

2025 HOUSE EDUCATION

HB 1100

2025 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1100
1/14/2025

A BILL for an Act to provide an exemption to continue free school meal funding for delinquent meal debt and to provide for a legislative management report.

9:16 a.m. Chairman Heinert opened the hearing.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Heilman, Hauck, Jonas, Longmuir, Maki, Marchall, Morton, Novak, Osowski

Discussion Topics:

- School Lunch Debt
- Meal charge Policies

9:16 a.m. Representative Jonas Introduced bill.

9:20 a.m. Nick Archuleta, ND United, testified in favor and submitted testimony #28790.

9:24 a.m. Levi Bachmeier, Business Manager at West Fargo Public Schools, testified in favor and submitted testimony #28953.

9:33 a.m. Michael Heilman, ND Small Organized Schools, testified in favor and submitted testimony #28910.

9:34 a.m. Kevin Hoherz, NDCEL, Testified in Support.

9:36 a.m. Lexi Bergstrom, Staff Attorney, ND SBA, Testified in Support.

9:38 a.m. Lynelle Johnson, Director of Child Nutrition and Food Distribution, NDDPI, Provided Neutral Testimony. (#28866)

Additional written testimony:

Elizabeth Loos, ND Chapter of the National Association of Social Workers, In Support, (#28707)

Aimee Copas, Executive Director, NDCEL, In Support, (#28773)

Faye Seidler, In Support (#28894)

9:41 a.m. Chairman Heinert closed the hearing.

Leah Kuball, Committee Clerk

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Testimony on HB 1100
National Association of Social Workers – North Dakota Chapter
House Education Committee
January 14, 2025

Chairman Heinert and Members of the House Education Committee:

The National Association of Social Workers – North Dakota Chapter (NASW-ND), expresses our strong support for HB 1100, which addresses the need to continue funding for free school meal programs and the reimbursement of delinquent meal debt. This bill not only provides essential financial relief to school districts but also promotes the well-being and academic success of our students, particularly those facing socioeconomic challenges.

Education plays a critical role in shaping children's development, and NASW believes all students should have access to a quality education in a safe, supportive environment. Ensuring access to free meals is vital, as hunger can hinder learning, leading to poor performance and absenteeism. HB 1100 addresses this by helping school districts manage meal debt and removing this barrier to student success.

NASW also emphasizes the need for comprehensive support services for students, especially those facing homelessness, disability, or poverty. HB 1100 supports this by ensuring all students, regardless of financial status, can access the nutrition needed to thrive academically.

Additionally, NASW advocates for school social workers to support students' academic and emotional needs. By reducing meal debt and ensuring continued access to free meals, HB 1100 helps ease the pressures that affect students' ability to focus on learning and well-being, fostering a more equitable educational environment.

In conclusion, NASW-ND supports HB 1100 as it aligns with our core values of ensuring that all children have access to the resources they need for educational success. We urge the committee to give HB 1100 a **Do Pass** recommendation, which will make a significant difference in the lives of students and the communities they belong to.

Respectfully,

Elizabeth Loos

Lobbyist

North Dakota Chapter of the National Association of Social Workers

25.0716.01000

Sixty-ninth
Legislative Assembly
of North Dakota

BILL NO.

Introduced by

Representative Heinert

1 A BILL for an Act to amend and reenact sections 15.1-27-03.1, 15.1-27-04.1, 48-01.2-02.1, and
2 57-15-14.2 of the North Dakota Century Code, relating to weighted average daily membership,
3 the determination of state aid, public improvement construction, and school district levies; to
4 provide for a transfer; and to provide an effective date.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 15.1-27-03.1 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **15.1-27-03.1. Weighted average daily membership - Determination.**

- 9 1. For each school district, the superintendent of public instruction shall multiply by:
- 10 a. 1.00 the number of full-time equivalent students enrolled in an extended
11 educational program in accordance with section 15.1-32-17;
- 12 b. 0.60 the number of full-time equivalent students enrolled in a summer education
13 program, including a migrant summer education program;
- 14 c. 0.40 the number of full-time equivalent students who:
- 15 (1) On a test of English language proficiency approved by the superintendent of
16 public instruction are determined to be least proficient and placed in the first
17 of six categories of proficiency; and
- 18 (2) Are enrolled in a program of instruction for English language learners;
- 19 d. 0.28 the number of full-time equivalent students who:
- 20 (1) On a test of English language proficiency approved by the superintendent of
21 public instruction are determined to be more proficient than students placed
22 in the first of six categories of proficiency and therefore placed in the second
23 of six categories of proficiency; and
- 24 (2) Are enrolled in a program of instruction for English language learners;

- e. 0.25 the number of full-time equivalent students under the age of twenty-one enrolled in grades nine through twelve in an alternative high school;
- f. 0.20 the number of full-time equivalent students enrolled in a home-based education program and monitored by the school district under chapter 15.1-23;
- g. 0.17 the number of full-time equivalent students enrolled in an early childhood special education program;
- h. 0.15 the number of full-time equivalent students in grades six through eight enrolled in an alternative education program for at least an average of fifteen hours per week;
- i. 0.10 the number of students enrolled in average daily membership, if the district has fewer than one hundred students enrolled in average daily membership and the district consists of an area greater than two hundred seventy-five square miles [19424.9 hectares], provided that any school district consisting of an area greater than six hundred square miles [155399 hectares] and enrolling fewer than fifty students in average daily membership must be deemed to have an enrollment equal to fifty students in average daily membership;
- j. ~~0.0880~~0.095 the number of students enrolled in average daily membership, in order to support the provision of special education services;
- k. 0.07 the number of full-time equivalent students who:
 - (1) On a test of English language proficiency approved by the superintendent of public instruction are determined to be more proficient than students placed in the second of six categories of proficiency and therefore placed in the third of six categories of proficiency;
 - (2) Are enrolled in a program of instruction for English language learners; and
 - (3) Have not been in the third of six categories of proficiency for more than three years;
- l. 0.025 the number of students representing that percentage of the total number of students in average daily membership which is equivalent to the three-year average percentage of students in grades three through eight who are eligible for free or reduced lunches under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751 et seq.];

- 1 m. 0.002 the number of students enrolled in average daily membership in a school
2 district that is a participating member of a regional education association meeting
3 the requirements of chapter 15.1-09.1;
- 4 n. 1.0 the number of students by which the district's September tenth enrollment
5 report exceeds the number of students in the prior year's average daily
6 membership; and
- 7 o. For districts paid based on September tenth enrollment in the prior year, 1.00 the
8 number of students determined by deducting the number of students in the prior
9 year's September tenth enrollment from the prior year's average daily
10 membership. If the prior year's September tenth enrollment exceeds the prior
11 year's average daily membership, then a deduction of 1.00 the number of excess
12 students.
- 13 2. The superintendent of public instruction shall determine each school district's weighted
14 average daily membership by adding the products derived under subsection 1 to the
15 district's average daily membership.

