

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1235

2007 HOUSE EDUCATION

HB 1235

2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **HB 1235**

House Education Committee

☐ Check here for Conference Committee

Hearing Date: **22 January 2007**

Recorder Job Number: **1520**

Committee Clerk Signature

Jan Prindle

Minutes:

Senator David O'Connell, District 6, introduced the bill. (Testimony Attached.) He outlined the changes from the present law. It allows student who are residents of North Dakota who graduate from South Dakota schools to be eligible for all scholarships and loans offered to North Dakota high school graduates.

Tom Decker, DPI, testified in favor of the bill. (Testimony Attached.) This bill corrects an unintended consequence in the cross border attendance bill passed in the last session and would make ND students graduating from SD schools eligible for ND scholarships. This came to light when one of those students called a ND higher education institution to apply for a scholarship and was told that he was not eligible.

Representative Mueller: What about those South Dakota students who have graduated from ND schools, are they eligible for ND scholarships?

Decker: No. South Dakota is working with a similar piece of legislation to correct the same problem.

Frank Tomack, parent, testified in favor of the bill. He discussed the ramifications the present law had on his senior student. He wished to apply for a Regent Scholar. He was told he was not eligible and that's when I contacted Tom Decker. I recommend a do pass on this bill.

Jim Gross, superintendent for Selfridge, testified in favor of the bill. We have students all over the state that go across the border all along the border. This needs to be corrected to be fair to all.

Doug Johnson, ND Council of Education Leaders, testified in favor of the bill. I think it is important to correct the error that was made. It would be appropriate for this committee to pass this bill.

There being no further testimony on HB 1235, **Chairman Kelsch** closed the hearing of **HB 1235**.

Vice Chairman Meier: I move **Do Pass** on **HB 1235**.

Representative Solberg: I second.

A roll call vote was taken: Yea: 13, Nay: 0, Absent: 0.

Representative Hunsakor will carry the bill.

Date: 22 Jan 07
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1235

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken

do Pass

Motion Made By

Meier

Seconded By

Solberg

Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch	✓		Rep Hanson	✓	
V Chairman Meier	✓		Rep Hunsakor	✓	
Rep Haas	✓		Rep Mueller	✓	
Rep Herbel	✓		Rep Myxter	✓	
Rep Johnson	✓		Rep Solberg	✓	
Rep Karls	✓				
Rep Sukat	✓				
Rep Wall	✓				

Total Yes 13 No 0

Absent 0

Floor

Assignment

Hunsakor

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

REPORT OF STANDING COMMITTEE

HB 1235: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS
(13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1235 was placed on the
Eleventh order on the calendar.

2007 SENATE EDUCATION

HB 1235

2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1235

Senate Education Committee

☐ Check here for Conference Committee

Hearing Date: February 28, 2007

Recorder Job Number: 4057

Committee Clerk Signature

Minutes:

Chairman Freborg opened the hearing on HB 1235, a bill relating to participation in the North Dakota scholars program by students in cross-border programs. All members were present. Tom Decker, Department of Public Instruction, testified in favor of the bill. (Written testimony attached)

Senator O'Connell testified in favor of the bill. (Written testimony attached)

Senator Flakoll asked if we need the emergency clause on the bill.

Senator O'Connell said no.

Representative Kelsch testified in favor of the bill. When the legislature passed the cross border legislation, this was overlooked. When our students are qualified, they should be considered for the scholarships, even if they attended high school in a cross border state.

Senator Tomac has a brother with a son who lives in North Dakota and attends high school in South Dakota. He knew as a freshman in high school that this would be a problem for him and he testified in the House.

Chairman Freborg closed the hearing on HB 1235.

Senator Flakoll moved a Do Pass on HB 1235, seconded by Senator Gary Lee.

The motion passed 5-0-0. Senator Flakoll will carry the bill.

Date: 2/28/07
Roll Call Vote #: /

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1235

Senate Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen. Flakoll Seconded By Sen. Lee

Senators	Yes	No	Senators	Yes	No
Senator Freborg	✓		Senator Taylor	✓	
Senator Flakoll	✓		Senator Bakke	✓	
Senator Gary Lee	✓				

Total Yes 5 No 0

Absent 0

Floor Assignment Sen. Flakoll

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

REPORT OF STANDING COMMITTEE (410)
February 28, 2007 9:23 a.m.

Module No: SR-38-4085
Carrier: Flakoll
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1235: Education Committee (Sen. Freborg, Chairman) recommends DO PASS
(5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1235 was placed on the
Fourteenth order on the calendar.

2007 TESTIMONY

HB 1235

*Senator
O'Donnell*

22 Jan 07

HB 1235

This bill makes changes to current North Dakota Century Code 15.62.2.001 and 15-62.2.01 by allowing the North Dakota Scholars program to extend to students who have graduated in a bordering state as specified in chapter 15.1-29 of ND Century Code.

*Same
testimony
given to
Senate.*

- Additional definition of applicant is made, allowing one who has graduated from high school in bordering state.
- Additional definition of "full-time resident student" is made, allowing one who has graduated from high school in bordering state.
- Also changes the word "handicap" to "disability".
- Simply reorganizes the current century code, giving new sections headings of their own.

TESTIMONY ON HB 1235
SENATE EDUCATION COMMITTEE
February 28, 2007
by Thomas Decker, Director, School Finance
(701) 328-2267
Department of Public Instruction

*Same
testimony
given to
House.*

Chairman Freborg, members of the committee, for the record, I am Tom Decker, Director, School Finance & Organization, Department of Public Instruction.

House Bill 1235 corrects an unintended consequence of passage of the North Dakota, South Dakota cross border attendance provisions last session. While that bill has generally been working exactly as we expected it to work, it creates a circumstance in which some North Dakota students who happen to graduate from a South Dakota high school are ineligible for certain North Dakota scholarships.

House Bill 1235 amends provisions of law to indicate that North Dakota student's who attend a South Dakota high school and graduate from a South Dakota high school, are eligible for these scholarships.

It is interesting to note that South Dakota is working on an identical piece of legislation to ensure that their students attending North Dakota high schools and graduating from North Dakota high schools are eligible for their state scholarships.

We recommend a do pass on House Bill 1235.