

FISCAL NOTE
Requested by Legislative Council
03/06/2015

Amendment to: HB 1174

- 1 A. **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.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties	\$0	\$0	\$0
Cities	\$0	\$0	\$0
School Districts	\$0	\$0	\$0
Townships	\$0	\$0	\$0

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The bill, as amended, sets compensation for education factfinding members at the same rate set for a member of the legislative assembly, subsection 1 of section 54-03-20, \$167/day. As cost is shared by districts and teacher units, there is no fiscal impact to state, counties, townships or cities.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

This bill, as amended, may minimally impact those school districts involved in negotiation impasse factfinding proceedings. The Department has no data necessary to project any estimated fiscal impact to school districts.

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.*

This bill generates no revenue at any state, county, township, city or school district level.

- 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.*

School district expenditures for those districts involved in factfinding proceedings will have minimal impact as costs are shared equally by local school districts and the teacher negotiating unit.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

There is no appropriation noted or required with this bill as amended.

Name: Robert V. Marthaller

Agency: Department of Public Instruction

Telephone: 328-2267

Date Prepared: 03/06/2015

FISCAL NOTE
Requested by Legislative Council
01/12/2015

Bill/Resolution No.: HB 1174

- 1 A. **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.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties	\$0	\$0	\$0
Cities	\$0	\$0	\$0
School Districts	\$0	\$0	\$0
Townships	\$0	\$0	\$0

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill increases compensation paid to education factfinding commission members from \$110/day to \$150 per day. As cost of factfinding is shared by local school districts and local negotiating teacher units, there should be no fiscal impact to the state, counties, townships or cities.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

This bill may minimally impact school districts involved in negotiation impasse factfinding proceedings. The Department has no data necessary to project any estimated fiscal impact.

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.*

This bill generates no revenue at any state, county, township, city or school district level.

- 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, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Name: Robert V. Marthaller

Agency: Department of Public Instruction

Telephone: 328-2267

Date Prepared: 01/12/2015

2015 HOUSE POLITICAL SUBDIVISIONS

HB 1174

2015 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Prairie Room, State Capitol

HB 1174
1/22/2015
22384

- Subcommittee
 Conference Committee

Chmonda muscha

Explanation or reason for introduction of bill/resolution:

Relating to education fact finding commission compensation

Minutes:

Mike Lefor Testimony #1
Dean Rummel Testimony #2

Chairman Klemin: Opened the hearing on HB 1174

Representative Lefor: (See Testimony #1)

Representative Koppelman: Do you know what they increase was four years ago?

Representative Lefor: I believe it was \$20 a day, from 90 to 110.

Representative Anderson: If this isn't something that the state pays for, why do we have it in the statute?

Representative Lefor: I do not know but it has been a statute for many years and that is why we have to go through this process to get the raise.

Chairman Klemin: There are daily compensation rates for all kinds of boards in commissions that are set by statute and even though the funds may not come from the state they are from political subdivisions of the state or from other state entities.

Dean Rummel: (See Testimony #2)

Chairman Klemin: Could you give us those numbers of the cases you have had over the years again?

Dean Rummel: 2014 we had 4, 2013 there been 9; I have all the years going back to 2003 when I attended. The previous year to that in 2012 was 4, 2011 was 0, and I do not have the others with me.

Representative Hatlestad: You had a number of chairmen who served as commissioners? Where do they come from?

Dean Rummel: We do not have many commissioners. The commissioners that have served through the years are challenging to get. I can't speak on behalf of the people who have to serve on here. I can tell you I have served since I have been on the commission with two other commissioners. One that passed away recently he had a stroke and had to retire. Another also had a stroke while he was serving as a chair of this commission. Upon his stroke I become the chairman. We don't have a lot of commissioners. They struggle to get commissioners to serve because of the amount of time and the position you are put in. People do not look on you very favorably.

Representative Hatlestad: Does each department have a list of people that will serve and they choose from them?

Dean Rummel: I do not think they have a list at all. We once had to find a replacement for our third commissioner. So by statute I can conduct two hearings with two commissioners.

