbursement of \$500 the
first year of the biennium and \$1000 in the second year.

Rep. Kelsch are you using foundation aid money?

Rep. Williams we are leaving foundation aid as is. This amendment would cost around 12M,
This is something I along with others would like to put on the table. Section 38 doesn't address
the concerns of the Governor nor the teachers.

Rep. Kelsch who does this fit with foundation aid money and FTE line item?

Rep. Williams Appropriations would have to find a line item, this would be addressed at a later
time. This can't be rushed, this needs to be a joint effort.

Rep. Haas This doesn't fit with the current financial picture. We would be adding 12M to what
we have already added.

Rep. Mueller that is the issue before us. This would take a tax increase of some kind, maybe a
tobacco tax.

Rep. Herbel do you have a suggestion on where we will get the money?

Rep. Williams This will take some sort of tax increase, we don't have the money. That's a scary
word for a lot of people. This is an alternative, we can vote for or against, knowing full well
there are dollars involved. It would take a tax increase.

Rep. Herbel Specifically, what type of tax increase?

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Dennis J. Williams
Operator's Signature

10/23/03
Date

Page 6

~~Government Operations Division~~
Bill/Resolution Number SB 2421
Hearing Date May 6, 2003

*House
Education*

Rep. Williams there has been much discussion, I would like to see a 6% surtax on income tax, the ability pay concept. I don't think this legislature would like my concept.

Rep. Mueller introduced amendment .0102 this addresses the hold harmless language, this legislature has added school districts that ended up receiving less money than the previous year. Now we have several districts involved. This would take 5M in supplemental payment money to 3 M, it takes that money and puts it into hold harmless. So those who are receiving less will receive additional funds.

Rep. Herbel you realize if this is implemented we will be moving further away from equity.

Rep. Mueller that would be correct, we have done a number of equity things, especially in this session. I think there is another side to the equity issue regarding the small schools, the ones losing money.

Rep. Johnson I will oppose this amendment, supplemental payment is the best solution for those property poor.

Rep. Mueller we have other equity issues we have a flawed funding formula with "property poor" and "income poor".

Rep. Kelsch do we address in our foundation aid formula when we give districts the option of using current school enrollment or the enrollment from the previous year?

Jerry Coleman, DPI That is correct, they can use the higher of the two years. That has been there a number of years.

Committee recess until the call of the chair.

Chairwoman Kelsch called the meeting back to order at 6:30 pm, a quorum was present.

Rep. Williams moved a DO PASS on amendment 30807.0101, second by **Rep. Mueller**

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Deanna Hall
Operator's Signature

10/23/03
Date

Page 7

~~Government Operations Division~~
Bill/Resolution Number SB 2421
Hearing Date May 6, 2003

*Have
educat*

Rep. Hunsdor I believe we try to do what's best for the kids of ND, good things have been done, but here we are again with the same problem. There is one solution, we need more funds to solve the problem. The question is where does it come from, it's a tax increase some place. We have to have more money to solve the problem. Is it popular? No Is it right? We each have to decide that. It's the popular thing and it's the right thing.

Rep. Kelsch clarified this amendment will delete Section 38 of this bill.

Rep. Mueller the Gov. Vetoed this bill, if we don't pass something of this nature, can we fulfill the intent of the governor's veto. I think we can if we vote favorable on this amendment.

Rep. Nelson Although I agree that we voted on last week is under funded we all worked hard to find every dollar for education, without a tax increase. The work ethic of this committee and leadership was outstanding. When we add 12-13M, it prices it out of the ballpark. In good conscious, I can't vote for this. It won't pass, we should have done this long time ago, not now. It is certainly not appropriate at this stage of the game. I will resist the amendment

Rep. Hanson What is the appropriated amount for foundation aid?

Rep. Kelsch new money is 10M, total 489M plus odd change

Rep. Hanson why can't we take the 12M from their? That may sell better than a tobacco increase.

Rep. Williams I would like to response to Rep. Nelson No one want a tax increase, this bill is basically under funded, with the new mil levy factor they are getting less money then the last biennium. The education study's haven't been chosen from the Legislative Council. The bottom line, Where are these districts going to be in 2 years unless we do something differently. Section 38 is meaningless. If we pass the Senate version of this bill we hurt kids.

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Deanna Galt
Operator's Signature

10/23/03
Date

Page 8

~~Government Operations Division~~
Bill/Resolution Number SB 2421
Hearing Date May 6, 2003

*House
Education*

Roll call vote was taken on 30807.0101 8 NAY 4 YEAH 1 Absent

MOTION FAILS

Rep. Nelson moved the deletion of Section 36 to engrossed SB 2421, second by Rep.

