

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 531



ROLL NUMBER

DESCRIPTION

1229

2001 HOUSE EDUCATION

HB 1229

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1229

House Education Committee

Conference Committee

Hearing Date 02/07/01

Type Number	Side A	Side B	Meter #
#1		X	4767 to 6200
#2	X		1 to 3322
Committee Clerk Signature <i>Janet D. ...</i>			

Minutes:

Chairman R. Kelsch, Vice-Chair T. Brusegaard, Rep. Bellew, Rep. Grumbo, Rep. Haas, Rep. Hanson, Rep. Hawken, Rep. Hunskor, Rep. Johnson, Rep. Meier, Rep. Mueller, Rep. Nelson, Rep. Nottestad, Rep. Solberg, Rep. Thoreson

Chairman Kelch: We will now open the hearing on HB1229.

Rep. Nottestad: \*Introduced the bill\*

Rep. Bellew: In Section 1, under B, it says who has signed the contract. Wouldn't this be used to entice a person to sign the contract, not used after they've signed it?

Rep. Nottestad: That means that they must put their name on the contract before the money is given. They can negotiate it with the board, but they have to sign it.

Rep. Brusegaard: If you read the bill literally, the school district can't even offer the bonuses until after they've signed the contract.

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Rep. Nottestad: I don't think it's going to be a problem. There's a lot of things talked about, but I wanted to be sure that there wouldn't be a signed contract involved. When Anita drafted this, that was our intent.

Rep. Brusegaard: In the Grand Forks area, do you have teacher shortage problems?

Rep. Nottestad: Yes, in some areas.

Rep. Mejer: What is usually the number of years that the contract goes until. Is it just year by year?

Rep. Nottestad: One year.

Rep. Hanson: Line 13 and 14, if someone had left the district, they couldn't offer them a bonus. Or if your teaching Latin, and you want to leave, and they want to give you a bonus to stay.

Rep. Nottestad: I didn't want it to become a yo-yo of saying that I'm going to have an extra \$10,000 a year. I realize that there may be some problems, but I didn't want to give that much leeway to an individual teacher or to a board to be able to use that.

Rep. Nelson: I agree with your bill, but I was wondering, as far as implementing. Would it be possible, rather than giving a cash bonus in a period of two or three years, would that individual be able to negotiate a entry into the negotiated agreement at a step that is not allowed now, which would give them added compensation, but would also continue that throughout employment.

Rep. Nottestad: I wouldn't want to put that in the bill, but I believe that this is something that your local board may negotiate and do right now if they choose to do so.

Rep. Nelson: That's true, but I don't know how widely that's being accepted.

Joe Westby: (NDEA) The problem of recruitment and retention of teachers is getting worse.

We have 40%-50% teacher retirees in the next ten years. I have some questions. If this were part

of the bargaining process, I think we'd find it a little more acceptable. When school districts issue bonuses or pay above the schedule now, it's a cause of serious problems amongst the other teachers to the point in the last two years that we've had two associations take their school districts to court, and they ruled in favor of our members. If we look at the smaller districts, the beginning salaries is \$18,722, and the maximum is \$29,600 and if you put a ten thousand dollar bonus, I think you can see that he/she is going to be making significantly more than people who have been there for a while, and we think that will cause some problems. On line 13 in item C of Section 1, subsection 1, would that allow someone to move from district to district several times and receive that bonus each time? I believe that this bill would address any teacher new to the district, not specifically first year teachers. We need to look very carefully at supporting, I think most of you are in support of HB1344, dealing with teacher compensation. In the future, we'll have to maintain that, but for right now I think that's the best method, because it does put money out to all of the folks.