Representative Koppelman: The people that do serve do they have general knowledge on education? Are they teachers, school board members, or citizens?

Dean Rummel: The histories of the commissioners that have served generally do come from an area of education. I have myself had been on the public school district and the other two are retired teachers. The background has to deal with education because you have to have knowledge of the issues that are going on. When you are put in this position you have to understand budgets, enrollments, future enrollments, state funding, benefits...etc.

Representative Koppelman: Many times on these boards many of these are in statute and the compensation is all over the board. So it is primary retired people who have served previously in education? Many people who are on other commission committees are currently involved in what they are working for? It doesn't sound like that in your case?

Dean Rummel: It almost impossible for it to be current teachers because as things are needed to be done for the commissioner committee the teachers have to get ready for the upcoming school year at the same time.

Representative Koppelman: Would a smaller increase suffice? On your entry on the chart we received from you it says 110 dollars a day times 3 days for each hearing. So that means regardless what happens they get 3 days' pay?

Dean Rummel: That is correct. What I did there is average them all. Some take a greater amount of time. The pre-hearing reports that come in are tremendous. There are so many because we ask for all the budget information, enrollment information, indebtedness, future enrollments, salary, union contract, and the commissioners are required to know all of that before we have a hearing so we have to review it from both sides. With the larger school districts it takes a much longer time. It also depends on the number of issues to be settled. If they have agreed to things before we arrive I never let them back out of that. Whatever they have agreed to it is still agreed to when the commission arrives and when we leave. So they have to tell us what is outstanding yet. Compensation is always outstanding. There will be a number of contract days, benefits, taking tickets, to how they are getting paid. It

takes a lot of time then on when we are going. We do travel great distances sometimes. Easier times we take two days but we have not had any of those recently.

Representative Kelsh: I had the privilege of being invited down there one time and very pleased with the fairness and knowledge you guys had. I do not see how going from 110 to 150 is too big of raise with all that you have to do. I just wanted to let you know that it seemed very fair and that I am totally in favor of this.

Dean Rummel: We thank you for coming and the compliment.

Chairman Klemin: How did you arrive at 150 for the number?

Dean Rummel: We looked at previous years and looked to see where it was heading. We are not stuck on 150 but would like it to be considered.

Chairman Klemin: Do you know how this number compares with other commissioners

Dean Rummel: I do not. I didn't look at any of the others.

Representative Oversen: Do you know if either the school board association or public employees have taken a position on the increase? Seeing as to they will be the ones paying for it?

Dean Rummel: I do not know if either has taken a position on this because it would be a difficult subject.

Representative Becker: You mention 1600 on average for the cost of the meetings. That number includes gas mileage, periderms, meals, stays... Is there anything else included?

Dean Rummel: Yes that is almost all. There are also publishing costs so I put that in there as well. What I did was averaged the number of all the hearings. If we didn't have to publish we could get by on a lot less.

Representative Becker: In any given year the number that you mentioned could be from anywhere to 0 or 9 impasses that you're trying to settle.

Dean Rummel: Correct, the most that I have had since I have been serving has been 9. Someone before said he has had 13 so that would be our peak.

Representative Becker: If this bill would not pass do you think you would lose commissioners?

Dean Rummel: I do not think so. I would be again more concerned about hopefully the three that have to find someone to serve. I am not the right guy to say what effort they are putting towards finding those people but I do know that if there is some reimbursement there we can get some retirees to step in and take the responsibility.

Chairman Klemin: Closed the hearing

Chairman Klemin: Reopened the hearing on HB 1174

Representative Hatlestad: Motioned for a do pass

Representative Zubke: Seconded for a do pass

Representative Koppelman: I do confess to a bit of concern, I do realize this is not coming out of the state coughers, but when I see the rapid increase that some of these boards and commissions are receiving in their pay, and the iniquity and I know as a eluded to the pay these groups receive is all over the board. With respect to the idea that this is a minimum of a three day pay check it does seem like most of their sessions do take that long. I am not opposed to it I just think we may see more of these and we should keep an eye on it.

Representative Kelsh: Like I said I was able to attend one of those hearings and others have been negotiators for teachers. I think to be put in a position where you may be able to only get people a ¼ of what they want it would be worth a little compensation.

