

**2023 SENATE EDUCATION**

**SB 2380**

# 2023 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

SB 2380  
1/30/2023

Relating to administrative cost sharing for cooperating districts and special education units.
------------------------------------------------------------------------------------------------

10:30 AM Chair Elkin opened the hearing. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

**Discussion Topics:**

- Incentives
- Non duplication

Sen Davison, Dist 41, bill sponsor testified in support with no written testimony.

**Additional written testimony:**

Alexis Baxley, ND SBA in support #17557

10:43 AM Hearing was closed.

*Pam Dever, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

SB 2380  
1/30/2023

Relating to administrative cost sharing for cooperating districts and special education units.
------------------------------------------------------------------------------------------------

2:51 PM Chair Elkin opened committee work. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema

**Discussion Topics:**

- Bill review

Sen Axtman provided information.

Chair Elkin asked intern to work with Sen Axtman.

**Additional written testimony:**

Alexis Baxley, School Board Assoc, in support #17557

2:56 PM Chair Elkin adjourned the meeting.

*Pam Dever, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

SB 2380  
1/30/2023

Relating to administrative cost sharing for cooperating districts and special education units.
------------------------------------------------------------------------------------------------

3:17 PM Chair Elkin opened committee work. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

**Discussion Topics:**

- Committee action

Sen Axtman explained amendment 23.1106.01001

Sen Axtman moved a DO PASS on amendment. Sen Conley seconded the motion.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

VOTE: YES 6 NO 0 Absent 0

Motion PASSED

Sen Axtman moved a DO PASS as Amended and rerefer to Appropriations.  
Sen Wobbema seconded the motion.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

VOTE: YES 6 NO 0 Absent 0

Motion PASSED

Sen Axtman will carry the bill.

3:30 PM Meeting was adjourned.

*Pam Dever, Committee Clerk*

January 30, 2023

PROPOSED AMENDMENTS TO SENATE BILL NO. 2380

Page 1, line 24, after "employ" insert "or contract with"

Page 2, line 1, after "manager" insert ", or both,"

Page 2, line 1, after "employ" insert "or contract with"

Page 2, line 3, after the comma insert "or both,"

Page 2, line 5, after "manager" insert ", or both,"

Page 2, line 6, after "manager" insert ", or both,"

Page 2, line 12, after "manager" insert ", or both,"

Page 2, line 13, after "manager" insert ", or both,"

Page 2, line 13, after "employed" insert "or contracted"

Page 2, line 16, after "manager" insert ", or both,"

Page 2, line 17, after "manager" insert ", or both,"

Page 3, line 2, after "manager" insert ", or both,"

Page 3, line 3, after "manager" insert ", or both,"

Renumber accordingly

*DR*  
*1/31*  
*1-30-2023*

**REPORT OF STANDING COMMITTEE**

**SB 2380: Education Committee (Sen. Elkin, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2380 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 24, after "employ" insert "or contract with"

Page 2, line 1, after "manager" insert ", or both."

Page 2, line 1, after "employ" insert "or contract with"

Page 2, line 3, after the comma insert "or both."

Page 2, line 5, after "manager" insert ", or both."

Page 2, line 6, after "manager" insert ", or both."

Page 2, line 12, after "manager" insert ", or both."

Page 2, line 13, after "manager" insert ", or both."

Page 2, line 13, after "employed" insert "or contracted"

Page 2, line 16, after "manager" insert ", or both."

Page 2, line 17, after "manager" insert ", or both."

Page 3, line 2, after "manager" insert ", or both."

Page 3, line 3, after "manager" insert ", or both."

Renumber accordingly

**2023 SENATE APPROPRIATIONS**

**SB 2380**

# 2023 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2380  
2/6/2023

A BILL for an Act relating to administrative cost-sharing for cooperating districts and special education units.
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2:40 PM Chairman Sorvaag opened the hearing on SB 2380.

Members present: Senators Sorvaag, Rust, Schaible, and Meyer

Members absent: Senator Krebsbach

### **Discussion Topics:**

- Cooperating school districts
- Administrative cost sharing

2:40 PM Senator Davison, introduced the bill, testimony in favor, no written testimony

2:46 PM Adam Tescher, School Finance Officer North Dakota Department of Public Instruction, testified as neutral, no written testimony

2:48 PM Chairman Sorvaag closed the hearing.

2:48 PM Committee discussion on possible amendment, Engrossed Senate Bill (Christmas tree version), testimony # 27893.

