

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1310

2001 HOUSE EDUCATION

HB 1310

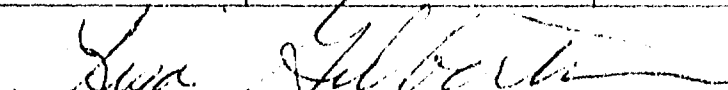
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1310

House Education Committee

☐ Conference Committee

Hearing Date 01/24/01

Tape Number	Side A	Side B	Meter #
#1	X		97 to 2200
Committee Clerk Signature 			

Minutes:

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

Vice Chairman Brusegaard: The House Education Committee has before it HB1310.

Rep. R. Kelsch: HB1310 is a bill that is in this session due to a response from a lot of the rural school districts. Currently we have teachers out there that are losing their positions, whether it's due to declining enrollment, consolidation of classrooms, those types of things, and teachers are forced into looking at a new discipline, and basically what this bill does, it takes an appropriation of \$120,000 that teachers would be able to use as tuition money for them to retrain for them to go into another discipline. It's a program that I think is extremely necessary, something that we can give to the teachers in our state as an incentive. It looks like we'll be losing approximately 3400 teachers in the next ten years, and with this, we also know that as schools continue to reorganize

and the enrollment tends to decline, we know that we're going to have teachers down there that are displaced, and this should be an aid to them that they can use for some retraining.

Rep. Bellew: Did you say that this bill was introduced to help retrain teachers. How will affect k-8 since they already have their k-8 certificate. I personally don't see how this is going to help those teachers.

Rep. R. Kelsch: If a teacher needs to go back and get retraining in order to teach high school, then that's how it would aid the k-8, if you have a high school teacher that possibly needs to go from math to science, those types of things, they can go and get the courses necessary for a different discipline.

Rep. Hunsaker: I see no stipulation that, someone who received a grant or scholarship would need to say, teach a year or two or three in ND as an incentive to keep them in the state.

Rep. R. Kelsch: No, it was something I thought about as an afterthought, and it could be something that this committee could possibly look at an amendment. When we first drafted the bill, we did have stipulation in there that we would ask for repayment if they would leave the teaching profession, but we took that out just trying to make the bill as clean as possible, but I would certainly welcome any amendments.

Rep. Nottestad: As I look at this, if someone from out of state applied for a ND credential and became credentialed, would they be eligible for this retraining?

Rep. R. Kelsch: Yes, they would.

Rep. Thoreson: Is the intent of this to pay for the entire cost of retraining or is there a limit on the amount or would it include going from a bachelors degree to a masters degree?

Rep. Kelsch: All it is is to provide the training for the elementary and secondary teachers and basically all it would be is just to move them from one teaching level to another, so, it's a retraining, not furthering your education.

Rep. Thoreson: Would it also, then, include retraining to go into administrative positions?

Rep. R. Kelsch: If you'll look on line 15, it says endorsement to teach in a different grade level or a different subject area, so in my mind, that would exclude you taking courses to become an administrator.

Jack Dalrymple: (Lt. Governor) The governor's would like to convey that we feel that this bill is a good idea. It's a very specific and specialized situation, we're not saying that this is the great answer to the problems in education, but there is a desire, or a need, to do whatever we can to attack the problem of vacancies that are appearing at times every fall in different parts of the state, and the challenge for the state is, 'what can we do, other than boost everyone's salary up', to help fill some of these broken slots in September. One problem that has arisen, is that as rural schools experience declining enrollments, and budgets are constrained, and schools go through consolidation, there are teachers that are being discontinued, because of the reorganization, or realignment of the sections. In that situation, through no fault of their own, a K-8 teacher, may find themselves with no job opportunity in their home region, and of course, the first reaction is, 'well, there's plenty of jobs out there, why don't they just move somewhere else?' The problem is, the people have families, they have lives, and quite often their spouses occupation is place based in that community, and moving away is simply not an option for them, so what they need to do is get retraining, they need further education to get their high school certificate, and we feel that it is appropriate to help them with the cost of that. What is probably the most important to

you, on the committee, is that the funding for this has been included in the Hoeven budget. It is included as part of the grants line item in the budget for the Board of Higher Education, and I believe the amount envisioned there is \$120,000, would provide approximately a couple thousand dollars each year for up to thirty people. That may be more than we need, but we think that initially, there might be pretty good interest in the program. Somebody asked about the restrictions, and what not. There will be rules developed for the program, through the Board of Higher Ed. in consultation with the education folks, and also, I think ND will also have to be playing a role in this, and I think that the amount that they will allow per year. The rules for who would qualify would be developed by those people, unless you wish to specify a particular requirement that you think is especially important. This is not a big deal, but I think it is a step forward, and it will help in certain circumstances, and it also sends a message to people, if they want to go to their local college at night, if they want to take a summer going to summer school, which is when this would probably happen, we're going to support them on that.