A Roll Call Vote was Taken: Yes 13, No 0, Absent 1 (Maragos)

Do Pass

Representative Becker will carry the HB 1174

**2015 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO.**

House Political Subdivisions Committee

Subcommittee Conference Committee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Other Actions: Reconsider _____

Motion Made By Hatlestad Seconded By Zubke

Representative	Yes	No	Representative	Yes	No
Chairman Lawrence R. Klemin	X		Rep. Pamela Anderson	X	
Vice Chair Patrick R. Hatlestad	X		Rep. Jerry Kelsh	X	
Rep. Thomas Beadle	X		Rep. Kylie Oversen	X	
Rep. Rich S. Becker	X		Rep. Marie Strinden	X	
Rep. Matthew M. Klein	X				
Rep. Kim Koppleman	X				
Rep. William E. Kretschmar	X				
Rep. Andrew G. Maragos					
Rep. Nathan Toman	X				
Rep. Denton Zubke	X				

Total (Yes) 13 No 0

Absent 1 (Maragos)

Floor Assignment Representative Becker

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

REPORT OF STANDING COMMITTEE

HB 1174: Political Subdivisions Committee (Rep. Klemin, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1174 was placed on the Eleventh order on the calendar.

2015 SENATE POLITICAL SUBDIVISIONS

HB 1174

2015 SENATE STANDING COMMITTEE MINUTES

Political Subdivisions Committee

Red River Room, State Capitol

HB 1174

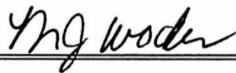
3/5/2015

Job Number 24356

Subcommittee

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to education fact finding commission compensation

Minutes:

Written testimony #1 Rep. Mike Lefor
Written testimony # 2 Dean Rummel

Chairman Burckhard opened the hearing for HB 1174. All senators were present.

Representative Mike Lefor introduced HB 1174, in support with written testimony #1.

Senator Grabinger I've seen this fact finding groups working in my school district, and I am wondering is this the only compensation they get to recover their other expenses at these meetings?

Rep. Lefor I believe they get mileage but I will defer to Chairman Rummel on that.

Senator Judy Lee I don't oppose the bill, but why are we even bothering with \$40? Why don't we just permit, since the cost is covered by the district, why are we even talking about this?

Rep. Lefor I think that is due to the Chairman Rummel's request and I am in agreement with you, but we do have to go because this is through state statute obviously, but your right it to those entities.

Senator Judy Lee I just think we should delete, the requirement that there has to be approval by the state legislature if something that doesn't include state dollars. But I am not suggesting an amendment, but I am just saying, that maybe something they might want to consider in the future.

Senator Bekkedahl Don't we already have some kind of a state compensation rate for when people meet or is it just the legislature that has a set rate or we must have multiple boards across the state, so could this just be that they get the same rate as the other boards? I am not opposed to see that, I am just trying to figure out how we make things standardized?

Senator Anderson At one time, we had the reimbursement for all these boards tied to what we set for legislators. Then when the legislature attempted to increase that reimbursement then they affected the budgets of all these other organizations. So they decided that wasn't a very good idea. So, then since then we've each been doing it separately. Now, what happens is originally we used to set these just by motion of the board. Then we came around to thinking we had to do those by rule. It is expensive to adopt rules, so then all of us just decided and I think it was in John Dorsal days, when the Legislature decided they wanted to control everything. Then we started putting them into the statute, so that is kind of the history of that thing and now everybody puts them into the statute to keep the legislature happy.

Senator Judy Lee Because we always did it that way.

Dean Rummel Chairperson of the North Dakota Education Fact finding Commission. There are actually three commissioners. The appointee from the Governor's office is from Valley City, Mr. Jerry Heib, the attorney general appoints one the individuals and that is former Senator Barb Evanson from Bismarck; and I am the Department of Public Instruction's appointee and as Chair of the DPI does appoint the chair. We serve for 3 year terms. Jerry Heib has served since the beginning of time which goes way back; Senator Barb Evanson is on her second term and this is my 5th term on the North Dakota Education Fact Finding Commission. I am here today of course in support of HB 1174, written testimony # 2.