No action taken.

2:51 PM Chairman Sorvaag adjourned the meeting.

*Kathleen Hall, Committee Clerk*



# 2023 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2380  
2/7/2023

A BILL for an Act relating to administrative cost-sharing for cooperating districts and special education units.

11:44 AM Chairman Sorvaag opened the meeting for SB 2380.

Members present: Senators Sorvaag, Krebsbach, Rust, Schaible, and Meyer

### Discussion Topics:

- Administrative cost sharing
- Cooperating school districts

11:44 AM Senator Schaible introduced the bill and amendment LC 23.1106.02001. #27893

11:44 AM Senator Schaible moved to adopt amendment 23.1106.02001.  
Senator Meyer seconded the motion.

Senators	Vote
Senator Ronald Sorvaag	Y
Senator Karen K. Krebsbach	Y
Senator Scott Meyer	Y
Senator David S. Rust	Y
Senator Donald Schaible	Y

Motion passed 5-0-0.

11:45 AM Senator Schaible moved DO PASS AS AMENDED.  
Senator Meyer seconded the motion.

Senators	Vote
Senator Ronald Sorvaag	Y
Senator Karen K. Krebsbach	Y
Senator Scott Meyer	Y
Senator David S. Rust	Y
Senator Donald Schaible	Y

Motion passed 5-0-0.

Senator Schaible will carry the bill to the full committee.

11:47 AM Chairman Sorvaag closed the meeting.

*Kathleen Hall, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

## Appropriations Committee Roughrider Room, State Capitol

SB 2380  
2/9/2023

Relating to administrative cost-sharing for cooperating districts and special education units.
------------------------------------------------------------------------------------------------

**10:36 AM** Senator Bekkedahl opened the meeting.

Senators Present: **Senators Bekkedahl, Krebsbach, Burckhard, Davison, Dever, Erbele, Kreun, Meyer, Roers, Schaible, Sorvaag, Vedaa, Wanzek, Rust, and Mathern.**  
Senators Absent: **Senator Dwyer**

### Discussion Topics:

- Committee action

**10:36 AM Senator Schaible** introduced the bill.

**10:39 AM Senator Schaible** moved to adopt AMENDMENT. LC 23.1106.02001

**10:39 AM Senator Sorvaag** seconded the motion.

**10:39 AM** Roll call vote

Senators	Vote
Senator Brad Bekkedahl	Y
Senator Karen K. Krebsbach	Y
Senator Randy A. Burckhard	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	AB
Senator Robert Erbele	Y
Senator Curt Kreun	Y
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Jim P. Roers	Y
Senator Donald Schaible	Y
Senator Ronald Sorvaag	Y
Senator Shawn Vedaa	Y
Senator Terry M. Wanzek	Y
Senator Rust	Y

The motion passed 15-0-1.

**10:40 AM Senator Schaible** moved DO PASS as AMENDED.

**10:40 AM Senator Sorvaag** seconded the motion.

10:40 AM Roll call vote.

<b>Senators</b>	<b>Vote</b>
Senator Brad Bekkedahl	Y
Senator Karen K. Krebsbach	Y
Senator Randy A. Burckhard	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	AB
Senator Robert Erbele	Y
Senator Curt Kreun	Y
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Jim P. Roers	Y
Senator Donald Schaible	Y
Senator Ronald Sorvaag	Y
Senator Shawn Vedaa	Y
Senator Terry M. Wanzek	Y
Senator Rust	Y

The motion passed 15-0-1.

**Senator Schaible** will carry the bill.

**10:41 AM Chairman Bekkedahl** closed the meeting.

*Kathleen Hall, Committee Clerk*

At  
2-9-23  
(1-1)

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2380

Page 1, line 2, after "units" insert "; and to provide an appropriation"

Page 1, line 7, remove the overstrike over "~~Effective through June 30,~~ "

Page 1, line 7, after "~~2024~~" insert "2026"

Page 1, line 7, remove the overstrike over the boldfaced closing parenthesis

Page 1, line 23, after "district" insert "in the state"

Page 1, line 24, after the first "unit" insert "in the state"

Page 2, line 12, after "below" insert "each year for four years. The prorated reimbursement is"

Page 3, line 8, remove the overstrike over "~~Per student payments – Cooperating districts.  
(Effective after June 30,~~ "

Page 3, line 8, after "~~2024~~" insert "2026"

Page 3, line 8, remove the overstrike over the boldfaced closing parenthesis

Page 3, remove the overstrike over lines 9 through 23

Page 3, after line 23 insert:

**"SECTION 2. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION - COOPERATING SCHOOL DISTRICT AND SPECIAL EDUCATION UNIT ADMINISTRATIVE COST-SHARING REIMBURSEMENT PROGRAM.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing administrative cost-sharing reimbursements to eligible cooperating school districts and special education units in the state, for the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2380, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2380 was placed on the Sixth order on the calendar. This bill affects workforce development.