Rep. Thoreson: Do they have to be in that position before they're eligible for this? Does their school have to have closed, or if they anticipate that it's going to close in a couple of years, and they apply for this and start retraining?

Dalrymple: I see that as part of the challenge of rule writing. You're going to have to identify what it is that they're not only being laid off, but what is the targeted position that the school is willing to make available, so yes, there's two sides to that and that have to be part of the rules.

Rep. Hanson: Could you be non renewed every year to qualify for this, because if you're in a federal program, most of those are non renewed every year. Would they qualify every year?

Page 5  
House Education Committee  
Bill/Resolution Number HB1310  
Hearing Date 01/24/01

Dalrymple: I cannot answer that. I think you would have to watch out for those kinds of loop holes.

Rep. Nelson: I would guess that this would also include, under the definition of retraining, a classroom teacher that would go in and do administrative position as well?

Dalrymple: The bill does not say that, I believe that was asked before. It's something the committee could discuss.

Janet Welk: (ESPB) \*Please refer to written testimony\*

Jack McDonald: (SANS) \*Please refer to written testimony\*

Vice-Chairman Brusegaard: We will close the hearing on HB1310.

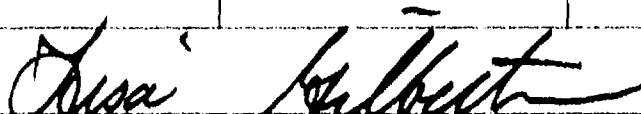
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1310 A

House Education Committee

☐ Conference Committee

Hearing Date 01/30/01

Type Number	Side A	Side B	Meter #
#2		X	2319 to 3087
Committee Clerk Signature 			

Minutes:

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

Chairman Kelsch: We will take up HB1310.

Rep. Nottestad: I move the amendments.

Rep. Brusegaard: Second.

Rep. Meier: I move a Do Pass As Amended

Rep. Bellew: Second.

Chairman Kelsch: Committee discussion.

The motion of DO PASS AS AMENDED passes with 15 Yea 0 Nay 0 Absent.

Floor Assignment: Rep. Grumbo



January 29, 2001

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1310

Page 1, after line 17, insert:

- "3. Teachers who receive scholarship assistance under this section must teach in North Dakota for a period of at least two years after completing the scholarship coursework."

Date: 1/30/01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1310

House House Education Committee

- ☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number 10242.0201

Action Taken Do Pass As Amended

Motion Made By Rep. Meier Seconded By Rep. Bellew

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 Hunsaker	✓	
Rep. C.B. Haas	✓		Rep. Phillip Mueller	✓	
Rep. Kathy Hawken	✓		Rep. Dorvan Solberg	✓	
Rep. Dennis E. Johnson	✓				
Rep. Lisa Meier	✓				
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. Grumbo

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

**REPORT OF STANDING COMMITTEE (410)**  
January 31, 2001 1:02 p.m.

Module No: HR-17-1995  
Carrier: Grumbo  
Insert LC: 10242.0201 Title: .0300

**REPORT OF STANDING COMMITTEE**

**HB 1310: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1310 was placed on the Sixth order on the calendar.**

Page 1, after line 17, Insert:

"3. Teachers who receive scholarship assistance under this section must teach in North Dakota for at least two years after completing the scholarship coursework."

Renumber accordingly

2001 HOUSE APPROPRIATIONS

HB 1310

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1310

House Appropriations Committee  
Education and Environment Division

☐ Conference Committee

Hearing Date February 08, 2001

Tape Number	Side A	Side B	Meter #
1 of 1	x		2,250
Committee Clerk Signature <i>Judy B. Brock</i>			

Minutes:

Representatives Aarsvold, Boehm, Gulleeson, Martinson, Monson, Wald, Wentz.

Rae Ann Kelsch: Representative from District 34 Mandan. This bill technically doesn't need to be down here. The 120,000 dollars that is appropriated in this bill is in the grant line item of the higher education budget which did pass out of Appropriations in the Senate yesterday. What this bill does is appropriates a sum of 120,000 which would be used for teacher retraining. Some of the smaller communities and declining enrollment. Teachers are having to go from an elementary degree to a secondary degree, and try to keep these teachers in the state. This comes to approximately 3,000 per teacher, 40 teachers through the biennium.

Representative Gulleeson: How would the selection of these teachers be made, and could it be used for an advanced degree?

