

1999 HOUSE EDUCATION

HB 1059

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1059

House Education Committee

Conference Committee

Hearing Date 1-11-99

Tape Number	Side A	Side B	Meter #
Tape # 2	x		3.6 to 11.1
Committee Clerk Signature <i>Larry Wagner fed</i>			

Minutes:

CHAIRMAN KELSCH: We begin the hearing on HB 1059 Thank you the chair will recognize Rep Keisar.

Rep Keisar: Chairman Kelsch and members of the Education Committee, I'm George Keisar representative of District 47 of northwest Bismarck. This is a bill that attempts to increase the daily payment of members of the Education Factfinding Commission. There are three people that serve on the Education Factfinding Commission. One is a person is a science teacher from Valley City, one is a retired college president from Bismarck, and one a special Ed teacher from Mott. These three people contribute their time and many resources, by serving as a mediation panel between school boards and teachers. This group has been receiving \$50.00 a day in payment for their services, this bill is to change the reimbursement from \$50.00 a day to \$62.50. I would be happy to take any questions.

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House Education Committee

Bill/Resolution Number Hb 1059

Hearing Date 1-11-99

REP HANSON: Madam Chairman

CHAIRMAN KELSCH: Rep Hanson

REP HANSON: Madam Chair and Rep Keisar the \$62.50 is the same as the interim salary?

REP KEISAR: I think that's probably right.

CHAIRMAN KELSCH: You may continue.

REP HANSON: I think there is a bill to increase the \$62.50, would you want to spell this out as the same salary as the interim legislature gets or do you want to leave it as \$62.50 or do you want the same as the interim study?

REP KEISAR: Madam Chair and Rep Hanson, I leave it to the discretion of the commission of the committee. I am not certain that the salary should be tied to the interim committee salaries or to some other structure, it could be structured at any level.

CHAIRMAN KELSCH: Rep Nowatzki

REP NOWATZKI: Thanks Madam Chairman, one suggestion instead of matching to a specific dollar term would be to mention the same compensation equal what other state agency people get for reimbursement. I think if you check with Legislative Council there is numeral number used similarly throughout state agencies, if we are going to change it, we should make it synonymous with all of those others, or at least explore that.

REP KEISAR: Chairman Kelsch and Rep Nowatzki, I concur, I think that's an excellent idea in some way index it to a figure that the board doesn't have to come back next year.

CHAIRMAN KELSCH: Rep Nelson then Brusegaard

REP NELSON: Thank you Madam Chair, are we talking about pre diem Why don't we insert the word pre diem and then it would index itself.

REP KEISAR: Chairman Kelsch and Rep Nelson, I don't think so, I think this is over and above pre diem they do receive a payment for lodging expenses. The representative of that group can give you in detail how that works. This is their pay for a day for services that they are rendering. But they also in addition get per diem

CHAIRMAN KELSCH: Rep Bursegaard

REP BUSEGAARD: I am going to hold question

CHAIRMAN KELSCH: Seeing no further questions, thank you Rep Keisar.

DR KERMIT LINDSTROM: I am chairman of the North Dakota Education Factfinding Commission I am here in favor of this bill. I will answer any questions that the committee might have.

REP BRUSEGAARD: How often does the commission meet?

LINDSTROM: The largest number of cases we've ever got is 9, I was not on the commission at that time. This year we are going to do either 4 or 5, and each time we are brought out for factfinding we meet for 2 days.

CHAIRMAN KELSCH: Rep Nelson

REP NELSON: What was the success ratio

LINDSTROM: We are running 75%. We asked in by either one of the parties, or both, we then ask for information and then we set a hearing date and then we go to the community to have an open hearing. We then define the facts and from that we write a specific set of recommendations. The threat is that if they don't do that 20 days after they receive our report, we will publish our report in the newspaper along with our opinions.

CHAIRMAN KELSCH: Rep Grumbo

REP GRUMBO: Thank you Madam Chair and Mr Lindstrom, in the new process by both the school board and the facility is there not now far fewer cases of factfinding

LINDSTROM: A rose by any name, smells the same.

CHAIRMAN KELSCH: Anyone else, Rep Thoreson.

REP THORESON: Thank you Madam Chairman, Dr Lindstrom You talk about factfinders appointed by the commission, are there additional people or are they one and the same.