Hawken

Rep. Nelson this hold harmless section was added in the conference committee. When we passed the teacher package two years ago, that bill passed the legislative session and the people of ND. We are now asked to make additional payments to the loses of that process. This session we made a new list losers, we've raise the mil levy deduct. I voted for it. We are asked to go back 2 years and hold harmless those school districts that got less money because of the teacher compensation package. I don't know how any rural legislator could vote for this given the fact of what we've done in the name of equity. I know we had to move bar and we did, but to address this issue in this fashion is ludicrous. This would take this issue off the table, we could relieve ourselves from have to make a decision that in my opinion is wrong.

Rep. Kelsch The hold harmless clause was in the bill that was previously approved during the regular session .

Rep. Nelson did that section have a hearing

Rep. Kelsch I think it was put on during the conference committee, just so the committee knows this isn't a new concept, but was on the previously passed bill.

Roll call vote was taken 2 yeah 11 nay 1 absent/not voting.....**MOTION FAILS**

Rep. Mueller moved a DO PASS on amendment 30807.0102, second by Rep. Hunskor

Rep. Mueller he introduced amendment .0102, 66 schools will see less money than seen the previous year, the second year of the biennium that number moves to 88 schools. \$18,000 ND

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Deanna Ball...
Operator's Signature

10/23/03
Date

Page 9

~~Government Operations Division~~
Bill/Resolution Number SB 2421
Hearing Date May 6, 2003

*House
Education*

students desire our consideration, money talks, we are sending a message, we will not hold them harmless, there isn't enough money. We can indicate to them we do appreciate them and they ought to be at the table too when it's time to deliver the money.

Rep. Herbel I'm concerned with the dealing of Section 38, this amendment deals with taking money out of supplemental payments. We have done a reasonable amount of work on equity under the circumstances with the amount of money we have had to work with. Taking 2M out of supplemental payments to pay the hold harmless is undoing a significant step in the right direction. For that reason I can't support the amendment.

Rep. Mueller we don't have enough money in this bill, we've done more with equity this session than ever before. We are still talking 3.2M in supplemental payments the money that will be generated from the 140 mil. I would encourage you to support the amendment.

Roll call vote was taken 5 YEAH 8 NAY 1 absent/not voting MOTION FAILS

Rep. Haas moved the addition of "tuition apportionment" to Pg. 32, line 23 and 30. Second by Rep. Norland.

Roll call vote 13 YEAH 0 NAY 1 absent/not voting MOTION CARRIES

Rep. Johnson moved Lines 26 through 28 page 32, subsection 2 be remove, second by Rep. Hawken.

Rep. Kelsch advised the committee by removing the 23 districts, that exempt 4, 434 teachers

Roll call vote 13 YEAH 0 NAY 1 absent/not voting MOTION CARRIES

Rep. Hanson moved a removal of lines 4-12 of page 33, second by Rep. Mueller

Rep. Mueller In light of the previous motion that unanimously passed, the two thirds vote really takes all the wind out of Section 38.

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Deanna [Signature]
Operator's Signature

10/23/03
Date

Page 10

~~Government Operations Division~~
Bill/Resolution Number SB 2421
Hearing Date May 6, 2003

*House
Education*

Rep. Hawken In looking at the big picture is there a way this can be crafted differently. That would make it more palatable. Something to make it tighter and useable.

Rep. Kelsch That is feasible, language is being looked at.

Roll call vote taken 4 YEAH 9 NAY 1 absent/not voting MOTION FAILS

Meeting recessed for 15 minutes.

Chairman Kelsch called the committee back to order and passed the gavel for Vice Chairman Johnson for the purpose of introducing an amendment.

Rep. Kelsch moved the addition of language to Section 36, subsection 4, (See amendment 30807.0205 for wording) second by **Rep. Haas**.

Rep. Kelsch this is a compromise. Local districts felt we were surping their power by dictating the amount of compensation. I had a problem with the two-thirds concept. I think this is a nice compromise between those individuals in our state who feel strongly about local control and those of us who feel they haven't done what we thought they should have. I had trouble with the Senate language, it could open a can of worms that probably wasn't appropriate. Perhaps, a school district could bring any reason to avoid giving the teachers the increase. The burden is on the district and the school board and if they have insufficient resources, we haven't talked about the kids. We need good teachers, but we also need to ensure a safe environment and books etc. They should be an explanation they can't meet the 70% requirement.

Rep. Williams if that is the basis, ok. But with local control I can't.

Rep. Mueller Will there be a public hearing? Public notification?

Rep. Kelsch school boards are a public hearings, they are required by law to be open to the public with notification.