Page 1, line 2, after "units" insert "; and to provide an appropriation"

Page 1, line 7, remove the overstrike over "~~(Effective through June 30,~~ "

Page 1, line 7, after "~~2024~~" insert "**2026**"

Page 1, line 7, remove the overstrike over the boldfaced closing parenthesis

Page 1, line 23, after "district" insert "in the state"

Page 1, line 24, after the first "unit" insert "in the state"

Page 2, line 12, after "below" insert "each year for four years. The prorated reimbursement is"

Page 3, line 8, remove the overstrike over "~~Per student payments – Cooperating districts. (Effective after June 30,~~ "

Page 3, line 8, after "~~2024~~" insert "**2026**"

Page 3, line 8, remove the overstrike over the boldfaced closing parenthesis

Page 3, remove the overstrike over lines 9 through 23

Page 3, after line 23 insert:

**"SECTION 2. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION - COOPERATING SCHOOL DISTRICT AND SPECIAL EDUCATION UNIT ADMINISTRATIVE COST-SHARING REIMBURSEMENT PROGRAM.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so much of the sum as may be necessary, to the department of public instruction for the purpose of providing administrative cost-sharing reimbursements to eligible cooperating school districts and special education units in the state, for the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

**2023 HOUSE EDUCATION**

**SB 2380**

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

SB 2380  
3/15/2023

Relating to administrative cost-sharing for cooperating districts and special education units; and to provide an appropriation.
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2:49 PM Chairman Heinert opened the hearing.

Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

## **Discussion Topics:**

- Consolidated administration
- Administrator or business manager
- Effective date
- Fiscal Note

Sen Davison, District 41, introduced SB 2380, oral testimony  
Alexis Baxley, Executive Director NDSBA, Testimony 24945  
Kirsten Baesler, State Superintendent, ND DPI, oral testimony

2:59 PM Chairman Heinert closed the hearing.

*Kathleen Davis, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Coteau AB Room, State Capitol

SB 2380  
3/20/2023

Relating to administrative cost-sharing for cooperating districts and special education units; and to provide an appropriation.
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3:14 PM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

### Discussion Topics:

- Committee action

Rep Schreiber-Beck moved a Do Pass and Rerefer to Appropriations, seconded by Rep Jonas.

<b>Representatives</b>	<b>Vote</b>
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative Scott Dyk	Y
Representative LaurieBeth Hager	Y
Representative Dori Hauck	Y
Representative Matt Heilman	Y
Representative Jeff A. Hoverson	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Andrew Marschall	Y
Representative Eric James Murphy	AB
Representative Anna S. Novak	Y
Representative Kelby Timmons	Y

**13-0-1 Motion carried.** Rep Schreiber-Beck is carrier.

3:16 PM Meeting adjourned.

*Kathleen Davis, Committee Clerk*



**REPORT OF STANDING COMMITTEE**

**SB 2380, as reengrossed: Education Committee (Rep. Heinert, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed SB 2380 was rereferred to the Appropriations Committee.**

**2023 HOUSE APPROPRIATIONS**

**SB 2380**

# 2023 HOUSE STANDING COMMITTEE MINUTES

**Appropriations Committee**  
Brynhild Haugland Room, State Capitol

SB 2380  
3/28/2023

Relating to administrative cost-sharing for cooperating districts and special education units; and to provide an appropriation
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**8:52 AM Chairman Vigesaa** Called the meeting to order and roll call was taken-

**Members present;** Chairman Vigesaa, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

**Members not Present-** Representative Kempenich

## **Discussion Topics:**

- State Reimbursement
- Sunset Date Change
- ESSER Funds

**Representative Heinert-** Introduces the bill and its purpose.

**Adam Tescher- NDDPI School Finance Officer-** Answers questions for the committee

**9:14 AM Chairman Vigesaa** Closed the meeting for SB 2380

*Risa Berube, Committee Clerk*

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Appropriations Committee Brynhild Haugland Room, State Capitol