My concern as one of the appointees is that we continue to get commissioners to serve. I am real concerned because generally we need a commissioner that has served also in education with and education background, because there is a lot of information that we have to go through. There have been 62 hearings since 2001 through 2014. We are averaging about 4.5 hearings a year. Odd years are going to be more extensive as we run 6-7 in odd years, and 2-3 in the even years. That is the number of hearings we've been dealing with. The cost is split evenly between the school district and the education association, so there is no fiscal note to the state with the education fact finding commission. We are reimbursed for our expenses. We get per diem. Generally these range from everywhere in the state travelling these commissioners all over. We conduct the hearing and some of these hearings can go for several hours. It depends on how many issues were dealing with, often times economics is always on every single one of these impasse hearings. Besides that there would be a lot of work rules and fringe benefits and things like that we would be dealing with. But again, we are reimbursed for our mileage and if we have some commissioners that have to stay overnight because if their very late in the day and we end up at 7-8 pm, they do get reimbursed for the state reimbursement for overnight stays.

Senator Judy Lee You talked about the compensation per day times 3 days, is there a limit in statute or rule about how many days you can be compensated, or if you end up spending more days does it mean that you can get compensated for those additional days?

Dean Rummel That is set by the Education Fact Finding Commission that is not in statute. So, the three days for commissioner and the 4.5 days for the Chair. The Fact finding Commission in Century Code is allowed to set that. We're allowed to set rules. Some of these hearings and the amount of information that we prepare for we have a pre-hearing

report. Every school district has to send everything from their budget, to their teacher's union salary, all their salaries, future enrollments, any of their plans, their debt. We get a tremendous amount of information and try and put the whole picture together because when in negotiations we often times that is not allowed. But when the Education Fact Finding Commission comes in, nothing is off limits. It makes it a little bit easier for both the school board and the education association when we can put everything on the table at a hearing.

Senator Judy Lee But you're not limited to three days if for some reason it takes longer. That is my concern; I want you to be compensated for as many days as your working.

Dean Rummel We are limited to three days. It can be a problem. We had a difficult one at Dickinson that was taken all the way to the Supreme Court. So, that ruling was very unusual. It was the 4th time it was taken to the Supreme Court. The ND Supreme Court had a rule on that one. An average hearing cost last year was \$1600.00, \$800 for the Education Association, \$800 for the School Board. The cost runs higher when we have to publish in the local paper and they are responsible for that full page ad that drives that cost up.

Senator Judy Lee But the 3 days is set by your commission it not set by statute, so if you found that you needed to make an adjustment you could do that internally. Correct?

Dean Rummel yes we could. The committee could rule and again this committee has always ruled unanimously, it takes all three. Yes we could make a change or an adjustment there.

Senator Dotzenrod The law that we currently have it says these duties are for attending commission meetings, or performing duties directed by the commission. Are there many of these other duties other than attending commission meetings, in the course of a year, do you find there is significant other performing duties directed by the commission?

Dean Rummel No there would not be. No commissioners there would not be any other. No commissioners have been reimbursed since I've been involved in the Education Fact Finding Commission. I took over from Dr. Kermit Lindstrom. Kermit was the longest running person to head the Education Fact Finding Commission. I served under him for quite a few years and we didn't have any other reimbursements either there that I was aware of, besides the hearings that we were called to, the impasse hearings. Often times I am called on to present to the North Dakota School Boards Association and other entities, and I am on my own. I don't ask the Fact Finding Commission to reimburse because we have no other revenue stream except for hearings. We have to provide detailed accounting to each of these school districts and educational associations and we require a deposit and reimburse the amount we do not spend. There are no funds in the Education Fact Finding Commission.

Chairman Burckhard Is the necessity for these kind of things; do all school districts tend to negotiate the same time of the year? Is this a feast or famine kind of thing that you're in high demand all at the same time of the year?

Dean Rummel Yes, we would be. A lot of them do negotiate at certain time of the year. They are starting now, but in a legislative year they are going to be holding off to see, what the legislature does for funding. It is based on funding. Generally they all get to impasse. A lot of them want to settle before the school year before school starts in September. There will be a lot in June, July and August. This year we are expecting a record amount of impasses.