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Deanna H. H. H.
Operator's Signature

10/23/03
Date

Page 11

~~Government Operations Division~~
Bill/Resolution Number SB 2421
Hearing Date May 6, 2003

*House
Education*

Rep. Haas they are subject to the open meeting laws of the state. They are specific.

Rep. Sitte This would have the school board notify DPI, but DPI would have no authority?

Rep. Kelsch correct, the information is important to us, this will allow us to track the information.

Rep. Hanson would you oppose if we add to that amendment they must be at the maximum mil levy.

Rep. Kelsch I would have to think about that.

Rep. Hunsakor would this be listed as an agenda item. In rural areas I don't know many who would know what's going on, or attended. Would this make a difference?

Rep. Kelsch The public needs to be involved, if they aren't we have to depend on the School Board. To the credit of the teachers, if this were an agenda item, I can't imagine the teachers would let this go by.

Rep. Herbel The Hanson suggestion has merit, but are we going to force a district to max. out. They might already be in financial straight. I don't know if I can support that.

Rep. Norland There are a number of districts that have an unlimited mil levy which would create other problems.

Rep. Nelson This is another facade, if this provision is included, teachers will have to attend school board meetings regularly. If we trust the school boards, existing language should stand clean. I don't know why we are trying to compromise this thing. We are going to have more words than dollars.

Roll Call vote taken 9 YEAH 4 NAY 1 absent/not voting MOTION CARRIES

Meeting was adjourned

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Deanna Hall
Operator's Signature

10/23/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2421

House Education Committee

Conference Committee

Hearing Date May 7, 2003

Tape Number	Side A	Side B	Meter #
1	xx		0-9.6
Committee Clerk Signature <i>Kelly Schmidt</i>			

Minutes:

Chairman Kelsch called the committee to order. Roll was taken with all those in attendance with the exception of Rep. Solberg, a quorum is present.

Chairman Kelsch advised the committee there was a legal issue in the bill to be addressed.

There needs to be three simple words into the amendment.

Rep. Haas moved to reconsider SB 2421, second by **Rep. Herbel** motion carries on a voice vote.

Rep. Kelsch explained amendment 30807.0205

Rep. Johnson moved a DO PASS on amendment 30807.0205, second by **Rep. Meler**

Roll call vote was taken 13 YEAH 0 NAY 1 absent/not voting

MOTION CARRIES

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Deanna Schmitt
Operator's Signature

10/23/03
Date

Page 2

Government Operations Division
Bill/Resolution Number SB 2421
Hearing Date May 7, 2003

*House
Education*

Rep. Nelson voiced a concern with the open ended parts of this section, with the exemption, there will be a strong likelihood of legal action.

Rep. Kelsch regardless of any language included in the bill, there will always be the opportunity for a lawsuit. This will put more teeth into the school district. The burden is still on them.

Anita, Legislative Council the language was recommended by the Attorney General, without discounting the significance of the language it's almost a "we really mean it". The school board has the discretion when it has insufficient fiscal resources. It's the school board that would decide, no one else.

Roll call vote was taken 13 YEAH 0 NAY 1 absent/not voting

MOTION CARRIES

Rep. Haas moved a DO PASS as Amended on SB 2421, second by Rep. Herbel

Roll call vote was taken 9 YEAH 4 NAY 1 absent/not voting

MOTION CARRIES

Meeting was adjourned

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Deanna Halstead
Operator's Signature

10/23/03
Date

30807.0101
Title.

Prepared by the Legislative Council staff for
Representatives Mueller, Hanson, Williams,
Delmore, and Hunsdor
May 5, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2421

Page 18, line 19, remove the overstrike over "~~increase the~~" and remove "at least maintain the level of"

Page 18, line 24, remove the overstrike over "~~who will receive an increase in~~"

Page 18, line 25, remove the overstrike over "~~compensation over the amount paid during the previous~~" and remove "whose level of"

Page 18, line 26, remove "compensation will be at least equal to that provided during the 2002-03"

Page 19, line 6, after "thousand" insert "five hundred"

Page 19, line 10, replace "three" with "four"

Renumber accordingly

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Deanna Hall
Operator's Signature

10/23/03
Date

Date: 5.6.03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. Click here to type Bill/Resolution No. 2421

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number .0101

Action Taken Do Pass on Amend.

Motion Made By Williams ~~Click here to type Name~~ Seconded By Mueller.

