

2025 SENATE STATE AND LOCAL GOVERNMENT

SB 2134

2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee Room JW216, State Capitol

SB 2134
1/16/2025

Relating to composition of the teachers' fund for retirement board.

10:33 a.m. Vice Chairman Castaneda called the meeting to order.

Members Present: Chair Roers; Vice Chairman Castaneda; Senators: Barta, Braunberger, Lee and Walen.

Discussion Topics:

- Board members
- Superintendent designee

10:33 a.m. Senator Roers introduced the bill.

10:35 a.m. Jim Upgren, Legislative liaison and Assistant Director in the Office of School Approval and Opportunity for Department of Public Instruction, testified in favor and submitted testimony #29855.

10:37 a.m. Chair Roers closed hearing.

10:38 a.m. Senator Lee moved a Do Pass on amendment #25.0587.01001.

10:38 a.m. Senator Braunberger seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion passed 6-0-0

10:39 a.m. Senator Barta moved a Do Pass as Amended.

10:39 a.m. Senator Braunberger seconded the motion.

Senators	Vote
Senator Kristin Roers	Y
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Judy Lee	Y

Senator Chuck Walen	Y
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Motion Passed 6-0-0

Senator Barta will carry the bill.

10:41 a.m. Vice Chairman Castaneda closed the hearing.

Susan Helbling, Committee Clerk

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2134

Introduced by

Senators Roers, Davison, Dever

Representatives Dockter, Schauer, Stemen

1 A BILL for an Act to amend and reenact subsection 1 of section 15-39.1-05.1 of the North
2 Dakota Century Code, relating to the composition of the teachers' fund for retirement board.

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

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 15-39.1-05.1 of the North Dakota
5 Century Code is amended and reenacted as follows:

- 6 1. The authority to set policy for the fund rests in a board of trustees composed as
7 follows:
- 8 a. The governor shall appoint, from a list of three nominees submitted to the
9 governor by North Dakota united, two board members who are actively employed
10 as elementary or secondary teachers in full-time positions not classified as
11 school administrators. A board member appointed under this subdivision who
12 terminates employment may not continue to serve as a member of the board.
- 13 b. The governor shall appoint, from a list of three nominees submitted to the
14 governor by the North Dakota council of educational leaders, one board member
15 who is actively employed as a full-time school administrator. A board member
16 appointed under this subdivision who terminates employment may not continue
17 to serve as a member of the board.
- 18 c. The governor shall appoint, from a list of three nominees submitted to the
19 governor by the North Dakota retired teachers association, two board members
20 who are the retired members of the fund.

- 1 d. The state treasurer, or a designee from the office of state treasurer, and the
- 2 superintendent of public instruction, or a designee from the department of public
- 3 instruction.

**REPORT OF STANDING COMMITTEE
SB 2134**

State and Local Government Committee (Sen. Roers, Chairman) recommends **AMENDMENTS** ([25.0587.01001](#)) and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2134 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Jim Upgren
1/16/25
SB 2134
IN FAVOR

TESTIMONY ON SB 2134
SENATE STATE AND LOCAL GOVERNMENT COMMITTEE

January 16, 2025

By: Jim Upgren, Legislative Liaison

701-328-2244

North Dakota Department of Public Instruction

Chairman Roers and Members of the Committee:

My name is Jim Upgren, Legislative Liaison and Assistant Director in the Office of School Approval and Opportunity for the Department of Public Instruction. I am here on behalf of the department to speak in support of SB 2134.

NDCC 15-39.1-05.1(1), which lists the members of the Teacher Fund for Retirement (TFFR) Board of Trustees, lists the Superintendent of Public Instruction as a voting member of the board. We support the idea of allowing the Superintendent to appoint a designee if she is not able to attend. The Superintendent is directed to serve on over forty boards, committees, and councils and often these meetings overlap. This will ensure that, if the Superintendent has conflicts with the TFFR meeting, the department will retain its voting representation and be able to contribute ideas and fully participate in the decision making of the TFFR Board of Trustees. We request that the committee give a "Do Pass" recommendation to SB 2134.

Chairman Roers and Members of the Committee that concludes my prepared testimony and I will stand for any questions that you may have.

2025 HOUSE POLITICAL SUBDIVISIONS

SB 2134

2025 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Room JW327B, State Capitol

SB 2134
3/20/2025

A BILL for an Act to amend and reenact subsection 1 of section 15-39.1-05.1 of the North Dakota Century Code, relating to the composition of the teachers' fund for retirement board.

2:40 p.m. Chairman Longmuir opened the hearing.

Members Present: Chairman Longmuir, Vice-Chairman Fegley, Vice-Chairman Jonas, Representatives Bolinske, Davis, Hager, Hatlestad, Heilman, Klemin, Motschenbacher, Ostlie, Toman, Warrey

Discussion Topics:

- Teacher Fund for Retirement superintendent duties
- Committee action

2:40 p.m. Jim Upgren, Legislative Liaison for the North Dakota Department of Public Instruction, testified in favor and provided testimony #42904.

2:42 p.m. Representative Warrey moved a Do Pass.

2:43 p.m. Representative Davis seconded the motion.

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jim Jonas	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Matthew Heilman	Y
Representative Lawrence R. Klemin	Y
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	A
Representative Nathan Toman	Y
Representative Jonathan Warrey	Y

2:43 p.m. Motion passed 12-0-1.

2:44 p.m. Unanimous decision to be placed on Consent Calendar

2:44 p.m. Representative Davis will carry the bill.

House Political Subdivisions Committee

SB 2134

March 20, 2025

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2:44 p.m. Chairman Longmuir closed the hearing.

Wyatt Armstrong, Committee Clerk

**REPORT OF STANDING COMMITTEE
ENGROSSED SB 2134 ([25.0587.02000](#))**

Political Subdivisions Committee (Rep. Longmuir, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 1 ABSENT OR EXCUSED AND NOT VOTING). SB 2134 was placed on the Tenth order on the calendar.

TESTIMONY ON SB 2134
HOUSE POLITICAL SUBDIVISIONS COMMITTEE
March 20, 2025
By: Jim Upgren, Legislative Liaison
701-328-2244
North Dakota Department of Public Instruction

Chairman Longmuir and Members of the Committee:

My name is Jim Upgren, Legislative Liaison for the Department of Public Instruction. I am here on behalf of the department to speak in support of SB 2134.

NDCC 15-39.1-05.1(1), which lists the members of the Teacher Fund for Retirement (TFFR) Board of Trustees, lists the Superintendent of Public Instruction as a voting member of the board. We support the idea of allowing the Superintendent to appoint a designee if she is not able to attend. The Superintendent is directed to serve on over forty boards, committees, and councils and often these meetings overlap. This will ensure that, if the Superintendent has conflicts with the TFFR meeting, the department will retain its voting representation and be able to contribute ideas and fully participate in the decision making of the TFFR Board of Trustees. We request that the committee give a “Do Pass” recommendation to SB 2134.

Chairman Longmuir and Members of the Committee that concludes my prepared testimony and I will stand for any questions that you may have.