16 **SECTION 2. AMENDMENT.** Section 15.1-27-04.1 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **15.1-27-04.1. Baseline funding - Establishment - Determination of state aid. (~~Effective~~**
19 **~~through June 30, 2025~~) (~~Retroactive application --~~ [See note](#))**

- 20 ~~1. To determine the amount of state aid payable to each district, the superintendent of~~
21 ~~public instruction shall establish each district's baseline funding. A district's baseline~~
22 ~~funding consists of:~~
- 23 ~~a. All state aid received by the district in accordance with chapter 15.1-27 during the~~
24 ~~2018-19 school year;~~
- 25 ~~b. An amount equal to the property tax deducted by the superintendent of public~~
26 ~~instruction to determine the 2018-19 state aid payment;~~
- 27 ~~c. An amount equal to seventy-five percent of the revenue received by the school~~
28 ~~district during the 2017-18 school year for the following revenue types:~~
- 29 ~~(1) Revenue reported under code 2000 of the North Dakota school district~~
30 ~~financial accounting and reporting manual, as developed by the~~
31 ~~superintendent of public instruction in accordance with section 15.1-02-08;~~

- (2) ~~Mineral revenue received by the school district through direct allocation from the state treasurer and not reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;~~
- (3) ~~Tuition reported under code 1300 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08, with the exception of revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition received for the provision of an adult farm management program, and beginning in the 2021-22 school year, seventeen percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid, and an additional seventeen percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid each school year thereafter, until the 2024-25 school year when sixty-eight percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid must be excluded from the tuition calculation under this paragraph;~~
- (4) ~~Revenue from payments in lieu of taxes on the distribution and transmission of electric power;~~
- (5) ~~Revenue from payments in lieu of taxes on electricity generated from sources other than coal; and~~
- (6) ~~Revenue from the leasing of land acquired by the United States for which compensation is allocated to the state under 33 U.S.C. 701(c)(3);~~
- d. ~~An amount equal to the total revenue received by the school district during the 2017-18 school year for the following revenue types:~~

 - (1) ~~Mobile home tax revenue;~~
 - (2) ~~Telecommunications tax revenue; and~~

(3) ~~Revenue from payments in lieu of taxes and state reimbursement of the homestead credit and disabled veterans credit; and~~

e. ~~Beginning with the 2020-21 school year, the superintendent shall reduce the baseline funding for any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2012-13 school year. The reduction must be proportional to the number of weighted student units in the grades that are offered through another school district relative to the total number of weighted student units the school district offered in the year before the school district became an elementary district. The reduced baseline funding applies to the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter. For districts that become an elementary district prior to the 2020-21 school year, the superintendent shall use the reduced baseline funding to calculate state aid for the 2020-21 school year and for each year thereafter.~~

2. a. ~~The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's 2017-18 weighted student units to determine the district's baseline funding per weighted student unit.~~

b. ~~For any school district that becomes an elementary district pursuant to section 15.1-07-27 after the 2017-18 school year, the superintendent shall adjust the district's baseline funding per weighted student unit used to calculate state aid. The superintendent shall divide the district's baseline funding determined in subsection 1 by the district's weighted student units after the school district becomes an elementary district to determine the district's adjusted baseline funding per weighted student unit. The superintendent shall use the district's adjusted baseline funding per weighted student unit in the calculation of state aid for the first school year in which the school district becomes an elementary district and for each year thereafter.~~

c. ~~Beginning with the 2021-22 school year and for each school year thereafter, the superintendent shall reduce the district's baseline funding per weighted student unit. Each year the superintendent shall calculate the amount by which the district's baseline funding per weighted student unit exceeds the payment per~~

1 weighted student unit provided in subsection 3. For the 2023-24 school year the
2 superintendent shall reduce the district's baseline funding per weighted student
3 unit by forty percent of the amount by which the district's baseline funding per
4 weighted student unit exceeds the payment per weighted student unit for the
5 2023-24 school year. For each year thereafter, the reduction percentage is
6 increased by an additional fifteen percent. However, the district's baseline funding
7 per weighted student unit, after the reduction, may not be less than the payment
8 per weighted student unit provided in subsection 3.

9 3. a. For the 2023-24 school year, the superintendent shall calculate state aid as the
10 greater of:

- 11 (1) The district's weighted student units multiplied by ten thousand six hundred
12 forty-six dollars;
- 13 (2) One hundred two percent of the district's baseline funding per weighted
14 student unit, as established in subsection 2, multiplied by the district's
15 weighted student units, not to exceed the district's 2017-18 baseline
16 weighted student units, plus any weighted student units in excess of the
17 2017-18 baseline weighted student units multiplied by ten thousand
18 six hundred forty-six dollars; or
- 19 (3) The district's baseline funding as established in subsection 1 less the
20 amount in paragraph 1, with the difference reduced by forty percent and
21 then the difference added to the amount determined in paragraph 1.

22 b. For the 2024-25 school year and each school year thereafter, the superintendent
23 shall calculate state aid as the greater of:

- 24 (1) The district's weighted student units multiplied by eleven thousand
25 seventy-two dollars;
- 26 (2) One hundred two percent of the district's baseline funding per weighted
27 student unit, as established in subsection 2, multiplied by the district's
28 weighted student units, not to exceed the district's 2017-18 baseline
29 weighted student units, plus any weighted student units in excess of the
30 2017-18 baseline weighted student units multiplied by eleven thousand
31 seventy-two dollars; or

1 (3) The district's baseline funding as established in subsection 1 less the
2 amount in paragraph 1, with the difference reduced by fifty-five percent for
3 the 2024-25 school year and the reduction percentage increasing by fifteen
4 percent each school year thereafter until the difference is reduced to zero,
5 and then the difference added to the amount determined in paragraph 1.