Representatives	Yes	No	Representatives	Yes	No
Rep. Kelsch		✓			
Johnson		✓			
Haas		✓			
Hanson	✓				
Hawken		✓			
Herbel		✓			
Hunskor	✓				
Meier		✓			
Mueller	✓				
Nelson		✓			
Norland		✓			
Sitte					
Solberg		✓			
Williams	✓				

Total (Yes) 4 ~~Click here to type Yes Vote~~ No 8 ~~Click here to type No Vote~~

Absent 1

Floor Assignment Click here to type Floor Assignment

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

Fails

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Deanna Hall
Operator's Signature

10/23/03
Date

Date: 5.6.03
 Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. *Click here to type Bill/Resolution No.*

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken delete Section 3b of eng. bill 2421

Motion Made By Nelson ~~Click here to type Name~~ Seconded By Hawken

Representatives	Yes	No	Representatives	Yes	No
Rep. Kelsch		✓			
Johnson		✓			
Haas		✓			
Hanson		✓			
Hawken		✓			
Herbel		✓			
Hunskor		✓			
Meier		✓			
Mueller	✓				
Nelson	✓				
Norland		✓			
Sitte		✓			
Solberg	✓				
Williams		✓			

Total (Yes) 2 ~~Click here to type Yes Vote~~ No 11 ~~Click here to type No Vote~~

Absent _____

Floor Assignment Click here to type Floor Assignment

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

10 Facts

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Deanna [Signature] 10/23/03
 Operator's Signature Date

Date:
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. *Click here to type Bill/Resolution No.*

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken _____

Motion Made By *Click here to type Name* Seconded By _____

- Haas Amend - *Johnson Amend.*

Representatives	Yes	No	Representatives	Yes	No
Rep. Kelsch	✓			✓	
Johnson	✓			✓	
Haas	✓			✓	
Hanson	✓			✓	
Hawken	✓			✓	
Herbel	✓			✓	
Hunskor	✓			✓	
Meier	✓			✓	
Mueller	✓			✓	
Nelson	✓			✓	
Norland	✓			✓	
Sitte	✓			✓	
Solberg	✓			✓	
Williams	✓			✓	

Total (Yes) *13* *0* No *13* *0*

Absent _____

Floor Assignment *Click here to type Floor Assignment*

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

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Deanna Holmquist *10/23/03*
Operator's Signature Date

Date:
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. *Click here to type Bill/Resolution No.*

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken remove pg 33 4-12

Motion Made By Click here to type Name Seconded By _____
HANSON/MUELLER

Representatives	Yes	No	Representatives	Yes	No
Rep. Kelsch		✓			
Johnson		✓			
Haas		✓			
Hanson	✓				
Hawken		✓			
Herbel		✓			
Hunskor	✓				
Meier		✓			
Mueller	✓				
Nelson		✓			
Norland		✓			
Sitte		✓			
Solberg	✓	✓			
Williams	✓				

Total (Yes) 4 *Click here to type Yes Vote* No 9 *Click here to type No Vote*

Absent 1

Floor Assignment Click here to type Floor Assignment

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

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Deanna Hill
Operator's Signature

10/23/03
Date

Date: 5-6-03
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2421

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Change in language in section 36- Subsection 4

Motion Made By Kelsch Seconded By Haas

Representatives	Yes	No	Representatives	Yes	No
Rep. Kelsch	✓				
Rep. Johnson	✓				
Rep. Haas	✓				
Rep. Hanson	✓				
Rep. Hawken	✓				
Rep. Herbel	✓				
Rep. Hunskor		✓			
Rep. Meier	✓				
Rep. Mueller		✓			
Rep. Nelson		✓			
Rep. Norland	✓				
Rep. Sitte	✓				
Rep. Solberg	✓				
Rep. Williams		✓			

Total (Yes) 9 No 4

Absent _____

Floor Assignment _____

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

Carries

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Deanna H. H. H.
Operator's Signature

10/23/03
Date

30807.0102
Title.

Prepared by the Legislative Council staff for
Representatives Mueller, Hanson, Williams,
Delmore, and Hunsakor
May 5, 2003

PROPOSED AMENDMENTS TO SENATE BILL NO. 2421

Page 33, line 11, replace "\$5,000,000" with "\$3,000,000"

Page 33, after line 14, insert:

"SECTION 41. APPROPRIATION.

1. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$3,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing hold harmless payments to eligible school districts, for the biennium beginning July 1, 2003, and ending June 30, 2005.
2. The superintendent of public instruction shall calculate the payment to which an eligible school district is entitled during the 2003-05 biennium under this Act, and if that amount is less than the amount received by the school district in state aid during the 2001-03 biennium, the superintendent shall forward the difference to the school district at the same time and in the same manner as other state aid payments under section 15.1-27-01.
3. If insufficient moneys exist to fully meet the requirements of this section, the superintendent of public instruction shall prorate the payments according to that percentage of the amount available to which each eligible school district is entitled.
4. For purposes of this section, an eligible school district is one that levies more than one hundred forty mills for general fund purposes plus high school transportation and high school tuition purposes and which had an unobligated general fund balance on the preceding June thirtieth that was less than fifty percent of its actual expenditures plus twenty thousand dollars."