SB 2380  
3/28/2023

Relating to administrative cost-sharing for cooperating districts and special education units; and to provide an appropriation

**11:03 AM Chairman Vigesaa** Called the meeting to order and roll call was taken-

**Members present;** Chairman Vigesaa, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden and Representative G. Stemen

**Members not Present-** Representative Kempenich and Representative Swiontek

### Discussion Topics:

- Committee Action

**Chairman Vigesaa** Opens- Committee discussion.

**Representative Nathe** Move to amend increasing 100 thousand to 250 thousand with half the funds coming from ESSER and rest from general funds

**Representative Monson** Seconds the motion

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	A
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y

Representative Emily O'Brien	Y
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	Y
Representative Steve Swiontek	A

**Motion Carries 21-0-2**

**Representative Nathe-** Move for a Do Pass as Amended

**Representative Richter-**Seconds the Motion

<b>Representatives</b>	<b>Vote</b>
Representative Don Vigesaa	Y
Representative Keith Kempenich	A
Representative Bert Anderson	Y
Representative Larry Bellew	N
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	Y
Representative Steve Swiontek	A

**Motion Carries 20-1-2 Representative Monson will carry the bill**

**11:08 AM Chairman Vigesaa** Closed the meeting for SB 2380

*Risa Berube, Committee Clerk*

JA  
 3-29-23

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2380

Page 3, line 29, replace "\$100,000" with "\$125,000"

Page 3, line 30, after the comma insert "and out of any moneys from federal funds derived from the elementary and secondary school emergency relief fund, not otherwise appropriated, the sum of \$125,000, or so much of the sum as may be necessary,"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2380 - Department of Public Instruction - House Action**

	Base Budget	Senate Version	House Changes	House Version
Administrative cost-sharing		\$100,000	\$150,000	\$250,000
Total all funds	\$0	\$100,000	\$150,000	\$250,000
Less estimated income	0	0	125,000	125,000
General fund	\$0	\$100,000	\$25,000	\$125,000
FTE	0.00	0.00	0.00	0.00

**Department 201 - Department of Public Instruction - Detail of House Changes**

	Adds Funding for Administrative Cost-Sharing <sup>1</sup>	Total House Changes
Administrative cost-sharing	\$150,000	\$150,000
Total all funds	\$150,000	\$150,000
Less estimated income	125,000	125,000
General fund	\$25,000	\$25,000
FTE	0.00	0.00

<sup>1</sup> This amendment adds \$25,000 from the general fund and \$125,000 from the federal Elementary and Secondary School Emergency Relief (ESSER) Fund, for the Department of Public Instruction to provide administrative cost-sharing reimbursements to cooperative districts and special education units. The Senate provided \$100,000 from the general fund. With the additional funding provided by the House, a total of \$250,000, of which \$125,000 is from the general fund and \$125,000 is from federal ESSER funds is appropriated for these reimbursements.

**REPORT OF STANDING COMMITTEE**

**SB 2380, as reengrossed: Appropriations Committee (Rep. Vigesaa, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). Reengrossed SB 2380 was placed on the Sixth order on the calendar.

Page 3, line 29, replace "\$100,000" with "\$125,000"

Page 3, line 30, after the comma insert "and out of any moneys from federal funds derived from the elementary and secondary school emergency relief fund, not otherwise appropriated, the sum of \$125,000, or so much of the sum as may be necessary,"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2380 - Department of Public Instruction - House Action**

	Base Budget	Senate Version	House Changes	House Version
Administrative cost-sharing		\$100,000	\$150,000	\$250,000
Total all funds	\$0	\$100,000	\$150,000	\$250,000
Less estimated income	0	0	125,000	125,000
General fund	\$0	\$100,000	\$25,000	\$125,000
FTE	0.00	0.00	0.00	0.00

**Department 201 - Department of Public Instruction - Detail of House Changes**

	Adds Funding for Administrative Cost-Sharing <sup>1</sup>	Total House Changes
Administrative cost-sharing	\$150,000	\$150,000
Total all funds	\$150,000	\$150,000
Less estimated income	125,000	125,000
General fund	\$25,000	\$25,000
FTE	0.00	0.00

<sup>1</sup> This amendment adds \$25,000 from the general fund and \$125,000 from the federal Elementary and Secondary School Emergency Relief (ESSER) Fund, for the Department of Public Instruction to provide administrative cost-sharing reimbursements to cooperative districts and special education units. The Senate provided \$100,000 from the general fund. With the additional funding provided by the House, a total of \$250,000, of which \$125,000 is from the general fund and \$125,000 is from federal ESSER funds is appropriated for these reimbursements.