LINDSTROM: The original code allows for the factfinding commission appoint other people to assist them, we have not done that.

CHAIRMAN KELSCH: Any further questions for Dr. Lindstrom? Seeing none Thank you Kermit. Anyone else that wishes to testify in support of HB 1059? Anyone who wishes to testify in opposition to HB 1059.

Hearing closed on HB 1059.

COMMITTEE ACTION 1-11-99 HB 1059

CHAIRMAN KELSCH: Rep Hanson

REP HANSON: Do we want \$62.50 the same as interim committee or any other committee. There is a bill to change interim committee salary.

CHAIRMAN KELSCH: Rep Hanson, if we tie it to anything, tie it to interim committee. Rep Brusegaard.

REP BRUSEGAARD: Changed others to interim committee to make it more standardized.

MOVED BY Rep Brusegaard and SECONDED BY Rep Mueller.

CHAIRMAN KELSCH: Its been moved and seconded to amend HB 1059 to come into compliance with other committees. further discussion, it was tied in to the daily rate for the meeting.

CHAIRMAN KELSCH: Hearing none, the motion is on the amendment on HB 1059. All those in favor of the motion yea (voice vote) no (none) motion carries. Moved by Rep Brusegaard and seconded by Rep Mueller with a DO PASS as amended. discussion hearing none call for the vote. see roll call vote attached. PASSES BY VOTE- Yes 15 No 0 Absent 0 Bill carried to the floor by REP NOTTESTAD.

COMMITTEE ACTION HB 1059 1-19-99

CHAIRMAN KELSCH: Call the House Education Committee back to order.

REP MUELLER: Move that we bring HB 1059 back to committee.

REP BRUSEGAARD: second

CHAIRMAN KELSCH: Call for a voice. Motion carried. We now have HB 1059 before the committee and the chair would now entertain a motion. We need to strike the amendment.

REP BRUSEGAARD: Move that we strike the amendment on HB 1059.

REP HAAS: second

CHAIRMAN KELSCH: Moved by Rep Brusegaard and seconded by Rep Haas to strike the amendment on HB 1059. Discussion, hearing none, called for a voice vote, motion carried. We now have before us HB 1059 . The chair will entertain a motion.

REP HAAS: Move a DO PASS on HB 1059.

REP MUELLER: second.

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House Education Committee

Bill/Resolution Number Hb 1059

Hearing Date 1-11-99

CHAIRMAN KELSCH: Discussion. Have a motion for a DO PASS on HB 1059. Clerk call the roll. DO PASS motion passed 14 yes 0 No 1 Absent Floor assignment Rep Nottestad.

FISCAL NOTE

(Return original and 10 copies)

Bill/Resolution No.: HB 1059

Amendment to: _____

Requested by Legislative Council

Date of Request: 12-30-98

- Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

Narrative:

There is no fiscal impact to the general fund. The cost of the Fact-Finding Commission is shared by school districts and the teachers union. The fiscal impact of increasing the daily compensation by \$12.50 for the three (3) commission members for an estimated five (5) two-day proceedings per year is \$375.00 annually or \$750.00 for the biennium.

- State** fiscal effect in dollar amounts:

	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	Special Fund	General Fund	Special Funds	General Fund	Special Funds
Revenues:	0	0	0	0	0	0
Expenditures:	0	0	0	0	0	0

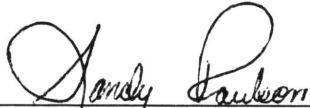
- What, if any, is the effect of this measure on the appropriation for your agency or department:

- For rest of 1997-99 biennium: None
- For the 1999-2001 biennium: None
- For the 2001-03 biennium: None

- County, City, and School District** fiscal effect in dollar amounts:

1997-99 Biennium			1999-2001 Biennium			2001-03 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
					\$750			\$750

If additional space is needed, attach a supplemental sheet.