Renumber accordingly

Date:
Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. *Click here to type Bill/Resolution No.*

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number . 0102

Action Taken Do Pass on Amend

Motion Made By Mueller *Click here to type Name.* Seconded By Hunskor.

Representatives	Yes	No	Representatives	Yes	No
Rep. Kelsch		✓			
Johnson		✓			
Haas		✓			
Hanson	✓				
Hawken		✓			
Herbel		✓			
Hunskor	✓				
Meier		✓			
Mueller	✓				
Nelson	✓				
Norland		✓			
Sitte		✓			
Solberg	✓				
Williams	✓				

Total (Yes) 5 *Click here to type Yes Vote* No 8 *Click here to type No Vote*

Absent _____

Floor Assignment *Click here to type Floor Assignment*

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

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Deanna G. Hall 10/23/03
Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)
May 7, 2003 9:07 a.m.

Module No: HS-03-0090
Carrier: R. Kelsch
Insert LC: 30807.0204 Title: .0300

REPORT OF STANDING COMMITTEE

SB 2421, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2421 was placed on the Fourteenth order on the calendar.

Page 32, line 23, after "15.1-27-04" Insert "and tuition apportionment payments under section 15.1-28-03"

Page 32, remove lines 26 through 28

Page 32, line 29, replace "3." with "2."

Page 32, line 30, after "15.1-27-04" Insert "and tuition apportionment payments under section 15.1-28-03"

Page 33, line 1, replace "4." with "3."

Page 33, replace lines 4 through 12 with:

- "4. a. The provisions of this section do not apply to a school district if the board of the school district, after a public hearing at which public testimony and documentary evidence are accepted, determines by an affirmative vote of two-thirds of its members that complying with the provisions of subsection 1 would place the school district in the position of having insufficient fiscal resources to meet its other obligations.
- b. Within ten days of the vote required by subdivision a, the board shall notify the superintendent of public instruction of its action and shall file a report detailing the grounds for its determination and action.
- c. The superintendent of public instruction shall report all notices received under this subsection to an interim committee designated by the legislative council."

Renumber accordingly

Withdrawn

5-7-03

Date:

Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2421

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken reconsider SB 2421

Motion Made By Haas Seconded By Herbel

Representatives	Yes	No	Representatives	Yes	No
Rep. Kelsch					
Rep. Johnson					
Rep. Haas					
Rep. Hanson					
Rep. Hawken					
Rep. Herbel					
Rep. Hunskor					
Rep. Meier					
Rep. Mueller					
Rep. Nelson					
Rep. Norland					
Rep. Sitte					
Rep. Solberg					
Rep. Williams					

Vote
Noice

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Carries.

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Deanna [Signature]
Operator's Signature

10/23/03
Date

30807.0205
Title.

Prepared by the Legislative Council staff for
House Education Committee
May 7, 2003

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2421

Page 32, line 23, after "15.1-27-04" insert "and tuition apportionment payments under section 15.1-28-03"

Page 32, remove lines 26 through 28

Page 32, line 29, replace "3." with "2."

Page 32, line 30, after "15.1-27-04" insert "and tuition apportionment payments under section 15.1-28-03"

Page 33, line 1, replace "4." with "3."

Page 33, replace lines 4 through 12 with:

- "4. a. The provisions of this section do not apply to a school district if the board of the school district, after a public hearing at which public testimony and documentary evidence are accepted, determines in its discretion and by an affirmative vote of two-thirds of its members that complying with the provisions of subsection 1 would place the school district in the position of having insufficient fiscal resources to meet its other obligations.
- b. Within ten days of the vote required by subdivision a, the board shall notify the superintendent of public instruction of its action and shall file a report detailing the grounds for its determination and action.
- c. The superintendent of public instruction shall report all notices received under this subsection to an interim committee designated by the legislative council."

Renumber accordingly

Get 2
copies of
New Amendment

Date: 5-6-03
Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2421

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number 30807.0205 Write in #

Action Taken Did Pass on Amendment

Motion Made By Johnson Seconded By Meier

Representatives	Yes	No	Representatives	Yes	No
Rep. Kelsch	/				
Rep. Johnson	/				
Rep. Haas	/				
Rep. Hanson	/				
Rep. Hawken	/				
Rep. Herbel	/				
Rep. Hunskor	/				
Rep. Meier	/				
Rep. Mueller	/				
Rep. Nelson	/				
Rep. Norland	/				
Rep. Sitte	/				
Rep. Solberg		Absent			
Rep. Williams	/				

Total (Yes) 13 No 0

Absent 1

Floor Assignment _____

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

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Deanna Ballantyne 10/23/03
Operator's Signature Date

5.7.03
 Date: ~~5-6-03~~
 Roll Call Vote #: 3

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 2421**

House Education Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass on SB 2421 as Amended.

