

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2013

Page 1, line 3, after the semicolon insert "to provide an appropriation; to provide for an exemption;" and replace the second "and" with a semicolon

Page 1, line 4, remove "contingent payments; and", remove "a", replace "statement" with "statements", and after "intent" insert "; to create and enact a new section to chapter 54-52 of the North Dakota Century Code, relating to participation by nonteaching employees of the superintendent of public instruction in the public employees retirement system; to amend and reenact subsection 3 of section 15-39.1-09, subsection 3 of section 54-52-01, subsection 5 of section 54-52-17.4, and subsection 1 of section 54-52.1-03.2 of the North Dakota Century Code, relating to participation by nonteaching employees of the superintendent of public instruction in the public employees retirement system; and to declare an emergency"

Page 1, line 15, replace "9,287,593" with "9,277,686"

Page 1, line 16, replace "13,102,674" with "12,923,270"

Page 1, line 18, replace "479,379,990" with "489,379,990"

Page 1, line 22, replace "182,075,244" with "182,255,244"

Page 1, line 23, replace "855,108,567" with "865,099,256"

Page 2, line 1, replace "265,915,532" with "266,058,803"

Page 2, line 2, replace "589,193,035" with "599,040,453"

Page 2, line 5, replace "2,081,564" with "2,078,571"

Page 2, line 6, replace "1,188,360" with "1,161,507"

Page 2, line 8, replace "4,666,731" with "4,636,885"

Page 2, line 9, replace "1,630,082" with "1,629,979"

Page 2, line 10, replace "3,036,649" with "3,006,906"

Page 2, line 13, replace "4,807,382" with "4,809,808"

Page 2, line 14, replace "1,105,746" with "1,091,403"

Page 2, line 16, replace "5,945,851" with "5,933,934"

Page 2, line 18, replace "5,074,402" with "5,062,485"

Page 2, line 21, replace "2,543,182" with "2,540,292"

Page 2, line 22, replace "702,603" with "697,821"

Page 2, line 24, replace "3,264,018" with "3,256,346"

Page 2, line 25, replace "1,170,572" with "1,170,108"

Page 2, line 26, replace "2,093,446" with "2,086,238"

Page 2, line 27, after "appropriation" insert "section 1 of" and replace "599,397,532" with "609,196,082"

Page 2, line 28, after "appropriation" insert "section 1 of" and replace "269,587,635" with "269,730,339"

Page 2, line 29, after "appropriation" insert "section 1 of" and replace "868,985,167" with "878,926,421"

Page 2, after line 29, insert:

"SECTION 2. APPROPRIATION. There is appropriated from special funds derived from federal funds and other income the sum of \$10,000,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing grants for the period beginning with the effective date of this Act and ending June 30, 2003."

Page 3, after line 4, insert:

"SECTION 4. EXEMPTION. The appropriation contained in subdivision 1 of section 1 of chapter 13 of the 2001 Session Laws is not subject to the provisions of section 54-44.1-11 for an amount of up to \$105,000, and this amount may be used by the department of public instruction in conjunction with special funds received by the department for the purpose of providing a grant to fund the north central council of school television's licensing of educational television programs for classroom use by North Dakota elementary and secondary schools.

SECTION 5. LEGISLATIVE INTENT - ADULT EDUCATION PROGRAM. It is the intent of the legislative assembly that the additional \$20,000 of funding from the general fund provided for the department of public instruction's adult education program is to be distributed by the department to address salary concerns for those teachers who have not received the teacher compensation payments."

Page 4, remove lines 23 through 31

Page 5, remove lines 1 through 30

Page 6, after line 6, insert:

"SECTION 14. AMENDMENT. Subsection 3 of section 15-39.1-09 of the North Dakota Century Code is amended and reenacted as follows:

3. A person, except the superintendent of public instruction, who is certified to teach in this state by the education standards and practices board and who is first employed and entered upon the payroll of the superintendent of public instruction after January 6, 2001, may elect to become a participating member of the public employees retirement system. An election made by a person to participate in the public employees retirement

system under this subsection is irrevocable. Nonteaching employees of the superintendent of public instruction, including the superintendent of public instruction, may elect to transfer to the public employees retirement system pursuant to section 16 of this Act.