Chairman Burckhard It is impacted by oil and the workforce issues and all those things.

Dean Rummel Teachers pay is going to be very challenging this year.

Senator Grabinger I am wondering to avoid this as Senator Lee said it is kind of ridiculous coming back here every time for something like this. I am wondering if we could do this with a match to the Legislature's daily pay. That would be a set amount for this commission every year, as they wouldn't have to come back because it would be the same as the legislature pay, and there not billing on a budget, their billing these school districts that they are going to. So, my thinking is if that's what it is, I think its \$167 a day isn't it? But if we set it to that \$167 it would stay that the same way as legislative pay.

Chairman Burckhard I think that Senator Anderson's concern was the domino effect for all the other commissions that there are and the effect on the budgets for them.

Senator Anderson That wasn't my concern that was the Legislature's concern. I am just giving you the history of why it is the way it is.

Senator Dotzenrod I went and talked to Senator Klein about this and he said has happened in the past is the fiscal note becomes a problem. Now in this case it probably wouldn't work that way because the money is not coming from the state. But, when we took a look at this at all the many, many different kinds of boards there are, that if you linked everything to legislative pay, and in some cases it kind of depends, you can get a fiscal note, even though the state isn't the payer. A fiscal note can indicate more money being spent by counties or some other impact. So, he said that is one of the reasons that this gets kind of taken the enthusiasm out of trying to link this to legislative pay because when legislative pay goes up, then it has to be accounted for in some fiscal note somewhere, that there is a cost, so it is an attempt to keep that number from rising. Fiscal notes can sometimes affect the way people think about things.

Senator Anderson In this case though, we could tie this to that as Senator Grabinger indicated and that would solve the problems of the future. It goes to \$167 instead of \$150 at least for this one it would be solved.

Chairman Burckhard For this commission.

Senator Judy Lee I am wondering if you have closed the hearing?

Chairman Burckhard closed the hearing on HB 1174.

Committee discussion followed.

Senator Judy Lee I totally agree because we talked earlier about this, but honestly, if the people who are affected by this aren't interested in having us do this why would we bother? So I think if we want to know whether or not it is something that even interests' people on this commission then we should really ask them. Otherwise we should just do consider what they asked us to do.

Senator Grabinger Would you and your committee be agreeable to setting this up on the Legislative pay so that you don't have to come back here and adjust it?

Dean Rummel We would be delighted. Because I know it costs money for you to set up hearings and to put a bill through like HB1174. The fiscal impact is pretty minor. It's \$420 a hearing. If we are averaging 4 hearings a year, we are talking \$1600. It probably costs you more to process this change to ND Century Code, than the fiscal note is to this. Again your dealing with half to the school district and half to the education association so it is rather minor. So, we would be very much supportive of that if you could tie that and we would delighted not to have to come in and bother you every few years to talk about this change in the Century Code.

Senator Grabinger I think we should have an amendment drawn up for this. I don't know exactly how to state it yet, so we could talk about it.

Chairman Burckhard Femi can figure that out.

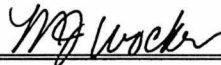
2015 SENATE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Red River Room, State Capitol

HB 1174
3/5/2015
Job Number 24382

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to education fact finding commission compensation

Minutes:

"Click to enter attachment information."

Chairman Burckhard opened the committee for discussion on HB 1174. We had talked about an amendment that our law clerk has worked up for us. Femi has everyone have a copy in front of them?

Chairman Burckhard, Senator Grabinger I think you made the amendment.

Senator Grabinger I would like to thank our law clerk for doing an admirable job on this amendment and I would move this for a do pass.

2nd Senator Bekkedahl

Chairman Burckhard It has been moved and seconded. It is an amendment and it says, "set for a member of the Legislative Assembly in Subsection 1 of Chapter 54-03-20 of the North Dakota Century Code", and that is the entire amendment as it is inserted into that paragraph. We are basically amending it to say they should get the same daily wage as the Legislative Assembly has determined which is currently \$167 for each calendar day.

