

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2083

2005 SENATE EDUCATION

SB 2083

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2083

Senate Education Committee

☐ Conference Committee

Hearing Date 1/10/05

Tape Number	Side A	Side B	Meter #
1	x		1330-2883
Committee Clerk Signature <i>Patty Wilkerson</i>			

Minutes: Relating to the contents and distribution of the school district finance facts report.

Senator Layton Freborg, Chairman called the meeting to order on SB 2083

All members were present

Testimony in support of the Bill:

Jerry Coleman, Assistant Director of School Finance and Organization for the DPI

See Attached: written testimony

Senator Seymour : What's the value of the report? What makes it so valuable?

Jerry Coleman : School finance facts is a publication that identifies specific information on school districts in the state so it contains information on average daily membership financial expenditures and revenues, taxable evaluation, mill levy that kind of thing. So it is extremely important for those that are interested in financing.

Senator G. Lee : In the bill draft you have a lot of things deleted, in terms of specifics that go into that report. If those are taken out, will what goes into that report, change?

Jerry Coleman : We will present the information that already exists in the finance tax publication. There is one thing in that list that I noted that is not in our finance tax publication, either we can put it in there, or make it available in our school directory information. That would be the last one there that deals with information on nonpublic schools. We have very limited information on nonpublic school. We have like accreditation and approval requirements and recorded in our school directory and has been for years. There's another place to pick up that information.

Senator G. Lee : This then would give you the latitude to put information into that report that you saw as being valuable, and delete what things you didn't think were important.

Jerry Coleman : Yes, it does give us that latitude.

Senator Flakoll : Have you consider ever mailing those out during the off yr. session? So that we would have that provided for us, school finance tax, even # yrs. we go through lack of information in that respect. There was a ? someplace there.

Jerry Coleman : Sounds like you would request that information annually. (meter 1827 other) information is published on our web-site so this is easily accessible. Traditionally we have made a formal document and distributed that to the legislative committees.

Testimony in opposition of Bill:

Doug Johnson : North Dakota Council Education my only concern of the bill is that the deletion of the items that are listed, we feel that it is important that they remain in tact, the rest of bill we

don't have a problem with, but would recommend perhaps that we would amend this bill. (meter 1954) Ensuring that the information would be available to us.

Nancy Sand : NDEA, we too support the finance facts, we appreciate having the annual report, it is valuable to us. (meter 2060) need the list for historical data.

Senator Flakoll : requested more time to wait.

Senator Erbele : Would this require amendments then?

Senator Freborg : yes, we don't need the amendment at hand to act on the bill.

Senator Taylor : Could we do this verbally this morning.

Senator Freborg : Only when it is complicated.

Senator Freborg : there has been a request to wait.

Senator Taylor : moved to amend SB 2083 removing the strike through on lines 12-21 and inserting a line after line 21 that says other statistical data on public education in the state.

Seconded by: Senator Erbele to amend SB 2083

discussion on the motion:

Senator Taylor : maybe should have also said on line 11 that this should be removed since we are adding it in after line 21 if that's agreeable with the second.

after line 21 would be #8 reading other statistical data on public education in the state.

discussion: none.

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There was no further discussion

Senator Freborg : closed the hearing on SB 2083,

Senator Erbele: Made a motion for a do pass on SB 2083 as amended, Seconded By : **Senator Taylor**

There being no other discussion roll call vote was taken. vote: 6-0-0, vote was unanimous

Senator Erbele : to carry the bill.

The meeting was adjourned.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2083

Senate Education Committee

☐ Conference Committee

Hearing Date 1/10/05

Tape Number	Side A	Side B	Meter #
1		x	550-1550
Committee Clerk Signature <i>Patty Wilkens</i>			

Minutes: Reconsideration of SB 2083 the same day, Secretary of State Al Jaeger testifying opened for reconsideration Senator Flakoll so moved to open hearing back up, seconded by: Senator G. Lee

committee clerk took the roll: **for reconsideration**

vote was unanimous 6-0-0

Senator Layton Freborg, Chairman called the meeting to order on SB 2083

Al Jaeger: Secretary of State wanting to amend SB 2083

See attached: written testimony

Testimony in support of the Bill:

none

Testimony in opposition of the Bill

none

There was no further discussion

Senator Flakoll : moved to further amend SB 2083

as stated in Secretary of State letter to us, so that after the word February, on line 10 we would
after insert the following the Secretary of State, shall transmit the report to state archivist for
official and public use. Seconded by Senator G. Lee

Discussion on the motion:

Senator Erbele : will both of these amendments be discussed at the same time?

Senator Freborg : they both will come up at the same time, they are separate amendments, but
one amendment on the floor, we are simply amending the bill.

Senator G. Lee : This seems duplicative, the paragraph above explains the section of where he
suppose to send it, doesn't that just cover all the reports he suppose to send anyway?