SECTION 15. AMENDMENT. Subsection 3 of section 54-52-01 of the North Dakota Century Code is amended and reenacted as follows:

3. "Eligible employee" means all permanent employees who meet all of the eligibility requirements set by this chapter and who are eighteen years or more of age, and includes appointive and elective officials who elect to remain members of the retirement system; provided, that judges of the supreme and district courts eligible under section 54-52-02.3 and, appointed officials who elect to participate under section 54-52-02.5, and nonteaching employees of the superintendent of public instruction, including the superintendent of public instruction, who elect to transfer from the teachers' fund for retirement to the public employees retirement system under section 16 of this Act are eligible employees and shall participate in the public employees retirement system. Eligible employee does not include nonclassified state employees who elect to become members of the retirement plan established under chapter 54-52.6 but does include employees of the judicial branch and employees of the board of higher education and state institutions under the jurisdiction of the board.

SECTION 16. A new section to chapter 54-52 of the North Dakota Century Code is created and enacted as follows:

Participation by nonteaching employees of the office of the superintendent of public instruction. Notwithstanding any other provision of law, between the effective date of this Act and five o'clock p.m. on August 29, 2003, a nonteaching employee of the superintendent of public instruction, including the superintendent of public instruction, who is otherwise eligible to participate in the public employees retirement system may file an election with the staff of the retirement and investment office to transfer from the teachers' fund for retirement to the public employees retirement system. The teachers' fund for retirement shall certify the employees who are eligible to transfer. An election to transfer is irrevocable for as long as the employee remains employed with the superintendent of public instruction. The teachers' fund for retirement shall certify a transferring employee's salary, service credit, contribution history, account balance, and any other necessary information to the public employees retirement system. The amount to be transferred is the greater of the actuarial present value of the employee's accrued benefit as of July 1, 2003, plus interest at the rate of seven and one-half percent from July 1, 2003, until the date the amount is transferred to the public employees retirement system or the employee's account balance as of the date of transfer. The public employees retirement system shall credit the transferring employee with the service credit specified by the teachers' fund for retirement and shall convert the annual salary history from the teachers' fund for retirement to a monthly salary for the period. An employee becomes a member of the public employees retirement system as of the date the funds are transferred. To be eligible to transfer, an employee must be employed by the office of the superintendent of public instruction at the date of the transfer. The superintendent of public instruction shall begin making retirement contributions, and the public employees retirement system shall begin receiving those retirement contributions, on behalf of employees who have elected to transfer to the public employees retirement system to that system the first of the month following the date of transfer.

SECTION 17. AMENDMENT. Subsection 5 of section 54-52-17.4 of the North Dakota Century Code is amended and reenacted as follows:

5. A participating member, or a member not presently under covered employment, may request credit for qualified military service pursuant to

the Uniformed Services Employment and Reemployment Rights Act of 1994 [Pub. L. 103-353; 108 Stat. 3150; 38 U.S.C. 4301-4307]. The member shall submit a qualified application with proof of eligible military service to the board in order to receive credit for military service. For credit on and after July 1, 1966, the member must pay four percent times the member's most recent monthly salary, times the number of months of credit being purchased, plus interest at a rate determined by the board. In addition, the governmental unit, or in the case of a member not under covered employment the last employing governmental unit, shall pay to the retiree health benefits fund established under section 54-52.1-03.2 ~~one percent~~ the percentage required by section 54-52.1-03.2 times the member's present monthly salary times the member's months of credit being purchased. For credit before July 1, 1966, no contribution is required.

SECTION 18. AMENDMENT. Subsection 1 of section 54-52.1-03.2 of the North Dakota Century Code is amended and reenacted as follows:

1. The board shall establish a retiree health benefits fund account with the Bank of North Dakota for the purpose of prefunding and providing hospital benefits coverage and medical benefits coverage under the uniform group insurance program for retired eligible employees or surviving spouses of retired eligible employees and their dependents as provided in this chapter. The state shall contribute monthly to the retiree health benefits fund an amount equal to one percent of the monthly salaries and wages of all participating members of the highway patrolmen's retirement system under chapter 39-03.1, and one percent of the monthly salaries of all supreme or district court judges who are participating members of the public employees retirement system under chapter 54-52. Each governmental unit that contributes to the public employees retirement system fund under section 54-52-06 or the retirement plan under chapter 54-52.6 shall contribute monthly to the retiree health benefits fund an amount equal to one percent of the monthly salaries or wages of all participating members of the public employees retirement system under chapter 54-52 or chapter 54-52.6, except for nonteaching employees of the superintendent of public instruction who elect to participate in the public employees retirement system pursuant to section 16 of this Act. For nonteaching employees of the superintendent of public instruction who elect to participate in the public employees retirement system pursuant to section 16 of this Act, the superintendent of public instruction shall contribute monthly to the retiree health benefits fund an amount equal to three and one-tenth percent of the monthly salary or wages of those nonteaching employee members, beginning on the first of the month following the transfer under section 16 of this Act and continuing thereafter for a period of eight years, after which time the superintendent of public instruction shall contribute one percent of the monthly salary or wages of those nonteaching employee members. The employer of a national guard security officer or firefighter shall contribute monthly to the retiree health benefits fund an amount equal to one percent of the monthly salaries or wages of all national guard security officers or firefighters participating in the public employees retirement system under chapter 54-52. Job service North Dakota shall reimburse monthly the retiree health benefits fund for credit received under section 54-52.1-03.3 by members of the retirement program established by job service North Dakota under section 52-11-01. The board, as trustee of the fund and in exclusive control of its administration, shall:
 - a. Provide for the investment and disbursement of moneys of the retiree health benefits fund and administrative expenditures in the same manner as moneys of the public employees retirement system are invested, disbursed, or expended.

- b. Adopt rules necessary for the proper administration of the retiree health benefits fund, including enrollment procedures.

SECTION 19. APPROPRIATION. There is appropriated out of any moneys in the public employees retirement fund, not otherwise appropriated, the sum of \$3,000, or so much of the sum as may be necessary, to the public employees retirement system for the purpose of implementing sections 15 through 18 of this Act, for the biennium beginning July 1, 2003, and ending June 30, 2005.

SECTION 20. EMERGENCY. Sections 2 and 4 of this Act are declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2013 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Public Employees Retirement System				
Total all funds	\$0	\$0	\$3,000	\$3,000
Less estimated income			<u>3,000</u>	<u>3,000</u>
General fund	\$0	\$0	\$0	\$0
Department of Public Instruction				
Total all funds	\$874,145,677	\$855,108,567	\$9,990,689	\$865,099,256
Less estimated income	265,980,642	265,915,532	143,271	266,058,803
General fund	\$608,165,035	\$589,193,035	\$9,847,418	\$599,040,453
State Library				
Total all funds	\$4,687,581	\$4,666,731	(\$29,846)	\$4,636,885
Less estimated income	<u>1,630,863</u>	<u>1,630,082</u>	(103)	<u>1,629,979</u>
General fund	\$3,056,718	\$3,036,649	(\$29,743)	\$3,006,906
School for the Deaf				
Total all funds	\$5,994,124	\$5,945,851	(\$11,917)	\$5,933,934
Less estimated income	<u>871,449</u>	<u>871,449</u>		<u>871,449</u>
General fund	\$5,122,675	\$5,074,402	(\$11,917)	\$5,062,485
North Dakota Vision Services - School for the Blind				
Total all funds	\$3,290,629	\$3,264,018	(\$7,672)	\$3,256,346
Less estimated income	<u>1,198,474</u>	<u>1,170,572</u>	(464)	<u>1,170,108</u>
General fund	\$2,092,155	\$2,093,446	(\$7,208)	\$2,086,238
Bill Total				
Total all funds	\$888,118,011	\$868,985,167	\$9,944,254	\$878,929,421
Less estimated income	<u>269,681,428</u>	<u>269,587,635</u>	<u>145,704</u>	<u>269,733,339</u>
General fund	\$618,436,583	\$599,397,532	\$9,798,550	\$609,196,082

Senate Bill No. 2013 - Public Employees Retirement System - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Operating expenses			<u>\$3,000</u>	<u>\$3,000</u>
Total all funds	\$0	\$0	\$3,000	\$3,000
Less estimated income			<u>3,000</u>	<u>3,000</u>
General fund	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00

Dept. 192 - Public Employees Retirement System - Detail of House Changes

	PROVIDES FUNDING FOR ADMINISTRATION ¹	TOTAL HOUSE CHANGES
Operating expenses	<u>\$3,000</u>	<u>\$3,000</u>
Total all funds	\$3,000	\$3,000
Less estimated income	<u>3,000</u>	<u>3,000</u>
General fund	\$0	\$0
FTE	0.00	0.00

¹ This amendment provides the Public Employees Retirement System a special funds appropriation of \$3,000 for implementing the changes necessary to allow for nonteaching employees of the Department of Public Instruction to transfer from the Teachers' Fund for Retirement to the Public Employees Retirement System.