Roll call vote on the amendment
6-0-0

Chairman Burckhard Now I need another motion

Senator Anderson I move do pass as amended HB 1174

2nd Senator Grabinger

Roll call vote 6-0-0

Carrier Senator Grabinger

March 5, 2015

3/5/15
done

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1174

Page 1, line 7, overstrike "of one"

Page 1, line 8, overstrike "hundred"

Page 1, line 8, remove "fifty"

Page 1, line 8, overstrike "dollars per day" and insert immediately thereafter "set for a member of the legislative assembly under subsection 1 of section 54-03-20"

Renumber accordingly

Date: 3.5.15
Roll Call Vote: /

2015 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1174

Senate Political Subdivisions Committee

Subcommittee

Amendment LC# or Description: 15.0417.01001

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
Other Actions: Reconsider _____

Motion Made By Sen. Grabinger Seconded By Sen. Bekkedahl

Senators	Yes	No	Senators	Yes	No
Chairman Burckhard	X				
Senator Anderson	X		Senator Dotzenrod	X	
Senator Bekkedahl	X		Senator Grabinger	X	
Senator Judy Lee	X				

Total (Yes) 6 No 0
Absent 0

Floor Assignment _____

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

Date: 3.5.15
Roll Call Vote: 2

2015 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1174

Senate Political Subdivisions Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
Other Actions: Reconsider _____

Motion Made By Senator Anderson Seconded By Sen. Grabinger

Senators	Yes	No	Senators	Yes	No
Chairman Burckhard	X				
Senator Anderson	X		Senator Dotzenrod	X	
Senator Bekkedahl	X		Senator Grabinger	X	
Senator Judy Lee	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Grabinger

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

REPORT OF STANDING COMMITTEE

HB 1174: Political Subdivisions Committee (Sen. Burckhard, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1174 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "of one"

Page 1, line 8, overstrike "hundred"

Page 1, line 8, remove "fifty"

Page 1, line 8, overstrike "dollars per day" and insert immediately thereafter "set for a member of the legislative assembly under subsection 1 of section 54-03-20"

Renumber accordingly

2015 TESTIMONY

HB 1174

House Political Subdivisions Committee

HB 1174 -- Testimony of Representative Mike Lefor

Good morning Chairman Klemin and members of the Political Subdivisions Committee. For the record, my name is Mike Lefor and I represent District 37 - Dickinson in the House. I am here to introduce House Bill 1174.

The Education Fact Finding Commission provides a valuable service to school boards and education associations throughout the state of North Dakota. When these organizations go to impasse and unable to come to an agreement, these organizations then work with the Education Fact Finding Commission providing information regarding the situation in regard to negotiations within their school district.

The commission will hold a hearing, gather data and make non-binding rulings to these bodies at which point these entities must meet one more time to either accept or fine tune the ruling.

In the past two years, the commission has held thirteen hearing in this regard. Last year, their ruling was accepted in all four circumstances. They provide a valuable service. They are asking for an increase in pay from \$110 a day to \$150 per day, the last increase was four years ago.

I am asking for a "do pass" recommendation. Thank you and I would be happy to answer any questions you have.

North Dakota House Political Subdivisions Committee
House Bill No. 1174
January 22, 2015
Prairie Room 9 A.M.

Lawrence R. Klemin, Chairman
Patrick R. Hatlestad, Vice Chairman
Representatives Pamela Anderson, Thomas Beadle, Rich Becker, Jerry
Kelsh, Matthew Klein, Kim Koppelman, William Kretschmar, Andrew
Maragos, Kylie Oversen, Marie Strinden, Nathan Toman, Denton Zubke.

Mr. Chairman and members of the House Political Subdivisions Committee:

My name is Dean Rummel, Chairman of the ND Education Fact Finding
Commission. This testimony would be in support of House Bill No. 1174,
compensation for the ND Education Fact Finding Commissioners.

In order to continue to attract and retain commissioners I am asking for your
support to increase the compensation for the three commission members
from \$110.00 per day to \$150.00 per day. The compensation history for the
commission follows:

1969: \$50.00/day times 2.5 days for each hearing, a total of \$125.00.
The chair receives \$50.00/day times 3.5 days for the additional
responsibilities of scheduling and issuing the reports for a total amount per
hearing of \$175.00.