Al Jaeger : (meter 1010) What I quote on the top is a completely different section of the law.

This as I understand it is a biannual report is different than the one that he is required to submit
under that section of the law. It doesn't replace that other report. (meter 1050) more discussion

Senator Flakoll : Understood that we would renumber accordingly.

clerk took the roll: vote was unanimous to further amend SB 2083

There was no further discussion: on SB 2083

Senator Freborg : closed the hearing on SB

Senator Flakoll, Made a motion for a do pass as amended on SB 2083, Seconded By, Senator
Erbele.

There being no other discussion roll call vote was taken. vote: 6-0-0, vote was unanimous

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Senator Erbele : will carry the bill.

The meeting was adjourned.

FISCAL NOTE
Requested by Legislative Council
12/20/2004

Bill/Resolution No.: SB 2083

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.*

	2003-2005 Biennium		2005-2007 Biennium		2007-2009 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

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

2003-2005 Biennium			2005-2007 Biennium			2007-2009 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

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

This bill changes the publication in which financial information is reported on school districts from the biennial agency report to the school finance facts publication.

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.*

No impact.

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.*

Covered within the Department of Public Instruction's operating budget.

Name:	Jerry Coleman	Agency:	Public Instruction
Phone Number:	328-4051	Date Prepared:	12/22/2004

PROPOSED AMENDMENTS TO SENATE BILL NO. 2083

Page 1, line 11, remove "statistical data on education in the state."

Page 1, remove the overstrike over lines 12 through 21

Page 1, after line 21, insert "8. Other statistical data on public education in the state."

Renumber accordingly

Date: 1/10/05
Roll Call Vote #:

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2083

Senate SENATE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Motion
to amend SB 2083

Motion Made By Sen. Taylor Seconded By Sen. Erbele

Senators	Yes	No	Senators	Yes	No
CH- SENATOR FREBORG	✓		SENATOR SEYMOUR	✓	
V-CH- SENATOR G. LEE	✓		SENATOR TAYLOR	✓	
SENATOR ERBELE	✓				
SENATOR FLAKOLL	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

Date: 1/10/05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2083

Senate SENATE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass (as amended)

Motion Made By Sen Erbele Seconded By Sen Taylor

Senators	Yes	No	Senators	Yes	No
CH- SENATOR FREBORG	✓		SENATOR SEYMOUR	✓	
V-CH- SENATOR G. LEE	✓		SENATOR TAYLOR	✓	
SENATOR ERBELE	✓				
SENATOR FLAKOLL	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Erbele

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

Date: 1/10/05
Roll Call Vote #: 2

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2083

Senate SENATE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Reconsideration of 2083

Motion Made By Flakoll Seconded By Lee

Senators	Yes	No	Senators	Yes	No
CH- SENATOR FREBORG	✓		SENATOR SEYMOUR	✓	
V-CH- SENATOR G. LEE	✓		SENATOR TAYLOR	✓	
SENATOR ERBELE	✓				
SENATOR FLAKOLL	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

Senate Amendments to SB 2083 - Education Committee 01/10/2005

Page 1, line 10, after "February" insert ". The secretary of state shall transmit the report to state archivist for official and public use", remove "report", and overstrike "shall" and insert immediately thereafter "report must"

Page 1, line 11, remove the overstrike over the colon and remove "statistical data on public education in the state."

Page 1, remove the overstrike over lines 12 through 21

Page 1, after line 21, insert:

"8. Other statistical data on public education in the state."

Renumber accordingly

Date: 1/10/05
Roll Call Vote #: 7

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2083

Senate SENATE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken

to further amend -
Motion on amendment SB 2083

Motion Made By

Flakoll -

Seconded By

Lee

Senators	Yes	No	Senators	Yes	No
CH- SENATOR FREBORG	✓		SENATOR SEYMOUR	✓	
V-CH- SENATOR G. LEE	✓		SENATOR TAYLOR	✓	
SENATOR ERBELE	✓				
SENATOR FLAKOLL	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

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

Date: 1/10/05
Roll Call Vote #: 2

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2083

Senate SENATE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as amended

Motion Made By Flakoll Seconded By Erbele

Senators	Yes	No	Senators	Yes	No
CH- SENATOR FREBORG	✓		SENATOR SEYMOUR	✓	
V-CH- SENATOR G. LEE	✓		SENATOR TAYLOR	✓	
SENATOR ERBELE	✓				
SENATOR FLAKOLL	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Erbele

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

REPORT OF STANDING COMMITTEE

SB 2083: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2083 was placed on the Sixth order on the calendar.

Page 1, line 10, after "February" insert ". The secretary of state shall transmit the report to state archivist for official and public use", remove "report", and overstrike "shall" and insert immediately thereafter "report must"

Page 1, line 11, remove the overstrike over the colon and remove "statistical data on public education in the state."

Page 1, remove the overstrike over lines 12 through 21

Page 1, after line 21, insert:

"8. Other statistical data on public education in the state."