Rae Ann Kelsch: There will be a notice going out to all the teachers and on a recommendation from the School District. We did do an amendment. We felt if we were using State dollars to

appropriate these scholarships we did want to retain them in the state for at least two years. It could be used for a higher degree but it does say retrained. That was our intent to retrain from one discipline to the next. But would not be limited to that. We did not put the 3,000 limits in. The Board of Higher Education is making the rules.

Michel Hillman: Vice Chancellor for Academic Affairs with ND University system.

Representative Aarsvold: Could the scholarship dollars be used for anything other than just tuition?

Michael Hillman: I think most teachers would want a program close top them. It could be used for living expense as well. There is the 3,000 cap. Technically they could go to a University if a position were open. It just says to teach in ND for two years. We would ask applicants intent.

Representative Wald: If this is a higher education budget why do we need this vehicle?

Celest OMB: This was in the Hoeven budget and the bill was prepared to make sure exactly what this money is used for. The bills were prepared based upon the Schafer budget.

Representative Aarsvold: Are the other recipients eligible for other financial aid as well

Michael Hillman: Most of the financial aid is available for under graduates students that have not obtained there first bachelor degree. Most of the common programs they would not be eligible but, they would for loans. Rather than line items there are blocks of funding and grants are in one block.

Representative Martinson: May I suggest if we believe in this program and some of the other programs that we insert that language in the higher education bill when we have it.

Representative Wentz: Does anyone else wish to appear in opposition of HB1310. Seeing none we will close the hearing on HB1310.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1310

House Appropriations Committee  
Education and Environment Division

☐ Conference Committee

Hearing Date February 8, 2001

Tape Number	Side A	Side B	Meter #
02-08-01 tape #2	502 - 1126		
Committee Clerk Signature <i>Kathleen Hall</i>			

Minutes:

The committee was called to order, and opened committee work on HB 1310, on retraining teachers..

Chairman Wentz: One of the questions that came up was on \$120,000. As it is written in the bill it would be \$120,000 of new dollars. I talked to Rep. Kelsch, and she said that was not her intention as the prime sponsor. And it is supposed to come out of the existing appropriated moneys of that grant line item in higher ed. So apparently we need to have an amendment that would clarify that.

Rep. Wald: Asked what the higher ed budget bill number was - answer is 2003.

Rep. Wald: Moves to adopt amendment that the reflects that the \$120,000 comes from the line item or referenced in SB 2003. Rep. \_\_\_\_\_ seconded.

Rep. Martinson: Questioned the Motion, either its "a line item" or its "referenced" but not both.

Rep. Wald: Amends the motion to states ... line item...".

Page 2

Government Operations Division  
Bill/Resolution Number HB 1310  
Hearing Date February 8, 2001

(There was some discussion between the LC staff and the committee that they could not amend SB 2003, but only the bill they have before them. They can only refer to SB 2003, not amend it at this time. The committee reminded each other to remember they need to look at this further when they have SB 2003 in the future).

Rep. Wald: Moves DO PASS AS AMENDED. Seconded.

Vote on Do Pass as Amended : 6 yes, 0 no, 1 absent and not voting (Rep. Gulleeson). Motion passes.

Rep. Monson is assigned to carry the bill to the full committee.



2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **HB1310**

House Appropriations Committee

☐ Conference Committee

Hearing Date **February 9, 2001**

Tape Number	Side A	Side B	Meter #
1		x	5730 - 1778
2	x		0 - 1778
Committee Clerk Signature <i>L L Donker</i>			

Minutes:

**HOUSE APPROPRIATIONS COMMITTEE ACTION ON HB1310.**

**Rep. Monson:** I just received the amendments as you did, but I will try to speak to them as best I can. I have my own notes here that I had made yesterday, but the amendment that you just received, the statement of purpose of the amendment at the bottom was to clarify that this is not new money that is coming out of the general fund, this is included in the appropriation for the North Dakota University System in a block grant of about \$120,000 or so much of the amount as is needed out of that grant area. Rep. Monson went on to explain the amendments of the bill and the merits of the bill itself Rep. Monson moved the amendments to the bill. Seconded by Rep. Wentz.

**Rep. Kempenich:** What were these funds used for before this program started? That block grant.

**Rep. Monson:** We understood it to be that there is a series of initiatives that are developed by the board of higher education, they are funded out of this \$400, 000 block grant, the House

Education Committee decided that this was an important bill and that it should be included as one of the initiatives in that \$400,000 grant and the Board of Higher Education can make the rules to spend this amount of money, but it would come out of that block grant and it would be up to them to find it in that \$400,000, for this initiative and any others that they may have.