Senate Bill No. 2013 - Department of Public Instruction - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$9,572,703	\$9,287,593	(\$9,907)	\$9,277,686
Operating expenses	13,527,674	13,102,674	(179,404)	12,923,270
Capital assets	15,000	15,000		15,000
Hold harmless payments	1,200,000			
Reorganization bonuses and joint powers	1,000,000			
Grants - State school aid	478,056,990	479,379,990	10,000,000	489,379,990
Grants - Teacher compensation payments	66,277,000	51,854,000		51,854,000
Grants - Revenue supplement payments	3,200,000			
Grants - Tuition apportionment	69,495,371	69,495,371		69,495,371
Grants - Special education	49,898,695	49,898,695		49,898,695
Grants - Other grants	<u>181,902,244</u>	<u>182,075,244</u>	<u>180,000</u>	<u>182,255,244</u>
Total all funds	\$874,145,677	\$855,108,567	\$9,990,689	\$865,099,256
Less estimated income	<u>265,980,642</u>	<u>265,915,532</u>	<u>143,271</u>	<u>266,058,803</u>
General fund	\$608,165,035	\$589,193,035	\$9,847,418	\$599,040,453
FTE	93.25	93.25	0.00	93.25

Dept. 201 - Department of Public Instruction - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE ¹	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS ²	INCREASES STATE FUNDING FOR SCHOOL AID ³	INCREASES FUNDING FOR TEACHER CENTERS ⁴	INCREASES FUNDING FOR ADULT EDUCATION ⁵	PROVIDES SPECIAL FUNDS AUTHORITY FOR OTHER GRANTS ⁶
Salaries and wages	(\$9,907)					
Operating expenses		(\$179,404)				
Capital assets						
Hold harmless payments						
Reorganization bonuses and joint powers						
Grants - State school aid			\$10,000,000			
Grants - Teacher compensation payments						
Grants - Revenue supplement payments						
Grants - Tuition apportionment						
Grants - Special education						
Grants - Other grants				<u>\$10,000</u>	<u>\$20,000</u>	<u>\$150,000</u>
Total all funds	(\$9,907)	(\$179,404)	\$10,000,000	\$10,000	\$20,000	\$150,000
Less estimated income	<u>(6,729)</u>					<u>150,000</u>
General fund	(\$3,178)	(\$179,404)	\$10,000,000	\$10,000	\$20,000	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	TOTAL HOUSE CHANGES
Salaries and wages	(\$9,907)
Operating expenses	(179,404)
Capital assets	
Hold harmless payments	
Reorganization bonuses and joint powers	
Grants - State school aid	10,000,000
Grants - Teacher compensation payments	
Grants - Revenue supplement payments	

Grants - Tuition apportionment	
Grants - Special education	
Grants - Other grants	<u>180,000</u>
Total all funds	\$9,990,689
Less estimated income	<u>143,271</u>
General fund	\$9,847,418
FTE	0.00

- 1 This amendment reduces funding for state employee health insurance premiums from \$493 to \$488.70 per month.
- 2 This amendment reduces funding for information technology by \$179,404 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 20 percent.
- 3 Engrossed Senate Bill No. 2154, as amended by the House, increases the state school aid per student payment for the first year of the biennium from \$2,497 as recommended by the Senate to \$2,509 and the payment for the second year of the biennium from \$2,619 as recommended by the Senate to \$2,633. The executive budget recommended per student payments of \$2,430 for the first year and \$2,528 for the second year. To properly account for the increase in state school aid per student payments, funding of \$10 million is added to the state school aid funding, increasing funding from \$479,379,990 as recommended by the Senate to \$489,379,990.
- 4 This amendment increases funding from the general fund for support of teacher centers from \$220,000 to \$230,000.
- 5 This amendment increases funding from the general fund for adult education by \$20,000, from \$900,000 to \$920,000. The funding is to be allocated as determined by the department to address salary concerns for the teachers in the adult education program who have not received teacher compensation payments.
- 6 This amendment provides the department with additional special funds spending authority of \$150,000. The funding is to be used by the department in conjunction with \$105,000 of general fund carryover from the 2001-03 biennium for providing a grant for the purpose of funding the North Central Council of School Television's licensing of educational television programs for classroom use by North Dakota elementary and secondary schools.