Renumber accordingly

2005 HOUSE EDUCATION

HB 2083


2005 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2083

House Education Committee

☐ Conference Committee

Hearing Date **15 February 2005**

Tape Number	Side A	Side B	Meter #
1	X		2060 - 2490
	X		3140 - 3300
Committee Clerk Signature 			

Minutes:

Chairman Kelsch opened the hearing of SB 2083.

Jerry Coleman, assistant director of School Finance and Organization, Department of Public Instruction, testified in favor of SB 2083. (Testimony attached.)

Rep. Haas: The catch all "other statistical data" on public education. Give us an example of what you might do there.

Coleman: That would be just anything we saw fit to be in there. This is just the old list that was in the code. Currently what's not in there is the taxable valuation of a district. That would be another thing we would include. Anything we felt would be useful

Rep. Haas: That wouldn't really required if we passed HB 1512, right? It's rather a mute point.

Coleman: I would still think that we would like to have a little bit of that data.

Chairman Kelsch: Jerry, I just want you to know. There isn't a sentence that anyone can state that the two on my left end (Haas & Herbel) don't come up and say, "That would be taken care

with HB 1512, wouldn't it." It doesn't matter what the situation is. They always keep everyone thinking of HB 1512.

Rep. Haas: Madam Chairman, you're getting very close.

Rep. Mueller: Along those lines, are you going to have to include all those runs we had you do every session in this set of information.

Coleman: I would hope that would not be necessary.

There was no other testimony on the bill.

Chairman Kelsch: Let the record reveal that Mr. Coleman is the only one in the room.
And the only one that cares about SB 2083.

Rep. Norland: I move **Do Pass**.

Rep. Haas: I **Second**.

A roll call vote was taken.

Yes: 13 No: 0 Absent: 1 The motion passed.

Date: 15 Feb 05
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1083

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken do pass

Motion Made By Norland Seconded By Haas

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep. Hanson	✓	
Vice Chairman Johnson	✓		Rep. Hunskor	0	
Rep. Haas	✓		Rep. Mueller	✓	
Rep. Hawken	✓		Rep. Solberg	✓	
Rep. Herbel	✓				
Rep. Horter	✓				
Rep. Meier	✓				
Rep. Norland	✓				
Rep. Sitte	✓				
Rep. Wall	✓				

Total (Yes) 13 No 0

Absent 1 Hunskor

Floor Assignment Norland

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

REPORT OF STANDING COMMITTEE (410)
February 15, 2005 11:53 a.m.

Module No: HR-30-2941
Carrier: Norland
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2083, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2083 was placed on the Fourteenth order on the calendar.

2005 TESTIMONY

SB 2003

ALVIN A. JAEGER
SECRETARY OF STATE

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SECRETARY OF STATE

STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500

January 10, 2005

TO: Senator Freborg and Members of Senate Education Committee

FR: Al Jaeger, Secretary of State

RE: SB 2083 – distribution of school district finance facts report – amendment

For biennial reports filed according to N.D.C.C. § 54-06-04, the Secretary of State is allowed to do the following under subsection 6 of that section:

"All reports required under this section to be submitted to the secretary of state must be subsequently transmitted by the secretary of state to the state archivist for official and public use following their receipt and review by the secretary of state."

There is not a similar option for the Secretary of State in N.D.C.C. § 15.1-02-09, either in current law or in the changes proposed in the subject bill.

To establish a clearer administrative process, I request that the following sentence be inserted on page 1, line 10, after "February."

"The secretary of state must subsequently transmit the report to the state archivist for official and public use."

Without the directive, the report remains in the Secretary of State's office for an extended period where it is not accessible by those who may wish to review it.

TESTIMONY ON SB 2083
HOUSE EDUCATION COMMITTEE
February 15, 2005
By Jerry Coleman
Department of Public Instruction
(701) 328-4051

*Same
given to
Senate on
1-10-05*

Madam Chairman and members of the committee:

My name is Jerry Coleman and I am the Assistant Director of School Finance and Organization for the Department of Public Instruction. I am here to speak in favor of SB 2083.

Section 15.1-02-09 of the North Dakota Century Code requires the superintendent of public instruction to include financial information with the agency biennial report. The biennial report is the report required by executive and administrative offices and is submitted to the governor and the secretary of state (NDCC 54-06-04).

The amendment eliminates the requirement to publish financial information in the biennial report and replaces it with a requirement to publish that information in a separate annual report to the governor, legislative council and secretary of state by the end of February each year. This annual report is the "School Finance Facts" publication that the department has routinely published for many years.

The purpose of the amendment is to avoid compliance problems due to the submission date of the biennial report. That report is due December 1 and financial data from school districts is not processed and finalized until late January or February.

The amendment does not have any fiscal impact.

That concludes my testimony. I would be happy to answer any questions the committee may have.