Signed 

Typed Name Sandy Paulson

Department Public Instruction

Date Prepared: 01-04-99

Phone Number 328-2346

Date: 1-11-99
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1059

House Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number 1

Action Taken do pass

Motion Made By Brusegaard Seconded By Mueller

Representatives	Yes	No	Representatives	Yes	No
Rep. ReaAnn Kelsch-Chairperson	✓		Rep. Dorvan Solberg	✓	
Rep. David Drovdal-Vice Chair	✓				
Rep. Michael D. Brandenburg	✓				
Rep. Thomas T. Brusegaard	✓				
Rep. C. B. Haas	✓				
Rep. Dennis E. Johnson	✓				
Rep. Jon O. Nelson	✓				
Rep. Darrell D. Nottestad	✓				
Rep. Laurel Thoreson	✓				
Rep. Howard Grumbo	✓				
Rep. Lyle Hanson	✓				
Rep. Deb Lundgren	✓				
Rep. Phillip Mueller	✓				
Rep. Robert E. Nowatzki	✓				

Total (Yes) 15 No 0

Absent 0

Floor Assignment Nottestad

If the vote is on an amendment, briefly indicate intent:

Date: 1-19-99
Roll Call Vote #: 2

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1059

House Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Haas Seconded By Mueller

Representatives	Yes	No	Representatives	Yes	No
Rep. ReaAnn Kelsch-Chairperson	✓		Rep. Dorvan Solberg	✓	
Rep. David Drovdal-Vice Chair	✓				
Rep. Michael D. Brandenburg	✓				
Rep. Thomas T. Brusegaard	✓				
Rep. C. B. Haas	✓				
Rep. Dennis E. Johnson	✓				
Rep. Jon O. Nelson	✓				
Rep. Darrell D. Nottestad	✓				
Rep. Laurel Thoreson	✓				
Rep. Howard Grumbo	✓				
Rep. Lyle Hanson A					
Rep. Deb Lundgren	✓				
Rep. Phillip Mueller	✓				
Rep. Robert E. Nowatzki	✓				

Total (Yes) 14 No 0

Absent 1

Floor Assignment Rep Nottestad

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 19, 1999 2:44 p.m.

Module No: HR-11-0855
Carrier: Nottestad
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1059: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS
(14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1059 was placed on the
Eleventh order on the calendar.

1999 SENATE EDUCATION

HB 1059

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1059

Senate Education Committee

Conference Committee

Hearing Date February 9, 1999

Tape Number	Side A	Side B	Meter #
1	x		5209-end
Committee Clerk Signature <i>Jincla Christman</i>			

Minutes:

SENATOR FREBORG opened the hearing on HB1059.

Testimony in Favor: Representative George Keiser, District 47. No written testimony.

Explained the bill. Established an education factfinding commission, it currently consists of 3 individuals. A science teacher from Valley City, retired President of BSC and a special education teacher from Mott. When school districts get into a disagreement relative to any issue, the teachers, Board or district can request the committee to come in and act as mediators. It changes their compensation from \$50 a day to \$62.50.

SENATOR O'CONNELL : Do they receive mileage.

Representative Keiser: Yes, reimbursed for expenses as provided by law for state officers. They are called out between 5-7 times a year. Usually takes several days and then they make a recommendation.

SENATOR REDLIN : \$62.50 is modeled after the legislative counsel commission, etc.

SENATOR WANZEK : What kind of mission does this committee perform.

Representative Keiser: Disagreement over possibly teachers, services, etc.

SENATOR KELSH : How about reorganizations.

Representative Keiser: They could be called in about that but have never been to date.

SENATOR FLAKOLL : Commission meets about 13 times a year.

Representative Keiser: No regular meetings only when they are requested.

Close hearing on HB1059.

SENATOR FREBORG : I would like to read a note from Dr. Sanstead in support of the bill.

SENATOR REDLIN : I move a DO PASS on HB1059.

SENATOR FLAKOLL : 2nd

Vote: 7 Yes 0 No

CARRIER: SENATOR REDLIN

Date: 2/9/99
Roll Call Vote #: _____

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1059

Senate EDUCATION Committee

- Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Move Do Pass on HB 1059

Motion Made By Redlin Seconded By Flakoll

Senators	Yes	No	Senators	Yes	No
Senator Freborg, Chairman	✓				
Senator Cook, Vice Chairman	✓				
Senator Flakoll	✓				
Senator Wanzek	✓				
Senator Kelsh	✓				
Senator O'Connell	✓				
Senator Redlin	✓				

Total (Yes) 7 No 0

Absent _____

Floor Assignment Redlin

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 9, 1999 11:36 a.m.

Module No: SR-26-2326
Carrier: Redlin
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1059: Education Committee (Sen. Freborg, Chairman) recommends DO PASS
(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1059 was placed on the
Fourteenth order on the calendar.