This amendment also:

- Adds a section to the bill appropriating \$10 million of special funds derived from federal funds to the department for the purpose of providing grants to school districts for the period beginning with the effective date of the Act and ending June 30, 2003.
- Amends the North Dakota Century Code to provide that nonteaching employees of the Department of Public Instruction may transfer from the Teachers' Fund for Retirement to the Public Employees Retirement System.

Senate Bill No. 2013 - State Library - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$2,102,414	\$2,081,564	\$2,993	\$2,078,571
Operating expenses	1,188,360	1,188,360	(26,853)	1,161,507
Grants	<u>1,396,807</u>	<u>1,396,807</u>		<u>1,396,807</u>
Total all funds	\$4,687,581	\$4,666,731	(\$29,846)	\$4,636,885
Less estimated income	<u>1,630,863</u>	<u>1,630,082</u>	<u>(103)</u>	<u>1,629,979</u>
General fund	\$3,056,718	\$3,036,649	(\$29,743)	\$3,006,906
FTE	28.75	28.75	0.00	28.75

Dept. 250 - State Library - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE ¹	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS ²	TOTAL HOUSE CHANGES
Salaries and wages	(\$2,993)		(\$2,993)
Operating expenses		(\$26,853)	(26,853)
Grants			
Total all funds	(\$2,993)	(\$26,853)	(\$29,846)
Less estimated income	<u>(103)</u>		<u>(103)</u>
General fund	(\$2,890)	(\$26,853)	(\$29,743)
FTE	0.00	0.00	0.00

- 1 This amendment reduces funding for state employee health insurance premiums from \$493 to \$488.70 per month.
- 2 This amendment reduces funding for information technology by \$26,853 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 20 percent.

Senate Bill No. 2013 - School for the Deaf - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$4,855,655	\$4,807,382	\$2,426	\$4,809,808
Operating expenses	1,105,746	1,105,746	(14,343)	1,091,403
Capital assets	<u>32,723</u>	<u>32,723</u>		<u>32,723</u>
Total all funds	\$5,994,124	\$5,945,851	(\$11,917)	\$5,933,934
Less estimated income	<u>871,449</u>	<u>871,449</u>		<u>871,449</u>
General fund	\$5,122,675	\$5,074,402	(\$11,917)	\$5,062,485
FTE	51.85	51.85	0.00	51.85

Dept. 252 - School for the Deaf - Detail of House Changes

	PROVIDES FUNDING FOR SALARY SCHEDULE 1	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE 2	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS 3	TOTAL HOUSE CHANGES
Salaries and wages	\$8,205	(\$5,779)		\$2,426
Operating expenses			(\$14,343)	(14,343)
Capital assets				
Total all funds	\$8,205	(\$5,779)	(\$14,343)	(\$11,917)
Less estimated income				
General fund	\$8,205	(\$5,779)	(\$14,343)	(\$11,917)
FTE	0.00	0.00	0.00	0.00

1 This amendment provides funding of \$8,205 from the general fund to fully fund the composite schedule at the School for the Deaf.

2 This amendment reduces funding for state employee health insurance premiums from \$493 to \$488.70 per month.

3 This amendment reduces funding for information technology by \$14,343 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 20 percent.

Senate Bill No. 2013 - North Dakota Vision Services - School for the Blind - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	\$2,569,793	\$2,543,182	(\$2,890)	\$2,540,292
Operating expenses	702,603	702,603	(4,782)	697,821
Capital assets	<u>18,233</u>	<u>18,233</u>		<u>18,233</u>
Total all funds	\$3,290,629	\$3,264,018	(\$7,672)	\$3,256,346
Less estimated income	<u>1,198,474</u>	<u>1,170,572</u>	(464)	<u>1,170,108</u>
General fund	\$2,092,155	\$2,093,446	(\$7,208)	\$2,086,238
FTE	27.00	27.00	0.00	27.00

Dept. 253 - North Dakota Vision Services - School for the Blind - Detail of House Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE 1	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS 2	TOTAL HOUSE CHANGES
Salaries and wages	(\$2,890)		(\$2,890)
Operating expenses		(\$4,782)	(4,782)
Capital assets			
Total all funds	(\$2,890)	(\$4,782)	(\$7,672)
Less estimated income	<u>(464)</u>		<u>(464)</u>
General fund	(\$2,426)	(\$4,782)	(\$7,208)
FTE	0.00	0.00	0.00

1 This amendment reduces funding for state employee health insurance premiums from \$493 to \$488.70 per month.

2 This amendment reduces funding for information technology by \$4,782 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 20 percent.