6 4. After determining the product in accordance with subsection 3, the superintendent of
7 public instruction shall:

8 a. Subtract an amount equal to sixty mills multiplied by the taxable valuation of the
9 school district, except the amount in dollars subtracted for purposes of this
10 subdivision may not exceed the previous year's amount in dollars subtracted for
11 purposes of this subdivision by more than twelve percent, adjusted pursuant to
12 section 15.1-27-04.3; and

13 b. Subtract an amount equal to seventy-five percent of all revenue types listed in
14 subdivisions c and d of subsection 1. Before determining the deduction for
15 seventy-five percent of all revenue types, the superintendent of public instruction
16 shall adjust revenues as follows:

17 (1) Tuition revenue shall be adjusted as follows:

18 (a) In addition to deducting tuition revenue received specifically for the
19 operation of an educational program provided at a residential
20 treatment facility, tuition revenue received for the provision of an adult
21 farm management program, tuition received for the education of
22 high-cost and special education students, and tuition received under
23 an agreement to educate students from a school district on an
24 air force base with funding received through federal impact aid as
25 directed each school year in paragraph 3 of subdivision c of
26 subsection 1, the superintendent of public instruction also shall reduce
27 the total tuition reported by the school district by the amount of tuition
28 revenue received for the education of students not residing in the
29 state and for which the state has not entered a cross-border education
30 contract; and

1 (b) ~~The superintendent of public instruction also shall reduce the total~~
2 ~~tuition reported by admitting school districts meeting the requirements~~
3 ~~of subdivision e of subsection 2 of section 15.1-29-12 by the amount~~
4 ~~of tuition revenue received for the education of students residing in an~~
5 ~~adjacent school district.~~

6 (2) ~~After adjusting tuition revenue as provided in paragraph 1, the~~
7 ~~superintendent shall reduce all remaining revenues from all revenue types~~
8 ~~by the percentage of mills levied in 2022 by the school district for sinking~~
9 ~~and interest relative to the total mills levied in 2022 by the school district for~~
10 ~~all purposes.~~

11 5. ~~The amount remaining after the computation required under subsection 4 is the~~
12 ~~amount of state aid to which a school district is entitled, subject to any other statutory~~
13 ~~requirements or limitations.~~

14 6. ~~On or before June thirtieth of each year, the school board shall certify to the~~
15 ~~superintendent of public instruction the final average daily membership for the current~~
16 ~~school year.~~

17 7. ~~For purposes of the calculation in subsection 4, each county auditor, in collaboration~~
18 ~~with the school districts, shall report the following to the superintendent of public~~
19 ~~instruction on an annual basis:~~

20 a. ~~The amount of revenue received by each school district in the county during the~~
21 ~~previous school year for each type of revenue identified in subdivisions c and d of~~
22 ~~subsection 1;~~

23 b. ~~The total number of mills levied in the previous calendar year by each school~~
24 ~~district for all purposes; and~~

25 c. ~~The number of mills levied in the previous calendar year by each school district~~
26 ~~for sinking and interest fund purposes.~~

27 ~~**Baseline funding -- Establishment -- Determination of state aid. (Effective after**~~
28 ~~**June 30, 2025)**~~

29 1. To determine the amount of state aid payable to each district, the superintendent of
30 public instruction shall establish each district's baseline funding. A district's baseline
31 funding consists of:

- a. All state aid received by the district in accordance with chapter 15.1-27 during the 2018-19 school year;
- b. An amount equal to the property tax deducted by the superintendent of public instruction to determine the 2018-19 state aid payment;
- c. An amount equal to seventy-five percent of the revenue received by the school district during the 2017-18 school year for the following revenue types:
 - (1) Revenue reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
 - (2) Mineral revenue received by the school district through direct allocation from the state treasurer and not reported under code 2000 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08;
 - (3) Tuition reported under code 1300 of the North Dakota school district financial accounting and reporting manual, as developed by the superintendent of public instruction in accordance with section 15.1-02-08, with the exception of revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition received for the provision of an adult farm management program, and beginning in the 2025-26 school year, eighty-five percent of tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid, until the 2026-27 school year, and each school year thereafter, when all tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid must be excluded from the tuition calculation under this paragraph;
 - (4) Revenue from payments in lieu of taxes on the distribution and transmission of electric power;
 - (5) Revenue from payments in lieu of taxes on electricity generated from sources other than coal; and

- 1 (6) Revenue from the leasing of land acquired by the United States for which
2 compensation is allocated to the state under 33 U.S.C. 701(c)(3); and
3 d. An amount equal to the total revenue received by the school district during the
4 2017-18 school year for the following revenue types:
5 (1) Mobile home tax revenue;
6 (2) Telecommunications tax revenue; and
7 (3) Revenue from payments in lieu of taxes and state reimbursement of the
8 homestead credit and disabled veterans credit.
9 e. Beginning with the 2020-21 school year, the superintendent shall reduce the
10 baseline funding for any school district that becomes an elementary district
11 pursuant to section 15.1-07-27 after the 2012-13 school year. The reduction must
12 be proportional to the number of weighted student units in the grades that are
13 offered through another school district relative to the total number of weighted
14 student units the school district offered in the year before the school district
15 became an elementary district. The reduced baseline funding applies to the
16 calculation of state aid for the first school year in which the school district
17 becomes an elementary district and for each year thereafter. For districts that
18 become an elementary district prior to the 2020-21 school year, the
19 superintendent shall use the reduced baseline funding to calculate state aid for
20 the 2020-21 school year and for each year thereafter.
21 2. a. The superintendent shall divide the district's baseline funding determined in
22 subsection 1 by the district's 2017-18 weighted student units to determine the
23 district's baseline funding per weighted student unit.
24 b. For any school district that becomes an elementary district pursuant to section
25 15.1-07-27 after the 2017-18 school year, the superintendent shall adjust the
26 district's baseline funding per weighted student unit used to calculate state aid.
27 The superintendent shall divide the district's baseline funding determined in
28 subsection 1 by the district's weighted student units after the school district
29 becomes an elementary district to determine the district's adjusted baseline
30 funding per weighted student unit. The superintendent shall use the district's
31 adjusted baseline funding per weighted student unit in the calculation of state aid

for the first school year in which the school district becomes an elementary district and for each year thereafter.