**2023 CONFERENCE COMMITTEE**

**SB 2380**



# 2023 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

SB 2380  
4/10/2023  
CONFERENCE COMMITTEE

Relating to administrative cost-sharing for cooperating districts and special education units; provide an appropriation.
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2:30 PM Chair Elkin opened the meeting. Present: Chair Elkin, Sen Conley, Sen Axtman, Chair Schreiber-Beck, Rep Jonas, and Rep Sanford.

**Discussion Topics:**

- Conference action

Chair Elkin brought amendment 23.1106.03002 forward. #27408

Rep Schreiber-Beck moved the House recede from House Amendments and further amend by making the dollar amount \$125 K, not \$100 K.

Rep Jonas seconded the motion.

Roll call vote – motion carried 6-0-0

Rep Schreiber-Beck will carry the bill for House.

Sen Axtman will carry the bill for Senate.

2:35 PM Chair Elkin adjourned the meeting.

*Pam Dever, Committee Clerk*

April 10, 2023

*JA*  
*4-10-23*

**PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2380**

That the House recede from its amendments as printed on pages 1333 and 1334 of the Senate Journal and page 1416 of the House Journal and that Reengrossed Senate Bill No. 2380 be amended as follows:

Page 3, line 29, replace "\$100,000" with "\$125,000"

Re-number accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2380 - Department of Public Instruction - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Administrative cost-sharing		\$100,000	\$25,000	\$125,000	\$250,000	(\$125,000)
Total all funds	\$0	\$100,000	\$25,000	\$125,000	\$0	\$125,000
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$100,000	\$25,000	\$125,000	\$0	\$125,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department 201 - Department of Public Instruction - Detail of Conference Committee Changes**

	Adds Funding for Administrative Cost-Sharing <sup>1</sup>	Total Conference Committee Changes
Administrative cost-sharing	\$25,000	\$25,000
Total all funds	\$25,000	\$25,000
Less estimated income	0	0
General fund	\$25,000	\$25,000
FTE	0.00	0.00

<sup>1</sup> Ongoing funding of \$25,000 is added to provide a total of \$125,000 from the general fund for the Department of Public Instruction to provide administrative cost-sharing reimbursements to cooperative districts and special education units.

The Senate provided \$100,000 from the general fund. The House provided \$250,000, of which \$125,000 was from the general fund and \$125,000 was from federal Elementary and Secondary School Emergency Relief (ESSER) funds.

**2023 SENATE CONFERENCE COMMITTEE  
ROLL CALL VOTES**

BILL/RESOLUTION NO. SB 2380 as (re) engrossed

**Senate Education Committee**

- Action Taken**     **SENATE accede to House Amendments**  
 **SENATE accede to House Amendments and further amend**  
 **HOUSE recede from House amendments**  
 **HOUSE recede from House amendments and amend as follows**
- Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Rep Schreiber-Beck                      Seconded by: Rep Jonas

Senators					Representatives				
	4-10		Yes	No		4-10		Yes	No
Chair Elkin	x		X		Chair Schreiber-Beck	x		X	
Sen Conley	x		X		Rep Jonas	x		X	
Sen Axtman	x		X		Rep Sanford	x		X	
Total Senate Vote			3		Total Rep. Vote			3	

Vote Count            Yes: 6                      No: 0                      Absent: 0

Senate Carrier Sen Axtman                      House Carrier Sen Scheiber-Beck

LC Number 23.1106 . O3002 of amendment

LC Number 23.1106 . 05000 of engrossment

Emergency clause added or deleted

Statement of purpose of amendment  
Change \$100 K money to \$125 K.