Chairman Kelsch: When you asked whether or not a teacher could jump from district to district. My guess is that the district is going to take a look at why that teacher is coming into a district, and if I were the school board, I certainly would make those payments out over a period of five years to secure that that teacher was going to be there. Do you understand that bonuses would not affect the salary. If you hired the teacher, and you paid them the bonus, after the paying out of the bonus, that salary will go back to what it was. You mentioned, how about putting this into the negotiation process. How would that work if you were trying to hire a math and science teacher, how would you address that during the negotiation process, and finally, in best case scenario, 1344 passes, we pass the bill that has loan forgiveness for teachers, and this one passes.

Haven't we take and put teachers and quality education in the forefront of the 2000-2001 legislature and done everything that the citizens of ND and you people have asked us to do over the last few years?

Westby: I do understand bonuses, but it comes out of the same core, and it does mean that I get more dollars if I'm the person receiving the bonus. To prevent people from dumping, I believe on line 17 on this bill limits it to three years, so if that stands, it would have to be paid out in three years. As far as the bargaining process, I would think that if the school district were to make a case as to the need for some additional incentive money to attract people, in particular to shortage areas, I would think there could be agreement there.

Rep. Hawken: This is being done all over the country. We don't have anybody to say no, if you coach, you get more money, if you do the speech, I'm not so sure that this is a whole lot difference. What about if it came from a community or a foundation to get the money?

Westby: If it came out of a difference source of money, maybe it would have a different impact on folks, I'm not sure. Those other additional moneys are for duties performed outside the school day.

Rep. Haas: At what point in this crisis do you think that we can take market forces into consideration and do something about it without going through negotiations.

Westby: Market driven pay is one of the alternative compensation plans that is out there. In the 60s when I started teaching. I got three steps above the beginning salary just because I was a male. My experience back then was that teachers didn't like them. Gradually over a period of years, those things disappeared from our pay structure in ND.

Rep. Nelson: In your personal career, did it ever cause a moral problem with you if you were teaching five preps of chemistry and you were getting exactly the same pay as someone teaching five preps of phys. Education. That never bothered you at all?

Westby: No, it did not.

Chairman Kelsch: What if this bill is on the books and it's used twice in a school year. What effect is that going to have and what kind of affect that's going to have on the morale of the future. Morale is self inflicted, and truly, if each one of us and each one of our educators is most concerned about the quality education for our children. If we have a position that needs to be filled. By filling that position, we are fulfilling our mission to educate our children. What could be the issue with that?

Westby: I don't know how many times this would be. I do believe in looking at your question... Many administrators would hesitate, because they know what kind of morale situation might ensue as a result of it.

Rep. Nottestad: I find it interesting. This summer, you and I sat together and watched a thing on when \$25,000 was given to teachers around the nation. Did it cause morale problems?

Westby: Hopefully not, because my wife was the recipient of one of those checks.

Robert Strainer: (Superintendent of Sikeston and President of the Small Organized Schools)  
Our negotiated agreement does allow us to go above the contract for positions that we cannot fill. I have not done it for a number of years. I've been able to fill positions. Rep. Nottestad, as I look down the bill in Section 4 to the fiscal attachment and I did not see it. I have a problem with the bonuses for the reason to do that.

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House Education Committee

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Chairman Kelsch: I think that this language is strictly permissive, and not all school districts are able to negotiate like you can, but what we could do is to say that the signing bonuses must come out of ending fund balances.

Strainer: I would approve that.

Rep. Nottestad: Have you found a lot of the moral problems because of the extra money that you spent on these individuals?

Strainer: I have at certain times, and teachers have been upset at times, but in a small school, I'll generally approach the staff and discuss shortages with them, and they realize that without those positions, their positions are also in jeopardy.

Rep. Nottestad: By the method you used, solved your problems, correct?

Strainer: Yes. That's correct.

Bev Nielson: (School Board's Association) \*Stood up and spoke in *support* of the bill\*

Chairman Kelsch: We will now close the hearing on HB1229.