c. Beginning with the 2021-22 school year and for each school year thereafter, the superintendent shall reduce the district's baseline funding per weighted student unit. Each year the superintendent shall calculate the amount by which the district's baseline funding per weighted student unit exceeds the payment per weighted student unit provided in subsection 3. For the 2023-24 school year the superintendent shall reduce the district's baseline funding per weighted student unit by forty percent of the amount by which the district's baseline funding per weighted student unit exceeds the payment per weighted student unit for the 2023-24 school year. For each year thereafter, the reduction percentage is increased by an additional fifteen percent. However, the district's baseline funding per weighted student unit, after the reduction, may not be less than the payment per weighted student unit provided in subsection 3.

3. a. For the ~~2023-24~~2025-26 school year, the superintendent shall calculate state aid as the greater of:

(1) The district's weighted student units multiplied by ~~ten thousand six hundred forty-six~~eleven thousand four hundred four dollars;

(2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by ~~ten thousand six hundred forty-six~~eleven thousand four hundred four dollars; or

(3) The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by ~~forty~~seventy percent and then the difference added to the amount determined in paragraph 1.

b. For the ~~2024-25~~2026-27 school year and each school year thereafter, the superintendent shall calculate state aid as the greater of:

(1) The district's weighted student units multiplied by ~~eleven thousand seventy-two~~seven hundred forty-six dollars;

(2) One hundred two percent of the district's baseline funding per weighted student unit, as established in subsection 2, multiplied by the district's weighted student units, not to exceed the district's 2017-18 baseline weighted student units, plus any weighted student units in excess of the 2017-18 baseline weighted student units multiplied by eleven thousand ~~seventy-two~~seven hundred forty-six dollars; or

(3) The district's baseline funding as established in subsection 1 less the amount in paragraph 1, with the difference reduced by ~~fifty-five~~eighty-five percent for the ~~2024-25~~2026-27 school year and the reduction percentage increasing by fifteen percent each school year thereafter until the difference is reduced to zero, and then the difference added to the amount determined in paragraph 1.

4. After determining the product in accordance with subsection 3, the superintendent of public instruction shall:

a. Subtract an amount equal to sixty mills multiplied by the taxable valuation of the school district; and

b. Subtract an amount equal to seventy-five percent of all revenue types listed in ~~subdivisions c and d~~subdivision c and paragraphs 1 and 2 of subdivision d of subsection 1. Before determining the deduction for seventy-five percent of all revenue types, the superintendent of public instruction shall adjust revenues as follows:

(1) Tuition revenue shall be adjusted as follows:

(a) In addition to deducting tuition revenue received specifically for the operation of an educational program provided at a residential treatment facility, tuition revenue received for the provision of an adult farm management program, tuition received for the education of high-cost and special education students, and tuition received under an agreement to educate students from a school district on an air force base with funding received through federal impact aid as directed each school year in paragraph 3 of subdivision c of subsection 1, the superintendent of public instruction also shall reduce

1 the total tuition reported by the school district by the amount of tuition
2 revenue received for the education of students not residing in the
3 state and for which the state has not entered a cross-border education
4 contract; and

5 (b) The superintendent of public instruction also shall reduce the total
6 tuition reported by admitting school districts meeting the requirements
7 of subdivision e of subsection 2 of section 15.1-29-12 by the amount
8 of tuition revenue received for the education of students residing in an
9 adjacent school district.

10 (2) After adjusting tuition revenue as provided in paragraph 1, the
11 superintendent shall reduce all remaining revenues from all revenue types
12 by the percentage of mills levied in 2022 by the school district for sinking
13 and interest relative to the total mills levied in 2022 by the school district for
14 all purposes.

15 5. The amount remaining after the computation required under subsection 4 is the
16 amount of state aid to which a school district is entitled, subject to any other statutory
17 requirements or limitations.

18 6. On or before June thirtieth of each year, the school board shall certify to the
19 superintendent of public instruction the final average daily membership for the current
20 school year.

21 7. For purposes of the calculation in subsection 4, each county auditor, in collaboration
22 with the school districts, shall report the following to the superintendent of public
23 instruction on an annual basis:

- 24 a. The amount of revenue received by each school district in the county during the
25 previous school year for each type of revenue identified in subdivisions c and d of
26 subsection 1;
27 b. The total number of mills levied in the previous calendar year by each school
28 district for all purposes; and
29 c. The number of mills levied in the previous calendar year by each school district
30 for sinking and interest fund purposes.

1 **SECTION 3. AMENDMENT.** Section 48-01.2-02.1 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **48-01.2-02.1. Public improvement construction threshold.**

- 4 1. The threshold for bidding construction of a public improvement is two hundred fifty
5 thousand dollars. The threshold for procuring plans, drawings, and specifications from
6 an architect or engineer for construction of a public improvement is two hundred fifty
7 thousand dollars.
- 8 2. Notwithstanding the thresholds in subsection 1, if the state or a political subdivision
9 undertakes the construction of a public improvement and there is reason to believe
10 that engineering or architectural services are necessary to protect the health, safety, or
11 welfare of the public, the state or political subdivision shall consider consulting with an
12 engineer or architect.

