



2009 Vote Record Bill Explanation

Senate Bills:

- 1) **SB2205-Sendit** - This Senate bill would have allowed public school educators the use of their school email to contact their elected officials about bills of importance to their jobs. The NDEA sponsored this bill through member-Senator JoNell Bakke. This bill failed in the Senate by a vote of 21-22 with 4 individuals absent and not voting. A right vote was a Yes vote (R=Y).
- 2) **Floor Amendment 0546 to HB1400-** This amendment offered on the floor of the Senate would have restored funding for pilot Pre-kindergarten programs that had been cut out of the bill during the Senate Education Committee mark-up. Research is consistent that Pre-k programming is a key to improving learning, as well as a great return on the investment of state resources in terms of reducing the need for future remedial education, as well as increasing the number of productive citizens in the future. The amendment failed by a vote of 21-25 with 1 individual absent and not voting. A correct vote was a Yes vote (R=Y).
- 3) **HB1400- Final Passage of Conference Committee Report-** This bill, which is the most comprehensive education reform bill in our history, was the culmination of the work of the Governor's Commission on Education and the Senate and House of Representatives Committees. HB1400 combined with HB1013 will deliver over \$100 million in new education funding. These bills combined will fund public education at the long sought goal of 70 percent of state funding. It also maintained the provisions that mandate a minimum of 70 percent of the increased funding go toward teacher compensation. The bill passed in the Senate by a vote of 46-0 with 1 absent and not voting. NDEA wanted a Yes vote (R=Y).
- 4) **SB2212- Increased ELL Standards-** This bill requires the Department of Public Instruction to establish student caseload criteria for English language learner teachers. Further, it provides \$40,000 of Federal Stimulus dollars to DPI to award to REAs for ELL grants. This bill passed by a vote of 25-21 with 1 individual absent and not voting and was signed into law. A correct vote was a Yes vote (R=Y).
- 5) **SB2320- ESP Bargaining Rights-** It would have provided our ESP members the same bargaining rights as teachers. This bill was All About Respect for our ESP (Education Support Professionals) colleagues. If teachers and administrators bargain with school districts why shouldn't our classroom aides, custodians, clerical staff, and food preparation staff? This bill failed in the Senate by a vote of 21-25 with 1 individual absent and not voting. A correct vote was a Yes vote (R=Y).
- 6) **HB1171- Home school Restrictions relaxed-** HB1171 took away many of the reporting and supervisions requirements that were in North Dakota Century Code. This bill watered down the high standards that ensured ALL children were being taught the required skills and curriculum as

required by statute. The bill passed by a vote of 27-20 and was later signed into law. The NDEA opposed this bill and wanted a No vote (R=N).

- 7) **HB1478- SCHIP eligibility raised to 200% of poverty level-** This bill would have allowed families with children who have incomes up to 200% of the federal poverty level to qualify for the State Children's Health Insurance Program (SCHIP). The NDEA supported this legislation in accordance with the "Ready Child Initiative." The mission of Ready Child is to help every North Dakota child be ready for learning and ready for life. Research and experience has shown that children who are healthy and without medical, dental, or vision difficulties are more likely to succeed in school. One of the most important factors in ensuring children are healthy is access to medical services when needed. Parents that have health insurance for their children are much more likely to get their child medical services more often. Children who get their sickness and illnesses taken care of will allow them to be "ready to learn and ready for life." This bill passed the Senate by a vote of 45-1 with 1 individual absent and not voting. A correct vote was a Yes vote (R=Y).
- 8) **SB2357- Teacher Discharge Hearing Proceedings-** SB2357 changed the way teacher discharge hearings are conducted. This bill would give teachers a fair and impartial hearing administrator by placing an administrative law judge in charge of conducting the hearing and presenting the evidence to the School Board to make a final decision. This will take some of the emotions out of the hearing and place the burden of proving wrong doing on the school. This bill passed the Senate by a vote of 43-3 with 1 individual absent and not voting, and was signed into law. The NDEA supported this bill and wanted a Yes vote (R=Y).
- 9) **SB2289- school district Corporal Punishment policy-** dictates that school district corporal punishment policies cannot exceed what is found in the Century Code. The bill further provides that school districts must adopt corporal punishment policies and investigative procedures that are consistent in all schools within the district. The bill passed the Senate unanimously and was signed into law. A correct vote was a Yes vote (R=Y).
- 10) **HB1360- REA Rights-** This bill clarified current North Dakota law to ensure that individuals hired as teachers by Regional Education Associations (REA) are guaranteed the same rights, protections, and status as teachers hired by school districts. This bill was important to ensure that REA employed teachers were given bargaining rights, access to TFFR, and other important protections. This bill passed by a vote of 46-1. A correct vote was a Yes vote (R=Y).
- 11) **HCR3054- "Legacy" Oil Trust Fund final passage-** This resolution places a constitutional measure on the 2010 ballot to ensure that some of our current oil revenue gets placed aside for future generations in a reasonable and prudent manner (HCR3054). As you remember, during the 2008 election the NDEA was part of a coalition to oppose Measure 1, a constitutional measure on oil revenues. HCR3054 addressed all of the concerns that we had in Measure 1. The NDEA played a vital role in making sure that the provisions of HCR3054 would allow earnings on the legacy fund would go to the General Fund to be used for funding important programming, like schools. The bill passed the Senate by a vote of 40-7, and the bill will be a measure on the 2010 ballot. A correct vote was a Yes vote (R=Y).
- 12) **HB1255- Corporate Tax Revenue Reduction-** HB1255 would have dramatically reduced corporate tax revenue the State of North Dakota collects. Research consistently shows there is