**Rep. Aarsvold:** The \$400,000 block grant you reference, that's a new appropriation in 2003?

**Rep. Monson:** Every session there are initiatives that are put forth with state funding, and this is general fund money and of course every year it is re-appropriated in some way shape or form. This is nothing unusual, but it would be \$400,000 of general fund that was in Governor Heaven's budget.

**Rep. Aarsvold:** Programmatically, what was the intended use for that \$400,000 as 2003 was drafted?

**Rep. Monson:** I am not sure, and maybe OMB has that list.

**Celeste, OMB:** I cannot respond to that at this moment as this is not my budget, but I will ensure that the list will get to you.

**Rep. Kliniske:** Did the university come in to testify on this bill and if so what was their opinion?

**Rep. Monson:** Yes they did, and they didn't seem overly opposed to this, and in fact seemed to favor it, although this budget for the higher education, and this is kind of a tricky thing, because the higher education budget is in the senate and this bill was over in the house and we really haven't had a chance to hear what those other initiatives are, but in light of the fact that Mr. Hillman did not oppose this, I guess we felt that we would just take the direction from the House Education Committee and an attempt to include this, but it would not include any new money that is not in the governor's budget.

**Rep. Byerly:** Didn't we have in last biennium's budget for Ed. a pool of money for their initiatives and isn't that pool just a continuation of what we did last biennium?

**Rep. Monson:** This is exactly the case.

**Rep. Wentz:** We did not have a full scale hearing on this because it was re-referred from House Education and the prime sponsor Rep. Kelsch appeared and then Mr. Hillman from the board office, and as Rep. Monson said he didn't appear to have a problem with this and he didn't indicate any opposition.

**Rep. Byerly:** I think it would be more appropriate to kill this bill and when we have the budget for higher education to amend this into that bill, because we have always tried to stay away from one bill effecting a budget in a different bill and this just seems strange to me that we would tie the hands of the board, especially when we tried to loosen those bonds just last biennium.

**Rep. Aarsvold:** I have some trouble with the source of funding here, public school education K-12 is the state's responsibility of course, and here were choosing to pull from another agency the funding for that responsibility, and granted they both involve education but nevertheless I think they are somewhat different, so I have some problems with that expectation that higher education would pay for the needs that our public school districts have in staffing their teachers in their buildings.

**Rep. Monson:** I don't really see a conflict myself in that regard. One of the missions of higher education of course is to train teacher's and retrain teacher's and this is one of the things that universities do and these scholarships will be given out at a maximum of \$3000 and it probably will be much less, the \$120 thousand is probably not going to be needed at least the whole \$120,000, we just felt that we should clarify this, so what this amendment does is clarify that we

didn't want extra general fund money spent for this purpose and it would be to retrain teacher's which is the mission of the universities.

**Rep. Wald:** Is the Nottestead amendment on this bill, I don't recall what we did yesterday, whether they have to stay in the state at least two years after they complete their upgrade?

**Rep. Monson:** It is not an engrossed bill that we have before us, but part of the amendment that came with this bill does have a section on here that says: that teachers who receive scholarship assistance under this section must teach in North Dakota for at least two years after completing the scholarship course work.

**Rep. Delzer:** A question on that, the way you read that, how are they going to do that? Not give them the money until after they have taught for two years? What kind of penalty is there if they teach one year and take the money and take off.?

**Rep. Monson:** I had the same thought after I started to reread this in preparation to present this amendment to you, and that is the way it was brought over to us yesterday and I would guess they would just be billed back.

**Rep. Gulleason:** I want to speak to the bigger philosophy of this and if were moving to the pooling of those dollars and asking the university system to come forward with priorities, are we going to start going down the road of having all sorts of separate bills then coming in to trump that process and put themselves ahead of the pack, kind of like we saw in the Water Commission Budget with the Fargo project.

**Rep. Timm:** Any other discussion on the amendments?

**Rep. Monson:** I would hope that because we are so short of money that whether we want to advance this bill or not, what ever we want to do with it on the floor, that we would at least put this amendment on it, because if we don't put the amendment on this bill that means that it

would be an extra \$120,000 out of the general fund. I recommend that we pass this amendment and then we can discuss what else we want to do with it.

**Rep. Wald:** If we don't put the amendment on it we are doubling up on the money are we not?

**Rep. Timm:** All those in favor of adopting the amendments say AYE. Motion passed. Voice vote. We have the bill in front of us with an amendment. Rep. Monson moves a DO PASS as amended. Seconded by Rep. Wentz.

**Rep. Timm:** Any other discussion? We have a motion for a DO PASS as amended. We will take the roll .(6) YES (15) NO Motion failed. Rep. Kempenich moves for a DO NOT PASS, seconded by Rep. Byerly. Roll call vote on DO NOT PASS. (15) YES (6) NO. Motion passes. Rep. Aarsvold will carry the bill to the floor.