13 **SECTION 4. AMENDMENT.** Section 57-15-14.2 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **57-15-14.2. School district levies. (~~Effective for taxable years through December 31,~~**
16 **~~2024~~)**

- 17 ~~1. The board of a school district may levy a tax not exceeding the amount in dollars that~~
18 ~~the school district levied for the prior year, plus twelve percent and the dollar amount~~
19 ~~of the adjustment required in section 15.1-27-04.3, up to a levy of seventy mills on the~~
20 ~~taxable valuation of the district, for any purpose related to the provision of educational~~
21 ~~services. The proceeds of this levy must be deposited into the school district's general~~
22 ~~fund and used in accordance with this subsection. The proceeds may not be~~
23 ~~transferred into any other fund.~~
- 24 ~~2. The board of a school district may levy no more than twelve mills on the taxable~~
25 ~~valuation of the district, for miscellaneous purposes and expenses. The proceeds of~~
26 ~~this levy must be deposited into a special fund known as the miscellaneous fund and~~
27 ~~used in accordance with this subsection. The proceeds may not be transferred into~~
28 ~~any other fund.~~
- 29 ~~3. The board of a school district may levy no more than three mills on the taxable~~
30 ~~valuation of the district for deposit into a special reserve fund, in accordance with~~
31 ~~chapter 57-19.~~

- 1 4. ~~The board of a school district may levy no more than the number of mills necessary,~~
2 ~~on the taxable valuation of the district, for the payment of tuition, in accordance with~~
3 ~~section 15.1-29-15. The proceeds of this levy must be deposited into a special fund~~
4 ~~known as the tuition fund and used in accordance with this subsection. The proceeds~~
5 ~~may not be transferred into any other fund.~~
- 6 5. ~~The board of a school district may levy no more than five mills on the taxable valuation~~
7 ~~of the district, pursuant to section 57-15-15.1, for purposes of developing a school~~
8 ~~safety plan in accordance with section 15.1-09-60. The proceeds of this levy must be~~
9 ~~deposited into a special fund known as the school safety plan fund and used in~~
10 ~~accordance with this subsection.~~
- 11 6. ~~Nothing in this section limits the board of a school district from levying:~~
 - 12 a. ~~Mills for a building fund, as permitted in sections 15.1-09-49 and 57-15-16; and~~
 - 13 b. ~~Mills necessary to pay principal and interest on the bonded debt of the district,~~
14 ~~including the mills necessary to pay principal and interest on any bonded debt~~
15 ~~incurred under section 57-15-17.1 before July 1, 2013.~~

16 **~~School district levies. (Effective for taxable years beginning after December 31, 2024)~~**

- 17 1. ~~The board of a school district may levy a tax not exceeding the amount in dollars that~~
18 ~~the school district levied for the prior year, plus twelve percent, up to a levy of seventy~~
19 ~~mills on the taxable valuation of the district, for any purpose related to the provision of~~
20 ~~educational services. The proceeds of this levy must be deposited into the school~~
21 ~~district's general fund and used in accordance with this subsection. The proceeds may~~
22 ~~not be transferred into any other fund.~~
- 23 2. ~~The board of a school district may levy no more than twelve mills on the taxable~~
24 ~~valuation of the district, for miscellaneous purposes and expenses. The proceeds of~~
25 ~~this levy must be deposited into a special fund known as the miscellaneous fund and~~
26 ~~used in accordance with this subsection. The proceeds may not be transferred into~~
27 ~~any other fund.~~
- 28 3. ~~The board of a school district may levy no more than three mills on the taxable~~
29 ~~valuation of the district for deposit into a special reserve fund, in accordance with~~
30 ~~chapter 57-19.~~

- 1 4. The board of a school district may levy no more than the number of mills necessary,
2 on the taxable valuation of the district, for the payment of tuition, in accordance with
3 section 15.1-29-15. The proceeds of this levy must be deposited into a special fund
4 known as the tuition fund and used in accordance with this subsection. The proceeds
5 may not be transferred into any other fund.
- 6 5. The board of a school district may levy no more than five mills on the taxable valuation
7 of the district, pursuant to section 57-15-15.1, for purposes of developing a school
8 safety plan in accordance with section 15.1-09-60. The proceeds of this levy must be
9 deposited into a special fund known as the school safety plan fund and used in
10 accordance with this subsection.
- 11 6. Nothing in this section limits the board of a school district from levying:
12 a. Mills for a building fund, as permitted in sections 15.1-09-49 and 57-15-16; and
13 b. Mills necessary to pay principal and interest on the bonded debt of the district,
14 including the mills necessary to pay principal and interest on any bonded debt
15 incurred under section 57-15-17.1 before July 1, 2013.

16 **SECTION 5. TRANSFER - FOUNDATION AID STABILIZATION FUND TO SCHOOL**

17 **CONSTRUCTION ASSISTANCE REVOLVING LOAN FUND.** The office of management and
18 budget shall transfer the sum of \$100,000,000 from the foundation aid stabilization fund to the
19 school construction assistance revolving loan fund during the biennium beginning July 1, 2025,
20 and ending June 30, 2027.

21 **SECTION 6. EFFECTIVE DATE.** Section 4 of this Act is effective for taxable years
22 beginning after December 31, 2024.



*Great Public Schools**Great Public Service*

**Testimony Before the House Education Committee
HB 1100
January 14, 2024**

Chair Heinert and members of the Committee, for the record, my name is Nick Archuleta, president of North Dakota United, and I rise today to urge a ***Do Pass*** recommendation for HB 1100.

Members of the Committee, HB 1100 quite simply allows for the reimbursement to school districts for delinquent school meal debt. Should HB 1100 become law, school districts will have less anxiety about delinquent meal debt and the strains that debt imposes on their budgets and the legislature will get a detailed report as to the extent of the delinquent meal debt issue that will serve to inform future actions by future legislatures.

The vexing aspect of school lunch debt, though, Mr. Chair, is that once the debt is eliminated, a new delinquent lunch debt will take its place. At ND United, we have been supporting Lunch Aid, a celebration of music started by one of our higher education members with the sole purpose of raising money to help eliminate lunch debt for Fargo area school children. The organizer of this event, Dr. Jason Boynton- a gifted Mathematics professor at NDSU and a fine bass player- conceived the idea and notes that unless something more permanent is done, we will be dealing with school lunch debt every year.

I believe the ultimate solution is that our state, which enforces compulsory school attendance, should provide school lunches given that hungry kids are kids not focused on learning. Incidentally, the provision of free universal school lunches is a concept embraced by 79% of North Dakotans. But that is another bill for another day.

With that, Chair Heinert, and members of the Committee, I will conclude my testimony and encourage a ***Do Pass*** recommendation for HB 1100.

