

**2015 HOUSE EDUCATION**

**HB 1336**

# 2015 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Pioneer Room, State Capitol

HB 1336

2/3/2015

23099

☐ Subcommittee  
☐ Conference Committee

Committee Clerk Signature

*Donna Whetham*

## Explanation or reason for introduction of bill/resolution:

Relating to school board membership.

## Minutes:

**Chairman Nathe:** opened the hearing on HB 1336.

**Vice Chairman Schatz:** introduced the HB 1336. Smaller districts are having a hard time getting people to run for the school boards. This bill is to allow a three members instead of five members on a board. You would have a petition that was signed by qualified electors equal in number to at least one- third of those who voted in the last election to sign the petition. Then you would hold a special election and have a majority of the voters to reduce the board from five to three. The bill also allows the increase of the school board by a majority of qualified voters. It is outlined in the bill itself. (1:00-4:23)

**Rep. Hunsakor:** Is there more than one case in order to have this bill?

**Vice Chairman Schatz:** No. I see advertising in the newspaper for school board members in smaller areas. It is good to have a school board campaign you get the issues out and discuss them with the public.

**Rep. Zubke:** You talked about people getting on school boards for the wrong reasons, wouldn't you be more concerned if there is only three members.

**Vice Chairman Schatz:** Possibly yes. It could happen.

**Chairman Nathe:** This bill doesn't mandate that there has to be three.

**Vice Chairman Schatz:** No, I just want to give them the option.

**Rep. Mock:** One thing I am suspecting if this were to pass we would have a challenge with this open record. I serve on the Grand Forks Library board, we have 5 members. We are

very careful to not have more than 3 members talking, because technically that could be a violation. We do not want to not violate the letter of the law. Have you looked into unintended consequences that might result if a school board would go to a three member board and how they might have to publicize any potential meeting?

**Vice Chairman Schatz:** You are right there is that potential. I have thought about that and I am not exactly sure how the county commission is doing it, I know two guys on the county commission can have coffee I know that. There are rules and we do have to follow the rules.

**Rep. Hunskor:** Could you envision in a rural district, that there are 3 people that want to get on and they think on the same line, so the discussion could be one sided, could that be a problem?

**Vice Chairman Schatz:** I am sure it could be, but they are elected by the people.

**Rep. Hunskor:** There would be a better chance of different thoughts with 5, 7 or 9 people.

**Rep Meier:** Your intent with the bill that our district would have a special election to decrease or increase their membership?

**Vice Chairman Schatz:** Yes. According to the bill on page 1 line 9 item 2, show it would be a special election.

**Chairman Nathe:** If there are only 3 people on a board it might deter people from running because they would think I am not going to do all that work, it used to take 7 people.

**Rep Dennis Johnson:** I believe there is a bill to change the county commission from three to five because of the concerns being voiced here today, are you familiar with that bill?

**Vice Chairman Schatz:** I am. My opinion is I don't think it will pass.

**Chairman Nathe:** Any other support for HB 1336? None. Any opposition for HB 1336? None. Closed the hearing on HB 1336.

# 2015 HOUSE STANDING COMMITTEE MINUTES

**Education Committee**  
Pioneer Room, State Capitol

HB 1336  
2/4/2015  
23233

☐ Subcommittee  
☐ Conference Committee

Committee Clerk Signature

*Donna Whetham*

## Explanation or reason for introduction of bill/resolution:

Relating to the establishment of the promise grant program, the North Dakota academic scholarships and the North Dakota career and technical education scholarships; to provide a transfer, an effective date; and an expiration date.

## Minutes:

**Chairman Nathe:** reopened the hearing on HB 1336

**Rep. Koppleman:** Moved Do Not Pass on HB 1336.

**Rep. Mock:** seconded.

**Rep. Koppleman:** This creates a smaller group and if you can't find a person on five member board that position could stay open.

**Rep. Kelsh:** I can see this causing a lot of problems. If someone had to miss a meeting there would be only two members and it would be impossible to break a tie.

**Rep. Rohr:** On some of the testimony we heard that over half of our counties have three commissioner members. So how would that work in reality then?

**Rep. Olson:** That was my question as well.

**Rep. Mock:** My example was the Grand Forks city council has three member committees. It gets tricky.

**Chairman Nathe:** I believe PSE has three members and they don't meet if they have less than three.

**Rep Dennis Johnson:** I think that is why we have a bill upstairs trying to get the counties to go to five members because of the problems they are having with only three members on the county commission.

**Vice Chairman Schatz:** My point was to give them an option. They don't have to do anything. There is five districts in the state who have trouble finding people. Why not allow them the option?

**Rep. Kelsh:** If they don't have five members on the board is there any penalty if there is not a five?

**Vice Chairman Schatz:** No.

**A Roll Call Vote was taken. Yes: 8 No: 5 Absent: 0. Motion carried.**

**Rep. Kelsh:** will carry the bill.

Date: 2/4/15  
Roll Call Vote #: 1

2015 HOUSE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1336

House Education Committee

☐ Subcommittee

Amendment LC# or Description: \_\_\_\_\_

Recommendation: ☐ Adopt Amendment  
☐ Do Pass ☒ Do Not Pass ☐ Without Committee Recommendation  
☐ As Amended ☐ Rerefer to Appropriations  
☐ Place on Consent Calendar  
Other Actions: ☐ Reconsider ☐ \_\_\_\_\_

Motion Made By Rep. Koppelman Seconded By Rep. Mock

Representatives	Yes	No	Representatives	Yes	No
Chairman Nathe	✓		Rep. Hunskor	✓	
Vice Chairman Schatz		✓	Rep. Kelsh	✓	
Rep. Dennis Johnson	✓		Rep. Mock	✓	
Rep. B. Koppelman	✓				
Rep. Looyesen		✓			
Rep. Meier		✓			
Rep. Olson		✓			
Rep. Rohr		✓			
Rep. Schreiber Beck	✓				
Rep. Zubke	✓				

Total (Yes) 8 No 5

Absent 0

Floor Assignment Rep. Kelsh

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

**REPORT OF STANDING COMMITTEE**

**HB 1336: Education Committee (Rep. Nathe, Chairman)** recommends **DO NOT PASS** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1336 was placed on the Eleventh order on the calendar.