**End of committee action on HB1310.**

January 29, 2001

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1310

Page 1, after line 17, insert:

- "3. Teachers who receive scholarship assistance under this section must teach in North Dakota for a period of at least two years after completing the scholarship coursework."

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1310

Page 1, line 1, remove "an appropriation"

Page 1, line 4, replace "APPROPRIATION" with "TEACHER RETRAINING SCHOLARSHIPS"

Page 1, remove lines 5 through 9

Page 1, line 10, replace "2" with "1"

Page 1, line 18, replace "3" with "2"

Page 1, after line 19, insert:

**"SECTION 2. TEACHER RETRAINING SCHOLARSHIP FUNDING.** The funds appropriated in the student grant programs line item included in subdivision 1 of section 1 of Senate Bill No. 2003, include \$120,000 from the general fund for providing scholarships as authorized in section 1 of this Act, for the biennium beginning July 1, 2001, and ending June 30, 2003."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1310 - North Dakota University System Office**

This amendment removes the general fund appropriation of \$120,000 included in the engrossed bill and provides that \$120,000 of the amount included in the appropriation for the North Dakota University System office for student grant programs contained in Senate Bill No. 2003 is to be used for scholarships to elementary and secondary teachers being retrained to teach at a different grade level or in a different subject area.

Date: 2-9-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. Appropriations Education and Environment Division

#1310

House Appropriations Committee

☒ Subcommittee on Education: Environment  
or  
☐ Conference Committee

Legislative Council Amendment Number 10242.6301

Action Taken to accept amendment

Motion Made By Rep. Wald Seconded By Rep Boehm

Representatives	Yes	No	Representatives	Yes	No
Rep. Janet Wentz -Chairman	✓				
Rep. James Boehm - Vice Chairman	✓				
Rep. Ole Aarsvold	✓				
Rep. Pam Gulleon					
Rep. Bob Martinson	✓				
Rep. David Monson	✓				
Rep. Francis J. Wald	✓				

Total (Yes) 6 No 0

Absent 1

Floor Assignment \_\_\_\_\_

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

That the \$120,000 be from existing money  
already appropriated in the higher ed budget - 2003.



Date: 2-8-01  
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. Appropriations Education and Environment Division

# 1310

House

Appropriations

Committee



Subcommittee on

Education & Environment

or



Conference Committee

Legislative Council Amendment Number

10342.0301

Action Taken

DO PASS AS AMENDED.

Motion Made By

Rep. Wald

Seconded

By

Rep. Monson

Representatives	Yes	No	Representatives	Yes	No
Rep. Janet Wentz -Chairman	✓				
Rep. James Boehm - Vice Chairman	✓				
Rep. Ole Aarsvold	✓				
Rep. Pam Gulletson					
Rep. Bob Martinson	✓				
Rep. David Monson	✓				
Rep. Francis J. Wald	✓				

Total

(Yes)

6

No

0

Absent

1

Floor Assignment

Rep Monson

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

Date: 2/9/01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1310

House APPROPRIATIONS

Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO PASS AS AMENDED

Motion Made By MONSON Seconded By WENTZ

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman		✓			
Wald - Vice Chairman		✓			
Rep - Aarsvold		✓	Rep - Koppelman		✓
Rep - Boehm		✓	Rep - Martinson	✓	
Rep - Byerly		✓	Rep - Monson	✓	
Rep - Carlisle	✓		Rep - Skarphol		✓
Rep - Delzer		✓	Rep - Svedjan		✓
Rep - Glassheim		✓	Rep - Thoreson		✓
Rep - Gulleon		✓	Rep - Warner	✓	
Rep - Huether		✓	Rep - Wentz	✓	
Rep - Kempenich		✓			
Rep - Kerzman		✓			
Rep - Kliniske	✓				

Total (Yes) 6 No 15

Absent 0

Floor Assignment FAILED ADOPTION OF AMENDMENTS

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

Date: 2/9/00  
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1310

(E)

House APPROPRIATIONS Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO NOT PASS AS AMENDED

Motion Made By Kempenich Seconded By Byerly

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman	✓				
Wald - Vice Chairman	✓				
Rep - Aarsvold	✓	✓	Rep - Koppelman	✓	
Rep - Boehm	✓		Rep - Martinson		✓
Rep - Byerly	✓		Rep - Monson		✓
Rep - Carlisle		✓	Rep - Skarphol	✓	
Rep - Delzer	✓		Rep - Svedjan	✓	
Rep - Glassheim	✓		Rep - Thoreson	✓	
Rep - Gulleson	✓		Rep - Warner		✓
Rep - Huether	✓		Rep - Wentz	✓	
Rep - Kempenich	✓				
Rep - Kerzman	✓				
Rep - Kliniske		✓			

Total (Yes) 15 No 6

Absent 0

Floor Assignment AARSVOLD

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

2001 SENATE EDUCATION

HB 1310

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1310

Senate Education Committee

☐ Conference Committee

Hearing Date 02-28-01

Tape Number	Side A	Side B	Meter #
1	x		19.3 - end
Committee Clerk Signature			

Minutes: CHAIRMAN FREBORG called the hearing on HB 1310 which provides an appropriation for scholarships for retraining elementary and secondary teachers. Students in attendance at the hearing were from Carrington, New Rockford, and Washburn.