**TESTIMONY ON HB 1100
HOUSE EDUCATION COMMITTEE**

January 14, 2025

**By: Lynelle Johnson, Director of Child Nutrition and Food Distribution
Programs
701-328-4565**

North Dakota Department of Public Instruction

Chairman Heinert and Members of the Committee:

My name is Lynelle Johnson and I am the Director of Child Nutrition and Food Distribution Programs with the Department of Public Instruction. I am here to provide information regarding HB 1100

The National School Lunch and Breakfast Programs are federally administered by the United States Department of Agriculture (USDA) and implemented at the state level through NDDPI. In North Dakota, 168 public school districts and 25 non-public schools, encompassing approximately 117,000 students, participate in the National School Lunch Program. A majority of these districts also participate in the School Breakfast Program.

As part of our role in administering USDA Child Nutrition and Food Distribution Programs, our office ensures program operators comply with federal laws and regulations. One such requirement, established by USDA in 2017, mandates that schools participating in the National School Lunch and/or School Breakfast Programs develop and communicate a written policy for handling unpaid meal charges. Districts

are required to communicate these policies in writing annually to households, school personnel, and the public. Following the passage of North Dakota House Bill 1494 during the 2023 biennium, the North Dakota School Board Association developed a policy template to assist districts in creating and communicating their meal charge policy to comply with HB 1494. A copy of HB 1494 is included with my testimony.

The NDDPI Child Nutrition and Food Distribution Programs office reviews the meal charge policy during compliance monitoring as part of our School Nutrition Programs Administrative Review process. Our review ensures that the meal charge policy content meets federal requirements, meets House Bill 1494's requirements, and is communicated as required.

All schools received technical assistance on meal charge policy procedures during the 2023-24 school year, and if they haven't updated their policy, they will receive Corrective Action during the 24-25 school year during Administrative Reviews.

Since the passing of House Bill 1494, many school districts across the state have expressed significant concern over rising lunch debt, with some reporting record-high negative balances. While the current policies allow students to receive a meal regardless of their financial status, they do not prevent unpaid charges from accruing. NDDPI does not collect lunch debt information from individual schools; however, we provide guidance on managing and collecting meal debt. Schools may carry forward

negative balances year to year and still consider the debt collectible. Despite districts' efforts to collect unpaid meal charges, a portion of the debt inevitably becomes unrecoverable. Once deemed uncollectable, districts must use nonfederal funding sources—such as donations or the district's general fund—to repay the school food service account.

Business practices for managing and addressing unpaid meal debt vary across districts. When schools receive donations to offset meal debt, they must determine how to distribute the funds equitably among students with outstanding balances.

Chairman Heinert and Members of the Committee, this concludes my prepared testimony. I am happy to answer any questions you may have.

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1494
(Representatives Ista, Beltz, Hager, Heinert, Jonas, Mock, Murphy, O'Brien, Richter)
(Senators Barta, Braunberger, Hogan)

AN ACT to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to school meal policies.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

School districts - Policy - School meals.

A school district participating in the Richard B. Russell National School Lunch Act [42 U.S.C. 1751 et seq.] shall adopt a school meals policy and publish the policy on the school district's website. A school meals policy must ensure:

1. A school may not deny a United States department of agriculture reimbursable meal to a student who requests one, unless the student's parent or guardian has provided written permission to the school to withhold a meal. A school may not serve an alternative meal to a student with an unpaid student meal balance or without funds to pay for a meal. This provision does not apply to an a la carte food item or second meal requested by a student during the same meal period.
2. A school may not dispose of or take away from a child any food that already has been served to the child on account of the child having an unpaid student meal balance or lacking the funds to pay for a meal.
3. A school may not identify or stigmatize a student as receiving a free, reduced-price, or full-price meal, or a meal for which the child lacks funds to pay, including the use of tokens, stickers, stamps, or by placing the child's name on a published list of persons with student meal debt.
4. A school may not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.
5. A school may not require a student to provide services or perform work, including cleaning duties or chores, to pay for school meals debt.
6. A school may contact a student's parent or guardian directly regarding unpaid meals debt or a school meals account without funds to pay for additional meals. A school may require a child deliver a sealed letter addressed to the child's parent or guardian containing a written communication regarding the unpaid school meal debt. The letter may not be distributed to the child in a manner that stigmatizes the child.
7. A school shall adopt policies to encourage or provide an incentive for a parent or guardian of a student to apply for free or reduced meals through the Richard B. Russell National School Lunch Act [42 U.S.C. 1751 et seq.], including when a student has unpaid school meals debt.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1494.

House Vote: Yeas 90 Nays 1 Absent 3

Senate Vote: Yeas 47 Nays 0 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State

**House Education Committee
Jan 14th, 2025 HB 1100
Testimony in Support**

Dear Chair Heinert and the members of the House Education Committee,

I urge a “Do Pass” on HB 1100

I’m a suicide prevention advocate and an expert in our state’s Youth Risk Behavior Survey data. When looking at questions of hunger, approximately 3.5% of our middle school and 2.0% of our high school students struggle with not enough food at home.

YRBS Question	Trans	LGB	Straight
ND 23qn42-CDC QN61(MnHnger30d). Percentage of students who most of the time or always went hungry because there was not enough food in their home (during the 30 days before the survey)	10.9%	5.60%	3.3%
NDH23qn71-CDC qn109 (HnHngr30d). Percentage of students who most of the time or always went hungry because there was not enough food in their home (during the 30 days before the survey)	13.2%	2.5%	2.1%

While this is not necessarily a direct relationship to school meals, it does highlight an immense need. These statistics represent thousands of students who are going hungry in our state. Who may only have school meals to eat each day. Who may be part of struggling families and choose to go without food to not be a burden at home.

The policy aspects of this bill are above my head, but I do acutely understand the struggles of our youth today. I understand how many feel hopeless, who struggle, and who sometimes starve. While I don’t know the answers, I support any direction that will help keep our youth fed.