**REPORT OF CONFERENCE COMMITTEE**

**SB 2380, as reengrossed:** Your conference committee (Sens. Elkin, Conley, Axtman and Reps. Schreiber-Beck, Jonas, Sanford) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ pages 1333-1334, adopt amendments as follows, and place SB 2380 on the Seventh order:

That the House recede from its amendments as printed on pages 1333 and 1334 of the Senate Journal and page 1416 of the House Journal and that Reengrossed Senate Bill No. 2380 be amended as follows:

Page 3, line 29, replace "\$100,000" with "\$125,000"

ReNUMBER accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2380 - Department of Public Instruction - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Administrative cost-sharing		\$100,000	\$25,000	\$125,000	\$250,000	(\$125,000)
Total all funds	\$0	\$100,000	\$25,000	\$125,000	\$0	\$125,000
Less estimated income	0	0	0	0	0	0
General fund	\$0	\$100,000	\$25,000	\$125,000	\$0	\$125,000
FTE	0.00	0.00	0.00	0.00	0.00	0.00

**Department 201 - Department of Public Instruction - Detail of Conference Committee Changes**

	Adds Funding for Administrative Cost-Sharing <sup>1</sup>	Total Conference Committee Changes
Administrative cost-sharing	\$25,000	\$25,000
Total all funds	\$25,000	\$25,000
Less estimated income	0	0
General fund	\$25,000	\$25,000
FTE	0.00	0.00

<sup>1</sup> Ongoing funding of \$25,000 is added to provide a total of \$125,000 from the general fund for the Department of Public Instruction to provide administrative cost-sharing reimbursements to cooperative districts and special education units.

The Senate provided \$100,000 from the general fund. The House provided \$250,000, of which \$125,000 was from the general fund and \$125,000 was from federal Elementary and Secondary School Emergency Relief (ESSER) funds.

Reengrossed SB 2380 was placed on the Seventh order of business on the calendar.

**TESTIMONY**

**SB 2380**



**NDSBA**  
NORTH DAKOTA SCHOOL  
BOARDS ASSOCIATION

P.O. Box 7128  
Bismarck ND 58507-7128  
1-800-932-8791 • (701)255-4127  
[www.ndsba.org](http://www.ndsba.org)

**SB 2380**  
**Senate Education | January 30, 2023**  
**Testimony of Alexis Baxley**

Good morning, Chairman Elkin, and members of the Senate Education Committee. My name is Alexis Baxley, and I serve as the executive director of the North Dakota School Boards Association. NDSBA represents the elected school boards of all 170 public school districts and several special education units in North Dakota.

The North Dakota School Boards Association stands in support of SB 2380. The incentive in this section of code has been discussed a lot over the past couple of weeks, so I would like to share a little bit about my experience with it. One of the services the NDSBA offers to its members is assistance in hiring superintendents. That assistance is largely administrative in nature – we do not recruit as part of the service – which means I often end up working with many of our smaller, rural districts. These are districts that greatly value quality administrative leadership, but usually understand that they may need to be a little more creative than other districts.

Between the 21-22 and 22-23 school years, I counted at least 25 districts that were looking for a new superintendent at some point. I may have missed some, but even so, it was a higher than usual number. At least four districts inquired with me about the sharing incentive in NDCC § 15.1-27.16. All were disappointed when they learned that to benefit from the incentive, they must share a superintendent AND a business manager with at least one other district. Some readily understood that while sharing one of these positions could be manageable, having a part time employee in both would be very difficult. Others already had longtime business managers that are excellent at their positions that they did not want to lose. Business managers don't always get the credit that they deserve; these individuals manage many of the most technical aspects of running a school district: payroll, purchasing, open records requests, etc. Managing these time sensitive tasks for multiple districts would be difficult.

While one of the districts that I worked with did go on to share a superintendent, they were unable to take advantage of the cost-sharing incentive. I believe more of my districts would have further considered the potential of sharing had the program been an OR situation like SB 2380 looks to create. I cannot say for sure that they would have ultimately decided to go that route, but I believe the changes in SB 2380 are a positive step forward in making this program work for school districts. I urge you to give SB 2380 a do-pass recommendation, and I would stand for any questions. Thank you.



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**SB 2380**  
**House Education | March 15**  
**Testimony of Alexis Baxley**

Good morning, Chairman Heinert, and members of the House Education Committee. My name is Alexis Baxley, and I serve as the executive director of the North Dakota School Boards Association. NDSBA represents the elected school boards of all 170 public school districts and several special education units in North Dakota.

The North Dakota School Boards Association stands in support of SB 2380. The incentive in this section of code has been discussed a lot this session, so I would like to share a little bit about my experience with it. You have heard me share before about the assistance my organization provides to members in hiring superintendents. That assistance is largely administrative in nature – we do not recruit as part of the service – which means I often end up working with many of our smallest rural districts. These are districts that greatly value quality administrative leadership, but usually understand that they may need to be a little more creative than other districts to fill the role.

