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ROLL NUMBER

DESCRIPTION

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La Costa Rickford
Operator's Signature

10/3/03
Date

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2003 HOUSE EDUCATION

HB 1258

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2003 HOUSE STANDING COMMITTEE MINUTES
BILL/RESOLUTION NO. HB 1258
House Education Committee

Conference Committee

Hearing Date January 22, 2003

Tape Number	Side A	Side B	Meter #
1	x		150-828
Committee Clerk Signature <i>Linda Fiechter</i>			

Minutes: Chairman Kelsch opened hearing on HB 1258

Rep. Nancy Johnson, District 37 on behalf of the NDSBA

Will allow the reorganized school districts to issue contracts upon completion of negotiations.

There is a very specific time line for reorganizing, electing a board and initiating staff reductions and entering into negotiations. But no provision that allows the contracts to be offered as soon as the negotiations are completed. If the teachers and board agree to a contract in April it is my understanding that the board can't issue a contract until July 1st. That commits the board to the offer, but the teacher is free to seek other employment or refuse the contract when it comes up in July. Leaving the board to seek replacement late in the job hunting season. It makes it extremely difficult for a small school district. Gary Thune, Legal Counsel for the NDSBA is here to give more information to you.

Gary Thune, Legal Counsel for the NDSBA, See Attached Testimony

(439) Rep. Hunsakor These contracts are issued July 1 have to be back again by August 1. They have 30 days to return them, leaving only 3 weeks before the school season starts?

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Page 2
House Education Committee
Bill/Resolution Number HB1258
Hearing Date January 22, 2003

Thune: In essence, these are not continuing contracts. I don't believe that a school board is tied to 30 days. Because they are not continuing contracts, it is a new legal entity issuing the contracts. But, certainly a reasonable amount of time would be required for teachers to receive and return the contract. It may not be 30 days, it may be 15 to 20 days, and then you would have roughly a month to find a replacement. If the negotiations had been completed prior to July 1, the school board would have the authority to issue contracts. They do not have that authority now.

Nancy Sand, NDEA, See Attached Testimony

NDEA supports this bill, and we understand and recognize the fact that current Century Code regarding the reorganization. However, we believe that there is still something else missing from it. The attached proposed amendment.

Rep. Haas (question of Thune) This would apply only to the initial year of reorganization?

Thune: Yes

Opposition - none

Closed hearing

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2003 HOUSE STANDING COMMITTEE MINUTES
BILL/RESOLUTION NO. HB 1258
Education Committee

Conference Committee

Hearing Date January 28, 2003

Tape Number	Side A	Side B	Meter #
1	x		4689-5180
Committee Clerk Signature <i>Linda Feichter</i>			

Minutes: Chairman Kelsch opened committee work on HB 1258.

Vice Chair Johnson; NDEA didn't want it amended but we do need to have an emergency clause so that the signing can take effect before July 1 2003.

Chairman Kelsch we can amend

Rep. Hawken I move to amend HB 1258 to include an emergency clause, Rep. Sitte second.

Voice vote passed.

Rep. Haas moved a DO PASS AS AMENDED, Rep. Meier seconded. 14-0-0, Rep. Haas will carry to the floor.

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10/3/03
Date

30521.0101
Title.0200

Adopted by the Education Committee
January 28, 2003

VK
1/30/03

HOUSE) AMENDMENTS TO HOUSE BILL NO. 1258 HEDU 1-31-03

Page 1, line 2, after "districts" insert "; and to declare an emergency"

HOUSE AMENDMENTS TO HOUSE BILL NO. 1258 HEDU 1-31-03

Page 2, after line 22, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

Page No. 1

30521.0101

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Ja Costa Rickford
Operator's Signature

10/2/03
Date

Date: 1/28/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House HOUSE EDUCATION 1258 Committee

Check here for Conference Committee

Legislative Council Amendment Number "Emergency clause" added

Action Taken do Pass

Motion Made By Hawken Seconded By Sette

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch					
Rep. Johnson					
Rep. Nelson					
Rep. Haas					
Rep. Hawken					
Rep. Herbel					
Rep. Meier					
Rep. Norland					
Rep. Sitte					
Rep. Hanson					
Rep. Hunsakor					
Rep. Mueller					
Rep. Solberg					
Rep. Williams					

Total (Yes) _____ No _____

Absent roll vote

Floor Assignment _____

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

Date: 1/28
Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1258

House HOUSE EDUCATION Committee

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken All Pass as amended.

Motion Made By Haas Seconded By Meier

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓				
Rep. Johnson	✓				
Rep. Nelson	✓				
Rep. Haas	✓				
Rep. Hawken	✓				
Rep. Herbel	✓				
Rep. Meier	✓				
Rep. Norland	✓				
Rep. Sitte	✓				
Rep. Hanson	✓				
Rep. Hunskor	✓				
Rep. Mueller	✓				
Rep. Solberg	✓				
Rep. Williams	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Haas

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

Ja Costa Rickford 10/2/03
Operator's Signature Date

