



North Dakota Legislative Council

Prepared by the Legislative Council staff
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TESTIMONY - SENATE BILL NO. 2028 HOUSE EDUCATION (ROOM - COTEAU AB - 9:00 A.M.) MARCH 10, 2021

Chairman Owens and members of the House Education Committee, good morning. For the record, my name is Dustin Assel. I am a staff attorney with the Legislative Council. I staffed the most recent interim Education Policy Committee, which worked on, drafted, and recommended Senate Bill No. 2028 (2021), which is before you today. This testimony is provided in a neutral capacity. I am here only to provide background and information regarding the recommendations of the interim committee.

The bill was introduced by the Legislative Management at the request of the 2019-20 interim Education Policy Committee. The bill crossed over from the Senate in its original introduced form without any amendments. House Concurrent Resolution 3011 (2019) directed a study of provisions of the North Dakota Century Code which relate to the provision of elementary and secondary education to recommend changes to any laws found to be irrelevant, duplicative, inconsistent, or unclear. The last study and statutory rewrite of provisions relating to elementary and secondary education occurred in the late 1990s and was completed in 2001. Since 2001 there have been several hundred bills which primarily affected Title 15.1, the title of the North Dakota Century Code which houses the vast majority of the laws addressing elementary and secondary education. The title currently consists of 41 active chapters of law.

During the course of the of the interim committee's work on this topic, the committee indicated that a complete rewrite of the title, if undertaken, would take multiple interims to complete. The committee generally agreed that before a rewrite was undertaken, the committee first needed to receive input from education stakeholders to determine if provisions existed in Title 15.1 which were irrelevant, inconsistent, duplicative, or unclear. The committee received testimony from a representative of a stakeholder group that included school administrators. The stakeholder group reviewed provisions in Title 15.1. The testimony indicated there were 6 provisions in Title 15.1 which were potentially redundant or obsolete, and which could be repealed. The interim committee ultimately agreed, and Senate Bill No. 2028 (2021) was brought forth to repeal the provisions found to be redundant and obsolete.

EXPLANATION OF THE BILL

Senate Bill No. 2028 (2021) repeals 6 sections of North Dakota Century Code as follows:

- Section 15.1-02-20: Addresses education stabilization fund dollars received by school districts as a result of the American Recovery and Reinvestment Act of 2009, which was a federal stimulus package enacted in 2009. The Act provided one-time stimulus funding over 10 years ago.
- Section 15.1-3-03: Addresses the revolving printing fund and allows school districts to purchase instructional materials developed and printed by DPI at cost, the money is deposited in the fund.
- Section 15.1-06-18: Addresses school reports completed by school districts and forwarded to the Governor through the superintendent of public instruction. The section allows the governor to convene an ad hoc committee (assembled by the governor to address a specific issue) to review the information and make changes to the information gathering process. The section does not address the specifics of the report by the districts, just the committee and membership. The interim committee questioned the relevance of the section.
- Section 15.1-21-02.7: Addresses North Dakota Scholarship opportunities for students who graduated in 2009-10. Those students graduated over 10 years ago. The interim committee questioned the relevance of the section.

- Section 15.1-21-06: Addresses a school district's ability to participate in the Goals 2000 Educate America Act, which was withdrawn upon the passage of the No child left behind act. The section was determined to be obsolete.
- Section 15.1-21-12: Addresses a report that each school district must file with the superintendent of public instruction annually regarding the use of available funds on professional development. The section was determined to be unnecessary.

Mr. Chairman and members of the committee, that concludes the information I have prepared for you today. Thank you.