**Testimony in support of HB 1310:**

REPRESENTATIVE RAE ANN KELSCH, District 34, stated this bill assists teachers in retraining. As school enrollments decline, teachers are retired or RIF'd (reduction in force). This legislation would allow teachers to retrain with some help. \$120,000 fiscal note is part of the governor's budget. This bill allows the Board of Higher Education to make scholarships available to an individual who is licensed to teach by the Education Standards and Practices Board. The individual has to show what classes they are enrolled in at an institution of higher education in this state. The state board will adopt the rules governing the distribution of the scholarships. There have been some suggestions as to the rules by the House Education Committee. Also, they amended the bill to state the teachers receiving the scholarship must

teach in ND for at least two years. They are anticipating 60 teachers at \$2000 or 30 teachers at \$4000. The intent was they would get \$2000 per year. State Board of Higher Education would adopt rules governing this.

REPRESENTATIVE MONSON, District 10, stated this was heard in the House Appropriations Committee and was amended to show the money would come from the grant line item in another bill (SB 2003). This is one of the initiatives to come out of the \$400,000 grant line item. This bill is the authorization for the money. SENATOR O'CONNELL asked who would qualify for this retraining. REPRESENTATIVE MONSON stated anyone could go back to school and be retrained as long as they met the criteria. SENATOR FREBORG asked if there was a limit to the size of the scholarships. REP. MONSON stated that would be up to the Bd. Of Higher Ed. The intent would be \$2 - 3000 per individual. SENATOR KELSH wondered if there are certain areas that should be targeted for this legislation, such as those with severe shortages. REP. MONSON stated the House tried to leave this as flexible as they could so that the Bd. Of Higher Ed could adopt rules to address these and other concerns.

LT. GOVERNOR JACK DALRYMPLE added his support to this bill on behalf of the governor's office. They feel that over time this may help to reduce the vacancy issue. A teacher may have the opportunity to fill another spot in the system, but would need a little more training. This is just one part of the whole program. Realistically they see 20 - 30 teachers who would take advantage of this at \$2 - 3000 apiece. This is in a scholarship form so the Bd. Of Higher Ed can administer it. This also would allow an employee to remain with the same employer. SENATOR KELSH asked if this is a one-time grant, or would the same person be eligible in the second year of the biennium to apply for this same grant. The presumption was it would only be used once.

JANET WELK, Education Standards and Practices Board, supports this also. In reeducating, it depends on what education level the applicant has already and how much more education they would need to fill another position. The rule now is thirty-two semester hours for a degree in a major. SENATOR WANZEK asked if someone could get retraining over IVN. MS. WELK stated it would depend what is needed by the individual and what is available.

JACK MCDONALD, State Assn. Of Nonpublic Schools, supports this bill. It would benefit the nonpublic instructors also.

MAX LAIRD, President NDEA, stated this adds another tool to the tool chest for recruitment and retention. NDEA supports the bill.

BEV NIELSON, ND School Board Association, supports this bill. It should help retain the citizens in the state also, particularly in small communities.

LARRY KLUNDT, ND Council of Educational Leaders, supports the bill. SENATOR O'CONNELL asked Mr. Klundt if he had seen, in his experience, many teachers who could use this tool. He stated that some districts have done this on their own to alleviate a shortage or vacancy.

**There was no opposition.**

**The hearing on HB 1310 was closed.**

JANET WELK answered questions from the committee. SENATOR KELSH asked if a person teaching grade school who has a minor in a subject, would they be granted an emergency certificate to teach on the high school level. She answered NO, because that person has not been prepared at the secondary level. They have to go through the special methods course work and the additional course work to have a major first. This also applies in going from high school teaching to grade school teaching. SENATOR CHRISTENSON asked what happens to the

Page 4  
Senate Education Committee  
Bill/Resolution Number HB 1310  
Hearing Date 02/28/01

student teaching experience. The teacher would have to go through that for the level they would be teaching.