Motion Made By Haas Seconded By Herbel

Representatives	Yes	No	Representatives	Yes	No
Rep. Kelsch	/				
Rep. Johnson	/				
Rep. Haas	/				
Rep. Hanson	/				
Rep. Hawken	/				
Rep. Herbel	/				
Rep. Hunskor		X			
Rep. Meier	/				
Rep. Mueller		X			
Rep. Nelson		X			
Rep. Norland	/				
Rep. Sitte	/				
Rep. Solberg	/				
Rep. Williams		X			

Total (Yes) 9 No 4

Absent 1

Floor Assignment _____

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

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Deanna Hall
 Operator's Signature 10/23/03
Date

SPECIAL SESSION

2003 TESTIMONY

SB 2421

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Deanna Hallmark
Operator's Signature

10/23/03
Date

Exhibit A

4/30/03

KILLDEER PUBLIC SCHOOL PROJECTED ENROLLMENTS, 2003-2004

Grade	2002-2003		2002-2003			New 2003-2004	2003-2004		2003-2004		
	Killdeer	Wghtd Per Student	WPU's	\$/WPU	Yield		Total	Per Student	WPU's	\$/WPU*	Yield
K	23	0.5887	13.5401	\$2,347.00	\$31,778.61	26	26	0.6055	15.743	\$2,509.00	\$39,499.19
1	24	0.9433	22.6392	\$2,347.00	\$53,134.20	3	26	0.9437	24.5362	\$2,509.00	\$61,561.33
2	17	0.9433	16.0361	\$2,347.00	\$37,636.73	3	27	0.9437	25.4799	\$2,509.00	\$63,929.07
3	32	0.9433	30.1856	\$2,347.00	\$70,845.60	6	23	0.9437	21.7051	\$2,509.00	\$54,453.10
4	26	0.9433	24.5258	\$2,347.00	\$57,562.05	5	37	0.9437	34.9169	\$2,509.00	\$87,606.50
5	18	0.9433	16.9794	\$2,347.00	\$39,850.65	3	29	0.9437	27.3673	\$2,509.00	\$68,664.56
6	25	0.9433	23.5825	\$2,347.00	\$55,348.13	5	23	0.9437	21.7051	\$2,509.00	\$54,453.10
Total 1-6	142	0.9433	133.9486	\$2,347.00	\$314,377.36	25	165	0.9437	155.7105	\$2,509.00	\$390,677.64
7	29	25	3	0	2	7	32	0.9807	31.3824	\$2,509.00	\$78,738.44
8	28	29	2	0	0	4	33	0.9807	32.3631	\$2,509.00	\$81,199.02
Total 7-8	57	0.9822	55.9854	\$2,347.00	\$131,397.73	11	65	0.9807	63.7455	\$2,509.00	\$159,937.46
9	42	27	4	0	1	7	35	1.1398	39.893	\$2,509.00	\$100,091.54
10	46	42	3	0	0	3	45	1.1398	51.291	\$2,509.00	\$128,689.12
11	24	45	4	0	0	3	49	1.1398	55.8502	\$2,509.00	\$140,128.15
12	36	24	0	0	0	0	24	1.1398	27.3552	\$2,509.00	\$68,634.20
Total 9-12	148	1.1711	173.3228	\$2,347.00	\$406,788.61	13	153	1.1398	174.3894	\$2,509.00	\$437,543.00
Totals	370		376.7969	\$2,347.00	\$884,342.32	75	409		409.5884	\$2,509.00	\$1,027,657.31

$\$884,342.32 - (32 \text{ mills @ } 7,000,000) = \$224,000$
 $\$884,342.32 - \$224,000 = \$660,342.32$
 $\$789,657 - \$660,342.32 = \$129,315 - \text{Net Gain}$

$\$1,027,657 - (34 \text{ mills @ } 7,000,000) = \$238,000$
 $\$1,027,657 - \$238,000 = \$789,657$
 $\$129,315 \times .7 = \$90,521/34.43 = \$2,629.13$

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Operator's Signature: *[Handwritten Signature]*
 Date: 10/23/03

2003 Average Total Compensation of Full-Time Non-Administrative Staff by District

Excerpted from a report by Dr. David Larson "Full-time School Year 2001 Through 2003 Non-administrative Licensed Staff District Compensation Change Comparisons"
 Note: This report contains only Full-Time Non-Administrative Staff that were employed in district for both SY 02 and SY 03.