Chairman ChairChairman



2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1229b

House Education Committee

Conference Committee

Hearing Date 02-13-01

Tape Number	Side A	Side B	Meter #
TAPE I	X		3600 to 3945
Committee Clerk Signature <i>Juan Diers</i>			

Minutes: Chairman Kelsch: we will take up HB 1229. Rep Hawken will pass out amendments.

Rep Hawken: explains the amendments, the one change, line 7 after -- The board of a school district may offer, insert - and once a contract is signed pay a signing bonus in the amount of up to \$10,000.00. That is the amendment. I would move the amendment.

Rep Brusegaard: Second.

Chairman Kelsch: The amendment has been moved and seconded.

DISCUSSION

Chairman Kelsch: Hearing none, we will try a voice vote on the amendment. Motion carries. We now have amended HB 1229 before us, what are the wishes of the committee.

Vice Chr Brusegaard: I move a DO PASS as amended on HB 1229.

Rep Nelson: Second.

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House Education Committee

Bill/Resolution Number HB 1229

Hearing Date 02-13-01

Chairman Kelsch: Committee discussion, hearing none, the clerk will take the roll on a DO

PASS as amended on HB 1229. The motion passes with a vote of 14 YES, 1 NO and 0

ABSENT. Carrier Rep Haas.

Date: 2/13/01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1274-b

House House Education Committee

Subcommittee on \_\_\_\_\_

or

Conference Committee

Legislative Council Amendment Number 10117.0101

Action Taken Do Pass As Amended

Motion Made By Rep. Brusegaard Seconded By Rep. Nelson

Representatives	Yes	No	Representatives	Yes	No
Chairman-RaeAnn G. Kelsch	✓		Rep. Howard Grumbo	✓	
V. Chairman-Thomas T. Brusegaard	✓		Rep. Lyle Hanson		✓
Rep. Larry Bellew	✓		Rep. Bob Hunsdor	✓	
Rep. C.B. Haas	✓		Rep. Phillip Mueller	✓	
Rep. Kathy Hawken	✓		Rep. Dorvan Solberg	✓	
Rep. Dennis E. Johnson	✓				
Rep. Lisa Meler	✓				
Rep. Jon O. Nelson	✓				
Rep. Darrell D. Nottestad	✓				
Rep. Laurel Thoreson	✓				

Total (Yes) 14 No 1

Absent 0

Floor Assignment Rep Haas

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

passed

REPORT OF STANDING COMMITTEE (410)  
February 14, 2001 11:25 a.m.

Module No: HR-27-3301  
Carrier: Haas  
Insert LC: 10117.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

HB 1229: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1229 was placed on the Sixth order on the calendar.

Page 1, line 7, after "and" insert ", upon the signing of the contract by both parties,"

Re-number accordingly

2001 SENATE EDUCATION

HB 1229

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1229

Senate Education Committee

Conference Committee

Hearing Date 03-07-01

Tape Number	Side A	Side B	Meter #
1		x	19.0 - end
2 (03-07-01)		x	21.0 - 35.0
1 (03-13-01)	x		0 - 3.7
Committee Clerk Signature <i>Audrey Johnson</i>			

Minutes: CHAIRMAN FREBORG called the hearing on Engrossed HB ~~1444~~<sup>1229</sup> which relates to the payment of signing bonuses by school boards.

**Testimony in support of HB 1229:**

REPRESENTATIVE NOTTESTAD, District 43, stated this bill will permit a school district to issue a signing bonus up to \$10,000. This could be paid in a lump sum or in 2 - 3 installments over a 3 year period. This is not to be included in negotiations. He feels the shortages in the teaching field will continue and will get worse. We need to fill our teaching positions in ND with qualified teachers. This bill is almost the same as SB 2183 except this bill states a person receiving the bonus from a school district can not have been previously employed by the same district. This bill could apply to recruiting for the next district or new teachers. The person would know before signing a contract what the offer is. Salaries could go high and morale could be affected. He feels morale will be affected if a school has to open without a science teacher or a math teacher, and this will affect students as far as graduation, this will also affect morale. Or if