no demonstrable correlation between low business taxes and economic growth; the corporate tax rate comes in a distant fourth in the considerations of businesses when it comes to relocating; and finally, and most important from our perspective, is that the key to economic development is education. It did not seem to be prudent to reduce revenues (especially with the increased state budget) that would do little to spur economic development when those resources would be better invested in improving education. This stand alone bill failed in the Senate by a vote of 4-42 with 1 individual absent and not voting. The NDEA wanted a No vote (R=N).

- 13) **SB2277- TFFR beneficiaries extra check original Senate bill-** This version of SB2277 was the original \$5 million dollar formula to provide TFFR beneficiaries a supplemental check from the State's general fund. This vote would have ensured that our members would have received a boost from the state in good times without damaging the TFFR fund. This bill was later amended to provide a smaller benefit to TFFR beneficiaries out of the TFFR fund. The original version of the bill passed the Senate on February 13, 2009, by a vote of 46-0 with 1 absent and not voting. A correct vote was a Yes vote (R=Y).

House bills:

- 1) **HB1400- Original House Education Committee amended k-12 funding bill-** This bill included the original recommendations of the Governor's Commission on Education Improvement, including funding for pilot Pre-kindergarten programs. Research is consistent that Pre-k programming is a key to improving learning, as well as a great return on the investment of state resources in terms of reducing the need for future remedial education, as well as increasing the number of productive citizens in the future. The bill passed by a vote of 78-16. A correct vote was a Yes vote (R=Y).
- 2) **HB1400- Final Passage of Conference Committee Report-** This bill, which is the most comprehensive education reform bill in our history, was the culmination of the work of the Governor's Commission on Education and the Senate and House of Representatives Committees. HB1400 combined with HB1013 will deliver over \$100 million in new education funding. These bills combined will fund public education at the long sought goal of 70 percent of state funding. It also maintained the provisions that mandate a minimum of 70 percent of the increased funding go toward teacher compensation. The bill passed in the House by a vote of 86-6 with 2 absent and not voting. NDEA wanted a Yes vote (R=Y).
- 3) **SB2212- Increased ELL Standards-** This bill requires the Department of Public Instruction to establish student caseload criteria for English language learner teachers. Further, it provides \$40,000 of Federal Stimulus dollars to DPI to award to REAs for ELL grants. This bill passed by a vote of 92-0 with 2 individuals absent and not voting and was signed into law. A correct vote was a Yes vote (R=Y).
- 4) **HCR3060- Removing the NDEA President from the SBHE nominating committee-** By Constitutional mandate the NDEA President currently sits on the committee to nominate individuals to serve on the State Board of Higher Education (SBHE). This legislation sought to ask North Dakotans to amend the Constitution to remove the NDEA President from the nominating committee and replace him/her with the Attorney General. As good stewards of public education the NDEA values its input on nominees to serve on the SBHE. This resolution failed by

a vote of 38-54 with 2 absent and not voting. The NDEA opposed this bill and wanted a No vote (R=N).