05-001 Forge 1	\$56,331	16-010 Carrington 10	\$43,877	15-036 Linton 36	\$41,150	03-016 Oberon 16	\$38,333	35-001 Wolcott 1	\$34,047
02-002 Valley City 2	\$55,215	40-001 Dunseith 1	\$43,867	39-044 Richland 44	\$41,118	23-008 LaMoure 8	\$38,194	10-014 Border Central 14	\$33,993
09-006 West Fargo 6	\$54,621	35-005 Rugby 5	\$43,831	01-013 Hettinger 13	\$40,950	45-013 Belfield 13	\$38,059	44-032 Central ELEM 32	\$33,988
27-001 McKenzie Co 1	\$54,335	49-003 Central Valley 3	\$43,689	09-080 Page 80	\$40,851	32-066 Lakota 66	\$38,004	50-079 Fordville 79	\$33,941
40-007 Belcourt 7	\$53,263	13-016 Killdeer 16	\$43,589	27-014 Yellowstone 14	\$40,851	24-056 Gackle-Street 56	\$37,897	02-013 Oriska 13	\$33,918
29-027 Beulah 27	\$51,282	53-015 Toga 15	\$43,569	03-033 Menoken 33	\$40,783	38-026 Glenburn 26	\$37,889	19-018 Roosevelt 18	\$33,916
29-003 Hazen 3	\$51,185	30-001 Mandan 1	\$43,325	50-023 Minto 20	\$40,589	28-050 Max 50	\$37,445	29-020 Golden Valley 20	\$33,879
51-001 Minot 1	\$51,119	03-006 Leeds 6	\$43,294	45-009 S Heart 9	\$40,585	26-009 Ashley 9	\$37,407	47-010 Pangree-Buchanan	\$33,865
18-001 Grand Forts 1	\$50,920	28-004 Washburn 4	\$43,083	34-001 Pembina 1	\$40,580	40-004 Mt Pleasant 4	\$37,335	29-022 Stanton 22	\$33,828
09-001 Bismarck 1	\$50,865	41-006 Sargent Central 6	\$43,014	41-002 Minor 2	\$40,499	39-008 Hankinson 8	\$37,313	07-014 Bowbells 14	\$33,797
09-007 Mapleton 7	\$50,125	51-158 N Shore 158	\$43,004	28-008 Underwood 8	\$40,456	50-106 Edinburg 106	\$37,228	05-035 Lansford 35	\$33,576
21-009 New England 9	\$49,570	02-082 Wimbledon-Courtenay	\$42,847	40-029 Rolee 29	\$40,319	37-006 Ft Ransom 6	\$37,213	08-002 Pegan 2	\$33,552
34-006 Cavalier 6	\$49,082	34-055 Neche 55	\$42,773	17-003 Beach 3	\$40,300	22-020 Tuttle-Pettibone	\$37,059	42-015 Goodrich 16	\$33,543
39-037 Wahpeton 37	\$48,230	11-041 Oakes 41	\$42,763	31-001 New Town 1	\$40,101	23-011 Verona 11	\$36,993	47-014 Montpelier 14	\$33,028
49-014 May-Port CG 14	\$47,754	31-002 Stanley 2	\$42,684	09-004 Maple Valley 4	\$40,058	08-028 Wing 28	\$36,871	18-127 Emerald 127	\$32,827
53-001 Williston 1	\$47,640	12-001 Divide County 1	\$42,462	51-004 Nedrose 4	\$40,027	51-010 Bell 10	\$36,848	15-006 Hazleton-Moffit-Braddock	\$32,686
05-001 Bottineau 1	\$47,633	38-009 Mohall 9	\$42,403	46-010 Hope 10	\$40,013	25-060 TGU 60	\$36,781	22-014 Robinson 14	\$32,410
06-001 Bowman 1	\$47,445	30-013 Hebron 13	\$42,399	10-019 Munich 19	\$39,966	51-054 Berthold 54	\$36,737	30-008 Sims 8	\$31,800
03-030 Ft Totten 30	\$47,437	51-028 Kenmare 28	\$42,392	18-125 Marvel 125	\$39,949	23-009 Marion 9	\$36,724	53-091 Wildrose-Alamo	\$31,680
47-001 Jamestown 1	\$47,274	39-042 Wyndmere 42	\$42,363	53-099 Grenora 99	\$39,888	48-002 Beebe-Egeland 2	\$36,550	26-004 Zeeland 4	\$31,313
52-038 Harvey 38	\$46,893	09-097 Northern Cass 97	\$42,348	21-001 Mott-Regent 1	\$39,813	51-041 Surrey 41	\$36,549	52-039 Sykes 39	\$31,086
28-051 Garrison 51	\$46,825	50-003 Grafton 3	\$42,301	43-003 Solen 3	\$39,796	03-005 Minnewaukan 5	\$36,336	50-039 Lankin 39	\$31,051
