

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

3024

2001 HOUSE EDUCATION

HCR 3024

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR3024

House Education Committee

Conference Committee

Hearing Date 02/12/01

Tape Number	Side A	Side B	Meter #
#1	X		1 to 1760
Committee Clerk Signature <i>Jan [Signature]</i>			

Minutes:

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

Chairman Kelsch: We will open the hearing on HCR3024.

Rep. Koppang: (District 25) *Please refer to written testimony*

Rep. D. Johnson: Do all states receive 10%?

Rep. Koppang: I would say in that general area, but I do not know.

Rep. Hawken: (District 46) Spoke in support of the bill.

Bob Ruffen: (Director of Special Education for DPI) *Please refer to written testimony*

Rep. Mueller: In your testimony, you talked about 40% of the cost of special education and then you go on to suggest that those two things are different. Can you explain that?

Ruten: Your confusion is held by many people. The 40% is not just the cost of special education in the state. It's that issue about the average per pupil expenditure for all education in the United States, and then you have to multiply it by the number of children in our state that need these special services.

Bev Nielson: (ND School Boards Association) We support this resolution. It would be nice to implicate that it's a matter of integrity that we have money left over when we haven't paid our bills yet. I think we could all do that, and I think tax payers would notice more of a difference, if the federal government would pay their obligation to the state and local government.

Christopher Dodson: (Catholic Conference) We support this resolution.

Chairman Kelsch: We will now close the hearing on HCR3024.

Chairman Kelsch: What are the wishes of the committee?

Rep. Hawken: I move the amendment.

Rep. Brusegaard: Second.

Chairman Kelsch: What are the wishes of the committee?

Rep. Brusegaard: I move a DO PASS AS AMENDED AND NOT BE PLACED ON THE CONSENT CALENDAR.

Rep. Solberg: Second.

Chairman Kelsch: Committee discussion.

The motion of DO PASS AS AMENDED with 15 YAY 0 NAY 0 ABSENT.

Floor assignment: Rep. Hawken

13058.0301
Title.

Prepared by the Legislative Council staff for
Representative Koppang
February 9, 2001

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3024

Page 1, line 19, after the first "the" insert "most recent"

Page 1, line 20, replace "has never exceeded 11 percent" with "is one-third of the 40 percent target level set by Congress"

Renumber accordingly

Date: 2/12/01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HCR 3024

House House Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number 1305 8.0301

Action Taken Do Pass As Amended Not be passed on to the consent calendar

Motion Made By Rep. Brusegaard Seconded By Rep. Solberg

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 Hunskor	✓	
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) 15 Click here to type Yes Vote No 0 Click here to type No Vote

Absent 0

Floor Assignment Click here to type Floor Assignment Rep. Hawken

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

REPORT OF STANDING COMMITTEE (410)
February 12, 2001 4:51 p.m.

Module No: HR-24-3138
Carrier: Hawken
Insert LC: 13058.0301 Title: .0400

REPORT OF STANDING COMMITTEE

HCR 3024: Education Committee (Rep. R. Kelsch, Chairman) recommends
AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS**
(15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3024 was placed on the
Sixth order on the calendar.

Page 1, line 19, after the first "the" insert "most recent"

Page 1, line 20, replace "has never exceeded 11 percent" with "is one-third of the 40 percent
target level set by Congress"

Renumber accordingly

2001 SENATE EDUCATION

HCR 3024

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3024

Senate Education Committee

Conference Committee

Hearing Date 02-28-01

Tape Number	Side A	Side B	Meter #
1		x	36.3 - end
2	x		0 - 7.8
2 (03-05-01)		x	20.1 - 31.0
Committee Clerk Signature <i>Andrew Johnson</i>			

Minutes: CHAIRMAN FREBORG opened the hearing on HCR 3024 which urges Congress to raise the level of federal funding for the education of children with disabilities.

Testimony in support of HCR 3024:

REPRESENTATIVE MYRON KOPPANG, District 25, presented written testimony. (see attached). There are other states involved in under-funding also.

BEV NIELSON, ND School Boards Assn., stated the National School Bd. Assn. had a resolution for the Federal government to fully fund their share of funding for educating children with disabilities.

MAX LAIRD, President NDEA, stated Senator Conrad has promised to propose 17 billion over the next 5 years for the federal government to make up their under-funding.

BOB RUTTEN, Director of Special Education for DPI, presented written testimony. (see attached).

JACK MCDONALD, Association of Nonpublic Schools, stated they support the bill. This has been a particular problem for nonpublic schools. They usually make arrangements through the public school system for students with disabilities. With the funding being so little, it has been very difficult.