**SENATOR KELSH** moved a **DO PASS** and be rereferred to Appropriations. Seconded by **SENATOR COOK**. **SENATOR CHRISTENSON** feels this legislation will be used in the right way and will not be abused.

**Roll Call Vote: 6 YES. 0 NO. 1 Absent.**

**Carrier: SENATOR WANZEK**



**Roll Call Vote #:** /

**2001 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1310**

Senate	Education	Committee
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☐ Subcommittee on \_\_\_\_\_

**or**

☐ Conference Committee

**Legislative Council Amendment Number** \_\_\_\_\_

Action Taken DP & referred to Hsp.

Motion Made By Sen. Kelsch Seconded By Sen. Cook

[illegible]

Total (Yes) 6 No 0

Absent

Floor Assignment Sen. Wanzek

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

**REPORT OF STANDING COMMITTEE (410)**  
February 28, 2001 1:13 p.m.

Module No: SR-34-4451  
Carrier: Wanzek  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HB 1310, as reengrossed: Education Committee (Sen. Freborg, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Reengrossed HB 1310 was rereferred to the Appropriations Committee.**

2001 SENATE APPROPRIATIONS

HB 1310

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1310

Senate Appropriations Committee

☐ Conference Committee

Hearing Date March 20, 2001

Tape Number	Side A	Side B	Meter #
Tape # 1	x		43.8 - 54.1
Tape # 1		x	0.0 - 9.5
Committee Clerk Signature <i>Janice Dietrich</i>			

Minutes:

Senator Nething called the Senate Appropriations Committee to order, and opened the hearing on HB1310.

Mike Hillman, Vice Chancellor for Academic Affairs, North Dakota University System, testified in support of the bill; enabling legislative authorization -- dollars to come out of general funds SB2003. The State Board of Higher Education did endorse this.

Senator Tallackson: Dollars there?

Vice Chancellor Hillman: As this Committee approved - the dollars there are included in the Block dollars of four categories --- HB1310 would add this to eligible list of scholarships.

Senator Heitkamp: No fiscal impact? Why here?

Senator Solberg: Enabling legislation -- to allow the Board of Higher Education in awarding scholarships -- no further commitments.

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Senate Appropriations Committee

Bill/Resolution Number HB1310

Hearing Date March 20, 2001

Vice Chancellor Hillman: Yes.

Senator Holmberg: Rules suggesting repayment if individual leaves before two years --- is there a mechanism built in to recoup the dollars?

Vice Chancellor Hillman: The amendment failed which would make the repayment required -- this is a scholarship not a loan.

Senator Holmberg: Believe this issue is purview of this committee --- the goal is to retrain teachers, to teach a discipline other than their degree training area -- right? It is to utilize new skills while in North Dakota, right?

Vice Chancellor Hillman: Rules will be set to implement the program. Need to look at the purpose, requirements --- if the Committee wants it to be a loan and repayment collected --- perhaps that task should be assigned to the Treasurer's Office -- we are good at educating, but not necessarily good at collecting.

Senator Solberg: There's about 120 thousand in SB2003 -- which will be designed by legislation as to how it should be spent?

Senator Tomac: Believe it was Senator Cook who spoke on the floor regarding a bill similar to this --- perhaps identical designations ---believe 1283?

Lieutenant Governor Jack Dalrymple: Funding for this bill is in the grants line of SB2003. That grants line also provides funding for HB1444 in the amount of 250 thousand and HB1283 in the amount of 400 thousand. As of now there are 3 bills with this policy question.

Vice Chancellor Hillman: Lines 12 and 13 are ones that the Higher Education System wanted deleted- -not done; prefer the requirement of 1 year not 2; no scholarship awarded until the individual completes one year.

Senator Holmberg: Example: Hankinson teacher is asked to teach in a new area --- but no dollars available to him/her until after completion of retraining courses --- can this be worked out?

Representative Rae Ann Kelsch, District 34, Mandan, and one of the primary sponsors of HB1310, spoke in support of same. She indicated the House Education Committee had discussed the 2 years --- and determined that when state funds are used for retraining there should be some commitment, responsibility to the state; felt it was they least the teachers could do. Why here: reassurance the money is there; no getting retrained and not serving the district or state.

Senator Holmberg: Forecast of 120 thousand --- could be the scholarship is used to be trained in sociology --- or if back for full year- special Ed? Seems wide open? Intent is?

Representative Kelsch: That part dealt in rules was left open -- another discipline also open; the Board of Higher Education has the flexibility to go back to hearings --- your scenario is correct.

Senator Heitkamp: Need to adopt rules --- individual gets paid after retraining is done?