20-018 Gnggs County Central	\$46,717	37-022 Enderlin 22	\$42,219	11-040 Ellendale 40	\$39,778	02-052 Litchville 52	\$36,280	43-008 Selfridge 8	\$30,990
Statewide Average	\$46,668	31-003 Parshall 3	\$42,075	45-034 Richardton-Taylor	\$39,758	13-019 Halliday 19	\$36,161	17-006 Lone Tree 6	\$30,875
45-001 Dickinson 1	\$46,619	05-017 Westhope 17	\$42,055	36-044 Starkweather 44	\$39,752	06-017 Rhame 17	\$36,048	51-016 Sawyer 16	\$30,102
53-008 New 8	\$46,392	18-044 Lanmore 44	\$41,972	07-027 Powers Lake 27	\$39,667	07-036 Burke Central 36	\$35,538	41-003 N Sargent 3	\$29,566
33-018 Center 18	\$46,141	06-033 Scranton 33	\$41,859	18-128 Midway 128	\$39,644	28-001 Montefiore 1	\$35,934	44-012 Marmarth 12	\$29,494
49-009 Hillsboro 9	\$46,118	39-018 Fairmount 18	\$41,763	03-009 Maddock 9	\$39,547	53-002 Nesson 2	\$35,911	30-004 Little Heart 4	\$29,308
49-007 Hatton 7	\$45,935	15-015 Strasburg 15	\$41,734	22-026 Steele-Dawson 26	\$39,482	27-002 Alexander 2	\$35,810	22-026 Tappen 28	\$29,176
10-023 Langdon 23	\$45,249	36-001 Devils Lake 1	\$41,675	23-003 Edgeley 3	\$39,465	37-002 Sheldon 2	\$35,788	39-005 Mandator 5	\$27,956
03-029 Warwick 29	\$45,209	40-003 St John 3	\$41,591	51-007 United 7	\$39,426	47-019 Kensal 19	\$35,602	15-012 Union 12	\$27,581
34-019 Drayton 19	\$45,185	30-048 Glen Ullin 48	\$41,574	18-061 Thompson 61	\$39,338	14-012 Sheyenne 12	\$35,493	31-137 Plaza 137	\$27,475
18-129 Northwood 129	\$44,995	52-025 Fessenden-Bowdon	\$41,487	48-008 Southern 8	\$39,215	13-008 Dodge 8	\$35,392	52-035 Pleasant Valley 35	\$27,060
09-002 Kindred 2	\$44,831	43-004 Ft Yates 4	\$41,478	23-007 Kulm 7	\$39,010	08-039 Apple Creek 39	\$35,353	51-019 Eureka 19	\$26,280
09-017 Central Cass 17	\$44,719	36-002 Edmore 2	\$41,473	05-013 Willow City 13	\$38,965	30-039 Flasher 39	\$35,340	08-035 Sterling 35	\$26,270
53-006 Eight Mile 6	\$44,593	37-019 Lisbon 19	\$41,392	30-007 New Salem 7	\$38,933	47-003 Medina 3	\$35,334	30-017 Sweet Briar 17	\$24,632
32-001 Dakota Prairie	\$44,584	24-002 Napoleon 2	\$41,344	50-128 Adams 128	\$38,724	50-051 Nash 51	\$35,103	15-010 Bakker 10	\$23,261
46-019 Finley-Sharon 19	\$44,529	34-012 Valley 12	\$41,343	34-027 Walhalla 27	\$38,608	51-070 S Prairie 70	\$35,044	08-029 Baldwin 29	\$23,060
25-001 Veba 1	\$44,447	02-065 N Central 65	\$41,170	34-043 St Thomas 43	\$38,604	48-028 N Central 28	\$34,886		
14-001 New Rockford 1	\$44,411	27-036 Mandaree 36	\$41,166	19-049 Elgin-New Leipzig 49	\$38,530	13-037 Twin Buttes 37	\$34,442		
20-007 Midkota 7	\$44,198	38-002 Sherwood 2	\$41,164	26-019 Wishek 19	\$38,513	25-057 Drake 57	\$34,391		
28-072 Turtle Lake-Mercer	\$44,066	05-054 Newburg-United 54	\$41,157	39-028 Lidgerwood 28	\$38,469	22-011 Pettibone-Tuttle 11	\$34,291		
50-078 Park River 78	\$44,065	28-085 White Shield 85	\$41,152	42-019 McClusky 19	\$38,467	25-014 Anamoose 14	\$34,067		

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10/23/03
Date