There was no opposition to the resolution.

CHAIRMAN FREBORG closed the hearing on HCR 3024.

SENATOR COOK proposed an amendment to include the President of the United States on page 2, line 6, to those who will receive this resolution. Seconded by **SENATOR WANZUK**. Roll Call Vote: 6 YES. 0 NO. 1 Absent. Amendment adopted.

SENATOR KELSH moved an amendment to state: whereas Congress is considering income tax reductions and has never lived up to their promised funding level of 40%, they should apply it for property tax relief and use some of the excess funds to provide the promised 40% funding for children with disabilities. Seconded by **SENATOR O'CONNELL**. **SENATOR COOK** asked if the intent of the amendment is to suggest that since there is a surplus they should pay, but if there weren't, they should not pay? **SENATOR KELSH** stated that he feels they have not been made to feel this is a high priority over the last few years, and he feels this resolution addresses that.

SENATOR KELSH WITHDREW HIS MOTION TO ADOPT THE AMENDMENT.

SECONDED BY SENATOR O'CONNELL. **SENATOR WANZEK** stated he could support the amendment if it did not speak to the surplus.

SENATOR KELSH will have an amendment properly drawn up by Legislative Council.

Page 3
Senate Education Committee
Bill/Resolution Number HCR 3024
Hearing Date 02-28-01

03-05-01, Tape 2, Side B, 20.1 - 31.0

SENATOR KELSH presented further amendments to HCR 3024. (see attached). He explained the amendments. He feels there is money available to do the full 40% funding and the Feds should now pay the share they promised. SENATOR COOK feels the commitment on the part of the Feds is not relative to a surplus of money. He feels they should pay the 40% since they promised that, whether there is a surplus or not. Committee discussion.

SENATOR KELSH moved to adopt the amendment. Seconded by SENATOR CHRISTENSON. Roll Call Vote: 3 YES. 3 NO. 1 Absent. The amendment failed.

SENATOR COOK moved a DO PASS as Amended. Seconded by SENATOR FLAKOLL.

Roll Call Vote: 5 YES. 1 NO. 1 Absent. Motion Carried

Carrier: SENATOR FLAKOLL

13058.0401
Title.

Prepared by the Legislative Council staff for
Senator Kelsh

March 2, 2001

PROPOSED AMENDMENTS TO ENGROSSED HOUSE CONCURRENT
RESOLUTION NO. 3024

Page 1, line 1, replace "raise the level of federal funding for the education" with "set aside a portion of the current budget surplus to fully fund Congress's original commitment to"

Page 1, line 2, remove "of"

Page 2, line 6, replace "raise the level of federal funding for the education of" with "set aside a portion of the current budget surplus for the purpose of fully funding Congress's original commitment to pay 40 percent of the average cost incurred by school districts in providing special education to"

Renumber accordingly

Date: 2/28/01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HR 3024

Senate Education Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken adopt amendment

Motion Made By Cook Seconded By Wanzek

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	✓		Senator Christenson	✓	
Senator Flakoll - Vice Chairman	A		Senator Kelsh	✓	
Senator Cook	✓		Senator O'Connell	✓	
Senator Wanzek	✓				

Total (Yes) 6 No 0

Absent 1

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent: include President of U.S.
pg 2, line 6,

Date: 3/5/01
 Roll Call Vote #: ~~3024~~ /

200¹ SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 3024

Senate Education Committee

Subcommittee on _____
 or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken adopt amend - failed

Motion Made By Sen. Kelsh Seconded By Sen. Christenson

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman		✓	Senator Christenson	✓	
Senator Flakoll - Vice Chairman		✓	Senator Kelsh	✓	
Senator Cook		✓	Senator O'Connell	✓	
Senator Wanzek	A				

Total (Yes) 3 No 3

Absent 1

Floor Assignment _____

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

Date: 3/5/01
 Roll Call Vote #: 2

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
 BILL/RESOLUTION NO. 3024

Senate Education Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken DPA

Motion Made By Sen. Cook Seconded By Sen. Flakoll

Senators	Yes	No	Senators	Yes	No
Senator Freborg - Chairman	✓		Senator Christenson	✓	
Senator Flakoll - Vice Chairman	✓		Senator Kelsh		✓
Senator Cook	✓		Senator O'Connell	✓	
Senator Wanzek	A				

Total (Yes) 5 No 1

Absent 1

Floor Assignment Sen. Flakoll

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