Representative Kelsch: Individual completes education before the dollars are received. As

Senator Holmberg brought up --- consideration must be given regarding requirement of 2 years --- holding payment until the second year, second area of retraining choice. The Board of Higher Education needs to adopt rules.

Senator Heitkamp: Who pays in the interim? If I go to school -- tuition and such needs to be paid --- individual needs to pay -- then person needs to be reimbursed?

Representative Kelsch: Yes.

Senator Tomac: Is this normal for a scholarship?

Representative Kelsch: Sometimes, yes.

Senator Nething: Two years drives definition then of scholarship.

Senator Tomac: See the need for being upfront requirements.

Senator Holmberg: Perhaps this is not a scholarship but really loan forgiveness. Get reimbursed following the training (which individual pays for upfront) --- that person would like the assurance that repayment would be made -- wouldn't they?

Representative Kelseh: One reason that an amendment was proposed -- requiring 2 years, and then can give assurance upfront -- and a penalty for no repayment.

No response when Senator Nething called for testimony for, against or neutral. Hearing closed by Senator Nething.

4-3-01 Full Committee Action (Tape #1, Side B, Meter # 22.1 - 25.2)

Senator Nething reopened the hearing on HB1310 - Appropriation for scholarships for retraining elementary and secondary teachers.

Senator Holmberg, Subcommittee Chair, led the discussion regarding the bill, testimony and the Subcommittee's findings. It is the recommendation of the Subcommittee that this bill be "killed" knowing that this will be dealt with in SB2003 (along with HB1441). Discussion.

Senator Holmberg moved a DO NOT PASS; seconded by Senator Robinson. Discussion; call for the vote: Roll Call Vote: 13 yes; 1 no; 0 absent and not voting.

Senator Robinson accepted the floor assignment.

Date:

Roll Call Vote #:

**2001 SENATE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. HB 1310**

Senate Appropriations

Committee

☐ Subcommittee on \_\_\_\_\_

or

☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken

Motion Made By

Senator

Seconded

By

Senator

Senators	Yes	No	Senators	Yes	No
Dave Nothing, Chairman	✓				
Ken Solberg, Vice-Chairman	✓				
Randy A. Schobinger	✓				
Elroy N. Lindaas	✓				
Harvey Tallackson	✓				
Larry J. Robinson	✓				
Steven W. Tomac	✓				
Joel C. Heitkamp	✓	✓			
Tony Grindberg	✓				
Russell T. Thane	✓				
Ed Kringstad	✓				
Ray Holmberg	✓				
Bill Bowman	✓				
John M. Andrist	✓				

Total Yes

No

Absent

Floor Assignment

Senator

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



**REPORT OF STANDING COMMITTEE (410)**  
April 3, 2001 11:10 a.m.

Module No: SR-58-7556  
Carrier: Robinson  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HB 1310, as reengrossed: Appropriations Committee (Sen. Nething, Chairman)**  
recommends **DO NOT PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING).  
Reengrossed HB 1310 was placed on the Fourteenth order on the calendar.

2001. TESTIMONY

HB 1310

January 24, 2001

HOUSE EDUCATION COMMITTEE  
HB 1310

CHAIRMAN KELSCH AND COMMITTEE MEMBERS:

My name is Jack McDonald. I am appearing today on behalf of the State Association of Non-Public Schools (SANS). We strongly support HB 1310 as an extra incentive for secondary and elementary teachers that does not involve salary issues.

The end result will be a more highly trained corps of teachers that will improve North Dakota educational standards. This will be particularly helpful to the nonpublic schools who most often can't match the salary levels of the public schools.

We respectfully urge you to give this measure a **do pass**.

If you have any questions, I will be happy to try to answer them. THANK YOU FOR YOUR TIME AND CONSIDERATION.

Testimony on HB 1310

By

Janet L. Welk

Good Morning, Madam Chair and Members of the House Education Committee.

For the record, I am Janet Welk, executive director of the Education Standards and Practices Board and wish to testify in favor of HB 1310.

On line 14, the ESPB would like to suggest the following amendment. After "necessary" insert "major, minor or ". The new language would then read:

2. The state board of higher education shall make the scholarships available to an individual who is licensed to teach by the education standards and practices board or approved to teach by the education standards and practices board provided the individual enrolls in one or more courses offered by an institution of higher education in this state for the purpose of obtaining the necessary major, minor or endorsement to teach at a different grade level or in a different subject area. The state board of higher education shall adopt rules governing the distribution of the scholarships provided for by this section.

The above language would meet the requirements as set forth in NDCC 15-41-25 and NDCC 15-47-46.

The Education Standards and Practices Board is very much in favor of this bill as it will provide an opportunity for educators in North Dakota to continue to provide quality education to North Dakota students. I would be happy to answer any questions at this time.