Between the 21-22 and 22-23 school years, I counted at least 25 districts that were looking for a new superintendent at some point. I may have missed some, but even so, it was a higher than usual number. At least four districts inquired with me about the sharing incentive in NDCC § 15.1-27.16. All were disappointed when they learned that to benefit from the incentive, they must share a superintendent AND a business manager with at least one other district. Some readily understood that while sharing one of these positions could be manageable, having a part time employee in both would be very difficult. Others already had longtime business managers that are excellent at their positions that they did not want to lose. Business managers don't always get the credit that they deserve; these individuals manage many of the most technical aspects of running a school district: payroll, purchasing, open records requests, etc. Managing these time sensitive tasks for multiple districts would be difficult.

While one of the districts that I worked with did go on to share a superintendent, they were unable to take advantage of the cost-sharing incentive. I believe more of my districts would have further considered the potential of sharing had the program been an OR situation like SB 2380 looks to create. I cannot say for sure that they would have ultimately decided to go that route, but I believe the changes in SB 2380 are a positive step forward in making this program work for school districts. I urge you to give SB 2380 a do-pass recommendation, and I would stand for any questions. Thank you.

23.1106.03002

**SECOND ENGROSSMENT**

Sixty-eighth  
Legislative Assembly  
of North Dakota

**REENGROSSED SENATE BILL NO. 2380**

Introduced by

Senator Davison

1 A BILL for an Act to amend and reenact section 15.1-27-16 of the North Dakota Century Code,  
2 relating to administrative cost-sharing for cooperating districts and special education units; and  
3 to provide an appropriation.

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

5 **SECTION 1. AMENDMENT.** Section 15.1-27-16 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **15.1-27-16. Per student payments - Administrative cost-sharing - Cooperating**  
8 **districts and special education units. (Effective through June 30, 2024~~2026~~)**

- 9 1. If any school district receiving payments under this chapter cooperates with another  
10 school district for the joint provision of educational services under a plan approved by  
11 the superintendent of public instruction, the superintendent of public instruction shall,  
12 notwithstanding the provisions of section 15.1-27-03.2, create and assign a separate  
13 weighting factor that allows the cooperating districts to receive, for a period of four  
14 years, a payment rate equivalent to that which each district would have received had  
15 the cooperative plan not taken effect. The superintendent of public instruction shall  
16 compute the separate weighting factor to four decimal places and that weighting factor  
17 is effective for the duration of the cooperative plan.
- 18 2. A school district that is cooperating with another school district under a cooperative  
19 plan approved by the superintendent of public instruction, and which has taxable  
20 property located in the same city as the other school district under the cooperative  
21 plan, may not be required as part of the cooperative plan to:
  - 22 a. Provide unduplicated grade level services; or
  - 23 b. Share administrative personnel.



- 1        3. If any school district in the state receiving payments under this chapter or any special  
2        education unit in the state cooperates with another school district or special education  
3        unit to jointly employ or contract with ~~both~~ a superintendent ~~and~~ a school district  
4        business manager, or both, or to jointly employ or contract with ~~both~~ a special  
5        education unit director ~~and~~ a special education unit business manager, or both, the  
6        superintendent of public instruction shall provide partial reimbursement of the  
7        ~~combined salaries~~ salary of the superintendent ~~and~~ the school district business  
8        manager, or both, or partial reimbursement of the ~~combined salaries~~ salary of the  
9        special education unit director ~~and~~ the special education unit business manager, or  
10       both, as follows:
- 11       a. If the ~~combined salaries exceed three~~ salary exceeds two hundred thousand  
12       dollars, the amount of the reimbursement must be calculated based upon  
13       ~~three~~ two hundred thousand dollars. Each cooperating school district or special  
14       education unit shall receive a prorated share of the reimbursement percentages  
15       listed below each year for four years. The ~~prorated reimbursement is~~ based on  
16       the percentage of full-time equivalency that the superintendent ~~and~~ school  
17       district business manager, or both, or the special education unit director ~~and~~  
18       special education unit business manager, or both, are employed or contracted by  
19       each district or special education unit. The percentage of reimbursement for the  
20       ~~combined salaries~~ salary of the jointly hired superintendent ~~and~~ school district  
21       business manager, or both, or of the jointly hired special education unit director  
22       ~~and~~ special education unit business manager, or both, must be as follows:
- 23       (1) If two schools or special education units are cooperating, ten percent of the  
24       ~~combined salaries~~ salary;
- 25       (2) If three schools or special education units are cooperating, fifteen percent of  
26       the ~~combined salaries~~ salary;
- 27       (3) If four schools or special education units are cooperating, twenty percent of  
28       the ~~combined salaries~~ salary; and
- 29       (4) If five or more schools or special education units are cooperating,  
30       twenty-five percent of the ~~combined salaries~~ salary.

