

**1999 HOUSE EDUCATION**

**HB 1349**

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1349

House Education Committee

Conference Committee

Hearing Date 1-25-99

Tape Number	Side A	Side B	Meter #
#1		x	12.2 to 16.3
Committee Clerk Signature <i>Joan Davis</i>			

Minutes:

Chairman R. Kelsch , Vice-Chair Drovdal , Rep Brandenburg , Rep Brusegaard , Rep. Haas , Rep. Johnson , Rep. Nelson , Rep. Nottestad , Rep. L. Thoreson , Rep. Grumbo , Rep. Hanson , Rep. Lundgren , Rep. Mueller , Rep. Nowatzki , Rep. Solberg - present.

Chairman R. Kelsch : Open the hearing on HB 1349 and ask the clerk to read the title.

Rep Hawken: HB 1349 deals with school safety patrols. Sponsor of the bill. When the current law was written, some schools have the fifth grade as the top level in their elementary school. When the law was written the age eleven was used. Not all fifth graders are eleven. So the change we are asking you to make is from age eleven to grade five.

Rep. Grumbo : Are the children under supervision while they are on patrol

Hawken: Yes there is. There are also guide lines about the weather.

Vice-Chair Drovdal : Concern for safety for children that are small in stature.

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House Education Committee

Bill/Resolution Number Hb 1349

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Hawkens: I don't think that there is a weight or height requirement. They are picked because they are responsible citizens in their school. There are at least four at a time on patrol.

Richard Ott: Representing North Dakota School Board Association. appeared in support of HB 1349.

Chairman R. Kelsch : Anyone wishing to appear in opposition of HB 1349. Hearing none, we will close the hearing on HB 1349.

Rep. Hanson : Moved a DO PASS on HB 1349.

Rep Brusegaard : Second.

Chairman R. Kelsch : It has been moved and seconded for a DO PASS on HB 1349, is there any discussion? Seeing none, the clerk will call the roll on HB 1349. The motion Passed with 15

Yes 0 NO 0 Absent - Floor Assignment Rep Solberg.

Date: 1-25-99  
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1349

House Education Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Hanson Seconded By Brusegaard

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 Solberg

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

REPORT OF STANDING COMMITTEE (410)  
January 25, 1999 4:28 p.m.

Module No: HR-15-1151  
Carrier: Solberg  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HB 1349: Education Committee (Rep. R. Kelsch, Chairman)** recommends **DO PASS**  
(15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1349 was placed on the  
Eleventh order on the calendar.

**1999 SENATE EDUCATION**

**HB 1349**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1349

Senate Education Committee

Conference Committee

Hearing Date March 1, 1999

Tape Number	Side A	Side B	Meter #
1		x	225-1039
Committee Clerk Signature <i>Jinda Christman</i>			

Minutes:

SENATOR FREBORG opened the hearing on HB1349. All senators present.

Testimony in Favor: Representative Hawken introduced HB1349. Rep. Hawken passed out an amendment. It was put in the wrong section. This amendment would put it in the right spot.

When the law was put into place for safety patrols, the thought was that they would do an age and they did age 11. What was not taken into consideration at that time was that there are several school districts in the state of ND that have 5th grade as the highest grade in their elementary school. There are some children in those 5th grade classes who have not yet turned 11. So the change in this bill is from an age which was 11 to a grade which is 5. With the advent of middle school it is becoming more of a trend and there are a number of school districts that do have fifth grade as their highest grade. Being a part of a school safety patrol is a very big deal. Truly a

marvelous educational experience for the students who participate. Bev Nielson said to tell you that the ND School Board Association is in favor of the bill.

Testimony in Favor: Tom Decker, DPI. School safety patrols have fallen into our area. We developed a hand book for safety patrols that is currently out there. Vern Bennett from Fargo called and asked if we would help with this change. Many districts have gone to middle schools and need to have safety patrol students out of the fifth grade. The bill is straightforward change and we think it is a good idea.

SENATOR O'CONNELL : On the amendment, have you looked at it? It is just a code change.

Tom: We forgot in the draft of the first bill to put it in the revised code section.

SENATOR REDLIN : I noticed two differences in this amendment. It eliminates legal guardian and says rules instead of standards. Are there reasons for that.

Tom: We no longer have standards, we have rules. Just a matter of English. You would have to ask Anita about the issue of legal guardian. Could be interpretation.

SENATOR WANZEK : Both these sections are current law now aren't they.

Tom: I believe you are correct.

SENATOR FREBORG : Will our intern tells me, that Anita says that when you are a guardian you are considered to be the parent.

Close hearing on HB1349.

SENATOR COOK : I move to adopt the amendment 90615.0101.

SENATOR FLAKOLL : 2nd

SENATOR COOK : SENATOR WANZEK's question is if this is current law now you have the amendments.



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Senate Education Committee  
Bill/Resolution Number HB1349  
Hearing Date March 1, 1999

Vote: 7 Yes 0 No

SENATOR COOK : I move a DO PASS as amended.

SENATOR FLAKOLL : 2nd

Vote: 7 Yes 0 No

CARRIER: SENATOR FLAKOLL

*Reverse*

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1349

Page 1, line 1, after "Code" insert ", or in the alternative to amend and reenact section 15.1-19-11 of the North Dakota Century Code"

Page 1, line 4, replace "Section" with "If House Bill No. 1034 does not become effective, section"

Page 1, after line 14, insert:

**"SECTION 2. AMENDMENT.** Section 15.1-19-11 of the North Dakota Century Code, as created by House Bill No. 1034, as approved by the fifty-sixth legislative assembly, is amended and reenacted as follows:

**15.1-19-11. School safety patrols - Establishment - Adoption of rules.** The board of a school district or the governing body of a nonpublic school may authorize a school principal or administrator to establish a safety patrol and to appoint students to the safety patrol. Any student ~~age eleven or older~~ enrolled in grade five or higher is eligible for appointment to a safety patrol, provided the student's parent has filed written permission with the school principal or administrator. The superintendent of public instruction shall adopt rules to guide safety patrol members in the conduct of their duties and shall specify the identification to be worn and the signals to be used by safety patrol members while on duty."

Renumber accordingly



Date: 3/1/99  
Roll Call Vote #: 2

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1349

Senate EDUCATION Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Move Do Pass as amended

Motion Made By Cook 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 Flakoll

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

**REPORT OF STANDING COMMITTEE**

**HB 1349: Education Committee (Sen. Freborg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1349 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Code" insert ", or in the alternative to amend and reenact section 15.1-19-11 of the North Dakota Century Code"

Page 1, line 4, replace "Section" with "If House Bill No. 1034 does not become effective, section"

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Renumber accordingly