Thank you for your time, consideration, and service to our state,
Faye Seidler



North Dakota Small Organized Schools

Mr. Michael Heilman
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Vice-President
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Steve.heim@k12.nd.us
701-465-3732

Testimony in Support of HB 1100

Chairman Heinert and members of the House Education Committee. I am writing in support of HB 1100 to allocate \$6,000,000 to address school district delinquent meal debt and provide a report to legislative management. Access to nutritious meals is fundamental to the well-being and academic success of our students. For many children, the meals they receive at school are their most reliable source of nourishment. Without this support, students from families facing financial hardship often go hungry, impacting their ability to focus, learn, and achieve their full potential. By addressing delinquent meal debt, we ensure that no student in North Dakota is stigmatized or denied access to the nutrition they need to thrive.

Delinquent meal debt is not merely a financial issue—it is a humanitarian one. It reflects the economic struggles of some of our families across the state and places undue stress on school districts already managing tight budgets. This grant would alleviate financial pressures on schools while ensuring that children are treated with dignity and compassion. Furthermore, it sends a powerful message that North Dakota prioritizes the health and future of its youth, recognizing that no child should bear the burden of unpaid meal debts.

Investing in school nutrition is an investment in North Dakota's future. Research shows that students who have consistent access to nutritious meals perform better academically, have fewer behavioral issues, and experience improved overall health. This funding would directly benefit our state by fostering a more equitable learning environment and promoting long-term success for our children. I urge you to support this vital legislation to address delinquent meal debt and affirm our commitment to the well-being of North Dakota's students. This is a step in the right direction and perhaps to a time when school lunches are free to all students. Thank you for your consideration and for championing policies that uplift our children and communities.

Mr. Michael Heilman – Executive Director
North Dakota Small Organized Schools
mheilmanndsos@gmail.com
701.527.4621

Board of Directors

Region 1

Mr. Tim Holte, Supt. Stanley
Mr. Kris Kuehn, Supt. Ray

Region 2

Dr. Kelly Peters, Supt. Lakota
Mr. Steven Heim, Anamoose & Drake

Region 3

Dr. Frank Schill, Supt. Edmore
Mr. David Wheeler, Supt. Manvel

Region 4

Mr. Brian Christopherson, Supt. New Salem
Mr. Russ Ziegler, Supt. Elgin-New Leipzig

Region 5

Mr. Rick Diegel, Supt. Kidder Co.
Mr. Brandt Dick, Supt. Burleigh County

Region 6

Mr. Mitch Carlson, Supt. LaMoure
Dr. Steven Johnson, Supt. Ft. Ransom

The mission of NDSOS is to provide leadership for the small/rural schools in North Dakota and to support legislation favorable to their philosophy while opposing legislation that is harmful.

1 Tuesday, January 14, 2025

2 Levi Bachmeier, Business Manager, West Fargo Public Schools (WFPS)

3 Support for HB 1100

4 Good morning Chairman Heinert and members of the House Education
5 Committee. My name is Levi Bachmeier, I am the Business Manager at West
6 Fargo Public Schools. I am here today to speak to you in support of House Bill
7 1100.

8 Since the legislative change to student meal supports in 2023, our district is on
9 track to experience a 25-fold increase in unpaid meal debt. At this rate, we project
10 to end the school year with over \$250,000 in unpaid balances. This is not
11 exclusively a WFPS issue: in September data was shared with the interim School
12 Funding Task Force highlighting how a smaller district had more meal debt by
13 Labor Day than we have accumulated by Christmas. This is an unsustainable
14 financial burden, exceeding the annual cost of hiring three new teachers. Without
15 legislative support, our district faces the difficult reality of reallocating either
16 state aid or local property tax dollars to cover this deficit, diverting critical
17 resources away from all students to subsidize a small subset of families who are
18 above the 200% poverty threshold.

19 We have implemented proactive measures to address this issue. Our district
20 contacts families regularly to inform them with automated text messages of
21 negative balances and ensure they are aware of their obligation to pay. Despite
22 these efforts, the perception that school lunches should be free—combined with
23 the growing understanding of limited recourse for nonpayment—has contributed
24 to a ballooning of meal debt.

1 HB 1100 represents a critical step forward in addressing this challenge. By
2 providing turnback funding to help defray the costs of unpaid meal debt, this
3 legislation helps ensure that state aid dollars and property tax funds remain
4 focused on their primary mission: educating students.

5 It is important to emphasize that this issue is not just about numbers; it is about
6 fairness and equity. Every dollar diverted to cover unpaid meal balances is a
7 dollar that could have been invested in classroom resources, technology,
8 extracurricular programs, or additional staff to support students. Our educators
9 and school leaders work hard to provide the best possible education to every
10 child, but the system is undermined when financial resources are strained by a
11 few who fail to meet their obligations.

12 We support efforts to assist families in need, including robust free and reduced-
13 price meal programs. However, the current system is unsustainable and
14 inequitable. I respectfully request you to support House Bill 1100. By addressing
15 this critical issue, you will provide much-needed relief to school districts, protect
16 valuable educational resources, and uphold the principle of fairness for all
17 students and families.

18 Thank you for allowing me to testify today. I will now stand for questions if there
19 are any at this time.

2025 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1100
1/21/2025

A BILL for an Act to provide an exemption to continue free school meal funding for delinquent meal debt and to provide for a legislative management report.

2:02 p.m. Chairman Heinert called the meeting to order.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Hauck, Heilman, Jonas, Longmuir, Maki, Marchall, Morton, Novak, Osowski

Discussion Topics:

- Committee action

2:03 p.m. Vice Chair Schreiber- Beck moved a Do Pass a Rereferred to appropriations.

2:03 p.m. Representative Heilman seconded the motion.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Dori Hauck	Y
Representative Matthew Heilman	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Roger A. Maki	Y
Representative Andrew Marschall	Y
Representative Desiree Morton	Y
Representative Anna S. Novak	Y
Representative Doug Osowski	Y

Motion Passed: 14-0-0

Bill Carrier: Representative Jonas

2:06 p.m. Chairman Heinert closed the hearing.

Leah Kuball, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1100 ([25.0574.01000](#))

Education Committee (Rep. Heinert, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1100 was rereferred to the **Appropriations Committee**.

2025 HOUSE APPROPRIATIONS

HB 1100

2025 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Roughrider Room, State Capitol

HB 1100
2/6/2025

A BILL for an Act to provide an exemption to continue free school meal funding for delinquent meal debt and to provide for a legislative management report.