- 1           b. To be eligible for reimbursement under this subsection, the cooperating school  
2           districts or special education units must:
- 3           (1) Have been approved by the superintendent of public instruction and have  
4           implemented their administrative cost-sharing program after June 30, 2022;  
5           and  
6           (2) Submit the ~~salariessalary~~ of the superintendent ~~and/or school district~~  
7           business manager, or both, or the ~~salariessalary~~ of the special education  
8           unit director ~~and/or special education unit~~ business manager, or both, to the  
9           superintendent of public instruction by June first of each year.

10       **Per student payments - Cooperating districts. (Effective after June 30, ~~2024~~2026)**

- 11       1. If any school district receiving payments under this chapter cooperates with another  
12       school district for the joint provision of educational services under a plan approved by  
13       the superintendent of public instruction, the superintendent of public instruction shall,  
14       notwithstanding the provisions of section 15.1-27-03.2, create and assign a separate  
15       weighting factor that allows the cooperating districts to receive, for a period of four  
16       years, a payment rate equivalent to that which each district would have received had  
17       the cooperative plan not taken effect. The superintendent of public instruction shall  
18       compute the separate weighting factor to four decimal places and that weighting factor  
19       is effective for the duration of the cooperative plan.
- 20       2. A school district that is cooperating with another school district under a cooperative  
21       plan approved by the superintendent of public instruction, and which has taxable  
22       property located in the same city as the other school district under the cooperative  
23       plan, may not be required as part of the cooperative plan to:
- 24       a. Provide unduplicated grade level services; or  
25       b. Share administrative personnel.

26       **SECTION 2. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION -**  
27       **COOPERATING SCHOOL DISTRICT AND SPECIAL EDUCATION UNIT ADMINISTRATIVE**  
28       **COST-SHARING REIMBURSEMENT PROGRAM.** There is appropriated out of any moneys in  
29       the general fund in the state treasury, not otherwise appropriated, the sum of  
30       ~~\$100,000~~ \$125,000, or so much of the sum as may be necessary, to the department of public  
31       instruction for the purpose of providing administrative cost-sharing reimbursements to eligible

Sixty-eighth  
Legislative Assembly

- 1 cooperating school districts and special education units in the state, for the biennium beginning
- 2 July 1, 2023, and ending June 30, 2025.

23.1106.02001

**FIRST ENGROSSMENT**

Sixty-eighth  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE BILL NO. 2380**

Introduced by

Senator Davison

1 A BILL for an Act to amend and reenact section 15.1-27-16 of the North Dakota Century Code,  
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12 notwithstanding the provisions of section 15.1-27-03.2, create and assign a separate  
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18 2. A school district that is cooperating with another school district under a cooperative  
19 plan approved by the superintendent of public instruction, and which has taxable  
20 property located in the same city as the other school district under the cooperative  
21 plan, may not be required as part of the cooperative plan to:

- 22 a. Provide unduplicated grade level services; or
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1           3. If any school district in the state receiving payments under this chapter or any special  
2           education unit in the state cooperates with another school district or special education  
3           unit to jointly employ or contract with both a superintendent ~~and~~or a school district  
4           business manager, or both, or to jointly employ or contract with both a special  
5           education unit director ~~and~~or a special education unit business manager, or both, the  
6           superintendent of public instruction shall provide partial reimbursement of the  
7           ~~combined salariessalary~~ of the superintendent ~~and~~or the school district business  
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8           unit director ~~and/or special education unit~~ business manager, or both, to the  
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28           **COST-SHARING REIMBURSEMENT PROGRAM.** There is appropriated out of any moneys in  
29           the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000, or so  
30           much of the sum as may be necessary, to the department of public instruction for the purpose of  
31           providing administrative cost-sharing reimbursements to eligible cooperating school districts

1 and special education units in the state, for the biennium beginning July 1, 2023, and ending  
2 June 30, 2025.