- 5) **HB1171- Home school Restrictions relaxed-** HB1171 took away many of the reporting and supervisions requirements that were in North Dakota Century Code. This bill watered down the high standards that ensured ALL children were being taught the required skills and curriculum as required by statute. The bill passed by a vote of 51-38 with 5 absent and not voting and was signed into law. The NDEA opposed this bill and wanted a No vote (R=N).
- 6) **HB1478- SCHIP eligibility raised to 200% of poverty level final passage-** This bill would have allowed families with children who have incomes up to 200% of the federal poverty level to qualify for the State Children’s Health Insurance Program (SCHIP). The NDEA supported this legislation in accordance with the “Ready Child Initiative.” The mission of Ready Child is to help every North Dakota child be ready for learning and ready for life. Research and experience has shown that children who are healthy and without medical, dental, or vision difficulties are more likely to succeed in school. One of the most important factors in ensuring children are healthy is access to medical services when needed. Parents that have health insurance for their children are much more likely to get their child medical services more often. Children who get their sickness and illnesses taken care of will allow them to be “ready to learn and ready for life.” This bill failed in the House by a vote of 41-47 with 6 individual absent and not voting. A correct vote was a Yes vote (R=Y).
- 7) **SB2357- Teacher Discharge Hearing Proceedings-** SB2357 changed the way teacher discharge hearings are conducted. This bill would give teachers a fair and impartial hearing administrator by placing an administrative law judge in charge of conducting the hearing and presenting the evidence to the School Board to make a final decision. This will take some of the emotions out of the hearing and place the burden of proving wrong doing on the school. This bill passed the House by a vote of 93-0 with 1 individual absent and not voting, and was signed into law. The NDEA supported this bill and wanted a Yes vote (R=Y).
- 8) **SB2289- school district Corporal Punishment policy-** dictates that school district corporal punishment policies cannot exceed what is found in the Century Code. The bill further provides that school districts must adopt corporal punishment policies and investigative procedures that are consistent across all schools in the district. The bill passed the House by a vote of 93-0 with 1 absent and not voting and was signed into law. A correct vote was a Yes vote (R=Y).
- 9) **HB1360- REA Rights-** This bill clarified current North Dakota law to ensure that individuals hired as teachers by Regional Education Associations (REA) would be granted the same rights, protections, and status as teachers hired by school districts. This bill was important to ensure that REA employed teachers were given bargaining rights, access to TFFR, and other important protections. This bill passed by a vote of 91-0 with 3 individuals absent and not voting. A correct vote was a Yes vote (R=Y).
- 10) **HCR3054- “Legacy” Oil Trust Fund final passage-** This resolution places a constitutional measure on the 2010 ballot to ensure that some of our current oil revenue gets placed aside for future generations in a reasonable and prudent manner (HCR3054). As you remember, during the 2008 election the NDEA was part of a coalition to oppose Measure 1, a constitutional measure on oil revenues. HCR3054 addressed all of the concerns that we had in Measure 1. The

NDEA played a vital role in making sure that the provisions of HCR3054 would allow earnings on the legacy fund would go to the General Fund to be used for funding important programming, like schools. The bill passed the House by a vote of 82-8 with 4 absent and not voting, and the bill will be a measure on the 2010 ballot. A correct vote was a Yes vote (R=Y).

- 11) **HB1255- Corporate Tax Revenue Reduction-** HB1255 would have dramatically reduced corporate tax revenue the State of North Dakota collects. Research consistently shows there is no demonstrable correlation between low business taxes and economic growth; the corporate tax rate comes in a distant fourth in the considerations of businesses when it comes to relocating; and finally, and most important from our perspective, is that the key to economic development is education. It did not seem to be prudent to reduce revenues (especially with the increased state budget) that would do little to spur economic development when those resources would be better invested in improving education. This stand alone bill passed in the House on February 17, 2009, by a vote of 57-36 with 1 individual absent and not voting. The NDEA wanted a No vote (R=N).
- 12) **HB1335- Tax credits for Homeschoolers-** This bill would have provided an income tax credit for individuals who choose to home school their children. The NDEA does not oppose home schools, but has long standing policies against providing public funds or allowing the deduction of public funds for non-public schools. This bill failed by a vote of 37-57. The NDEA opposed this bill and wanted a No vote (R=N).
- 13) **SB2277- TFFR beneficiaries extra check House amended bill-** This version of SB227 would have provided \$3 million dollars worth of benefits under the original formula to provide TFFR beneficiaries a supplemental check from the State's general fund. This vote would have ensured that our members would have received a boost from the state in good times without damaging the TFFR fund. This bill was later amended to provide a smaller benefit to TFFR beneficiaries out of the TFFR fund. The House amended version of the bill passed the House on April 14, 2009, by a vote of 68-22 with 4 absent and not voting. A correct vote was a Yes vote (R=Y).