8:33 a.m. Chairman Vigesaa called the meeting to order.

Members Present: Chairman Vigesaa, Vice Chairman Kempenich, Representatives Anderson, Berg, Bosch, Brandenburg, Fisher, Hanson, Louser, Martinson, Meier, Mitskog, Monson, Murphy, Nathe, Nelson, O'Brien, Pyle, Richter, Sanford, Stemen, Swiontek, Wagner

Discussion Topics:

- North Dakota Schools
- School Boards
- Low-Income Families
- Free and Reduced School Meals
- School Debt

8:35 a.m. Representative Heinert, North Dakota Legislature, introduced the Bill.

8:50 a.m. Lynelle Johnson, DPI Director of Child Nutrition and Food Distribution, answered questions.

9:06 a.m. Representative Heinert, North Dakota Legislature, answered questions.

9:09 a.m. Chairman Vigesaa closed the meeting.

Sierra Schartz, Committee Clerk

2025 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Roughrider Room, State Capitol

HB 1100
2/6/2025

A BILL for an Act to provide an exemption to continue free school meal funding for qualified delinquent meal debt and to provide for a legislative management report.

10:39 a.m. Chairman Vigesaa opened the meeting.

Members Present: Chairman Vigesaa, Representatives Anderson, Berg, Bosch, Brandenburg, Fisher, Hanson, Louser, Martinson, Meier, Mitskog, Monson, Murphy, Nathe, Nelson, O'Brien, Pyle, Richter, Sanford, Stemen, Swiontek, Wagner

Member absent: Vice Chairman Kempenich

Discussion Topics:

- North Dakota Schools
- School Boards
- Free and Reduced School Meals

10:57 a.m. Representative Nelson moved to amend to limit the bill to the debt incurred within the current biennium.

10:57 a.m. Representative Brandenburg seconded the motion.

10:57 a.m. Roll Call Vote

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	A
Representative Bert Anderson	Y
Representative Mike Berg	Y
Representative Glen Bosch	Y
Representative Mike Brandenburg	Y
Representative Jay Fisher	Y
Representative Karla Rose Hanson	Y
Representative Scott Louser	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative David Monson	Y
Representative Eric J. Murphy	Y
Representative Mike Nathe	A
Representative Jon O. Nelson	Y
Representative Emily O'Brien	A
Representative Brandy L. Pyle	Y
Representative David Richter	Y

Representative Mark Sanford	Y
Representative Gregory Stemen	Y
Representative Steve Swiontek	Y
Representative Scott Wagner	Y

10:58 a.m. Motion passed 20-0-3.

10:59 a.m. Representative Murphy moved Do Pass as Amended.

10:59 a.m. Representative Mitskog seconded the motion.

10:59 a.m. Roll Call Vote.

Representatives	Vote
Representative Don Vigesaa	N
Representative Keith Kempenich	A
Representative Bert Anderson	N
Representative Mike Berg	N
Representative Glen Bosch	N
Representative Mike Brandenburg	N
Representative Jay Fisher	N
Representative Karla Rose Hanson	Y
Representative Scott Louser	N
Representative Bob Martinson	N
Representative Lisa Meier	N
Representative Alisa Mitskog	Y
Representative David Monson	N
Representative Eric J. Murphy	Y
Representative Mike Nathe	N
Representative Jon O. Nelson	N
Representative Emily O'Brien	A
Representative Brandy L. Pyle	N
Representative David Richter	N
Representative Mark Sanford	N
Representative Gregory Stemen	N
Representative Steve Swiontek	N
Representative Scott Wagner	N

11:00 a.m. Motion failed 3-18-2.

11:02 a.m. Representative Louser moved a Do Not Pass as Amended.

11:02 a.m. Representative Stemen seconded the motion.

11:02 a.m. Roll Call Vote

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	A

Representative Bert Anderson	Y
Representative Mike Berg	Y
Representative Glen Bosch	Y
Representative Mike Brandenburg	Y
Representative Jay Fisher	Y
Representative Karla Rose Hanson	N
Representative Scott Louser	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	N
Representative David Monson	Y
Representative Eric J. Murphy	N
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	A
Representative Brandy L. Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Gregory Stemen	Y
Representative Steve Swiontek	Y
Representative Scott Wagner	Y

11:02 a.m. Motion passed 18-3-2.

11:02 a.m. Representative Louser will carry the bill.

11:02 a.m. Chairman Vigasaa closed the meeting.

Krystal Eberle for Sierra Schartz, Committee Clerk

February 6, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1100

Introduced by

Representatives Jonas, Longmuir, Murphy, Pyle, Richter

Senator Roers

1 A BILL for an Act to provide an exemption to continue free school meal funding for qualified
2 delinquent meal debt and to provide for a legislative management report.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. EXEMPTION - DEPARTMENT OF PUBLIC INSTRUCTION - GRANTS FOR**
5 **FREE MEALS - QUALIFIED DELINQUENT MEAL DEBT - LEGISLATIVE MANAGEMENT**
6 **REPORT.** The sum of \$6,000,000 from the general fund appropriated to the department of
7 public instruction for grants for free meals in section 17 of chapter 173 of the 2023 Session
8 Laws is not subject to section 54-44.1-11 and any unspent funds may be continued into the
9 biennium beginning July 1, 2025, and ending June 30, 2027. The superintendent of public
10 instruction shall use the funding continued into the 2025-27 biennium to provide grants to
11 reimburse school districts for qualified delinquent meal debt. For purposes of this section,
12 "qualified delinquent meal debt" is defined as meal debt incurred between July 1, 2023, and
13 June 30, 2025. Grant funds must be provided to each school district based on the district's
14 prorated share of total statewide qualified delinquent meal debt as of June 30, 2025, not to
15 exceed the school district's actual amount of delinquent meal debt as of June 30, 2025. The
16 superintendent of public instruction shall report to legislative management regarding the funding
17 continued, total delinquent meal debt by school district, and qualified delinquent meal debt grant
18 funding provided to each school district.

**REPORT OF STANDING COMMITTEE
HB 1100**

Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS** ([25.0574.01001](#)) and when so amended, recommends **DO NOT PASS** (18 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). HB 1100 was placed on the Sixth order on the calendar.