1999: \$62.50/day

2001: \$80.00/day

2005: \$90.00/day

2011: \$110.00/day

2014: \$110.00/day times 3 days for each hearing, a maximum total of
\$330.00. The chair receives \$110.00/day times 4.5 days for the additional
responsibilities of scheduling and issuing the reports for a total amount per
hearing of \$495.00.

The Work of the Commission

The commission, on request assists school board and teacher negotiating
units when they are at impasse over compensation, work rules, and fringe
benefits.

Recent Impasse Hearings

<u>School District</u>	<u>Hearing Date</u>
Dickinson	06/13/2013
Turtle Lake-Mercer	06/27/2013
Wishek	07/17/2013
Edgeley	07/22/2013
White Shield	07/30/2013
Bottineau	08/05/2013
Jamestown	08/28/2013
Williston	10/01/2013
Valley City	10/15/2013
East Fairview	05/08/2014
Stanley	06/11/2014
Zeeland	07/10/2014
Carson	07/15/2014

Sharing of Cost

All of the commission's expenses are shared on a 50/50 basis by the contending parties. State funds are not provided to the commission.

Thank you for the opportunity to provide the above information. If I can respond to any questions, or if I can provide any additional information that may be useful to you, I would be most happy to do so.

H.B. 1174
3.5.15
#1

Senate Political Subdivisions Committee

HB 1174 -- Testimony of Representative Mike Lefor

Good morning Chairman Burckhard and members of the Political Subdivisions Committee. For the record, my name is Mike Lefor and I represent District 37 - Dickinson in the House. I am here to introduce House Bill 1174.

The Education Fact Finding Commission provides a valuable service to school boards and education associations throughout the state of North Dakota. When these organizations go to impasse and unable to come to an agreement, these organizations then work with the Education Fact Finding Commission providing information regarding the situation in regard to negotiations within their school district.

The commission will hold a hearing, gather data and make non-binding rulings to these bodies at which point these entities must meet one more time to either accept or fine tune the ruling.

In the past two years, the commission has held thirteen hearings in this regard. Last year, their ruling was accepted in all four circumstances. They provide a valuable service. They are asking for an increase in pay from \$110 a day to \$150 per day, the last increase was four years ago.

I am asking for a "do pass" recommendation. Thank you and I would be happy to answer any questions you have.

H.B. 1174
3.5.15
#2

North Dakota Senate Political Subdivisions Committee
House Bill No. 1174
March 5, 2015
Red River Room 10 A.M.

Randall A. Burckhard, Chairman
Howard C. Anderson, Vice Chairman
Senators Brad Bekkedahl, Jim Dotzenrod, John Grabinger, and Judy Lee.

From: Dean Rummel, Chairman of the ND Education Fact Finding Commission

Mr. Chairman and members of the Senate Political Subdivisions Committee:

This is in support of House Bill No. 1174, compensation for the ND Education Fact Finding Commissioners.

In order to continue to attract and retain commissioners I am asking for your support to increase the compensation for the three commission members from \$110.00 per day to \$150.00 per day. The compensation history for the commission follows:

1969: \$50.00/day times 2.5 days for each hearing, a total of \$125.00. The chair receives \$50.00/day times 3.5 days for the additional responsibilities of scheduling and issuing the reports for a total amount per hearing of \$175.00.

1999: \$62.50/day

2001: \$80.00/day

2005: \$90.00/day

2011: \$110.00/day

2014: \$110.00/day times 3 days for each hearing, a maximum total of \$330.00.

The chair receives \$110.00/day times 4.5 days for the additional responsibilities of scheduling and issuing the reports for a total amount per hearing of \$495.00.

The Work of the Commission

The commission, on request assists school board and teacher negotiating units when they are at impasse over compensation, work rules, and fringe benefits.

Recent Impasse Hearings

<u>School District</u>	<u>Hearing Date</u>
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Jamestown	8/28/2013
Williston	10/01/2013
Valley City	10/15/2013