

2003 HOUSE EDUCATION

HB 1494

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Yolanda Richardson  
Operator's Signature

10/6/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES  
BILL/RESOLUTION NO. HB 1494

House Education Committee

☐ Conference Committee

Hearing Date February 5, 2003

Tape Number	Side A	Side B	Meter #
1	x		100-700
Committee Clerk Signature <i>Linda Trechter</i>			

Minutes: **Chairman Kelsch** opened HB 1494

**Rep. David Monson, District 10, See Attached Testimony**

**Rep. Haas** Any time the word 'study' appears in the bill there is implications for Education. My

Q. is the state of Minnesota has a research division in the department of transportation, I'm wondering if you know if they have done any research along these lines?

**Monson:** I do not know if they have done this or not. My idea of this study would be that the students assigned to this research project would look at these sources.

**Rep. Hawken** As I travel to Minneapolis, there is a test strip, perhaps we should look at what they are doing.

**Chairman Kelsch** One of the concerns that I have, because I'm a cosponsor on this with you, is weather or not we should be mandating studies to the universities. Typically, we put in as a resolution asking them study it. And they have to come up with the money to do so. One of the ways this could be studied is through an EPSCORE grant or some sore of grant that is applied for. How do you feel about that?

*La Costa Richard*  
Operator's Signature

*10/16/03*  
Date

Page 2  
House Education Committee  
Bill/Resolution Number HB1494  
Hearing Date February 5, 2003

**Rep. David Monson** That is a concern of mine too. I had the intention that this would come out as a HCR. But the HCR has the legislative council or the interim committee doing the research. If you are going to have a scientific research, maybe they can direct a graduate student to do a project. My son is at NDSU in the engineering department. I had him ask his instructors if a study had been done as well as the wind. There was some interest in this department to do things like this.

**Rep. Herbel** Any studies like this at the University on by product research?

**Rep. David Monson** when I asked DOT doing anything like this , they didn't know of anything.

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La Costa Richard  
Operator's Signature

10/16/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES  
BILL/RESOLUTION NO. HB 1494  
House Education Committee

☐ Conference Committee

Hearing Date February 11, 2003

Tape Number	Side A	Side B	Meter #
1	x		6033-end
1		x	00-222
2	x		5500-6000
Committee Clerk Signature <i>Linda Fiechter</i>			

Minutes: **Chairman Kelsch** opened HB 1494

**Rep Hawken:** Since this information is available elsewhere, like in Minnesota I would like to move a DO NOT PASS, seconded Rep. Haas

Discussion: none

**Passed 10-3-1 Rep. Hanson will carry the bill to the floor.**

**Rep. Hawken:** Reconsider action on 1494, Rep. Hanson seconded the motion, passed by a voice vote.

Line 4 change the word shall to 'urge'

**Rep. Hawken** moved to accept the amendment, Rep. Jon Nelson second, passed by voice vote.

**Rep. Hawken** made motion for a DO PASS as amended, Rep. Hanson seconded the motion.

**Roll vote, Passed 13-0-1, Rep. Hanson will carry to the floor**

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*Salvatore Riccardi*  
Operator's Signature

*10/16/03*  
Date

**FISCAL NOTE**  
Requested by Legislative Council  
02/13/2003

Amendment to: HB 1494

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$36,700	\$0	\$0	\$0
Appropriations	\$0	\$0	\$36,700	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Based on Upper Great Plains Transportation Institute's preliminary understanding of the proposed study, they estimate the cost of such study to range from \$25,100 to \$48,300. The lower side of the range would provide for a literature search and limited analysis. The higher side of the range would provide for a literature search, limited analysis and recommendations.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Expenditures are for a graduate student (full or part-time), a portion of a research position (17-25% FTE), and related operating expenses.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

If the SBHE proceeds with the study, an additional general fund appropriation of \$25,100 to \$48,300 (depending on the level of study) would be required to cover the estimated expenditures outlined in 3.B. above since there is no funding in the NDUS budget for this project.

<b>Name:</b>	Laura Glatt	<b>Agency:</b>	NDUS
<b>Phone Number:</b>	328-4116	<b>Date Prepared:</b>	02/14/2003

**FISCAL NOTE**  
**Requested by Legislative Council**  
01/21/2003

Bill/Resolution No.: HB 1494

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$36,700	\$0	\$0	\$0
Appropriations	\$0	\$0	\$36,700	\$0	\$0	\$0

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

Based on Upper Great Plains preliminary understanding of the proposed study, they estimate the cost of such a study to range from \$25,100 to \$48,300. The lower side of the range would provide for a literature search and limited analysis. The higher side of the range would provide for a literature search, limited analysis and recommendations.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Expenditures are for a graduate student (full or part-time), a portion of a research position (17-25% FTE), and related operating expenses.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

An additional general fund appropriation of \$25,100 to \$48,300 (depending on the level of study) would be required to cover the estimated expenditures outlined in 3.B. above since there is no funding in the NDUS budget for this project.

Name:	Laura Glatt	Agency:	NDUS
Phone Number:	328-4116	Date Prepared:	01/28/2003

Date: 2/11/03  
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1494

House HOUSE EDUCATION Committee

☐ Check here for Conference Committee

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

Action Taken SNP

Motion Made By Hawken Seconded By Haas

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		AB			
Rep. Williams	✓				

Total (Yes) 10 No 3

Absent 1

Floor Assignment Hanson

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

Salvatore Riccardi  
Operator's Signature

10/16/03  
Date

REPORT OF STANDING COMMITTEE (410)  
February 11, 2003 12:02 p.m.

Module No: HR-26-2261  
Carrier: Hanson  
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE  
HB 1494: Education Committee (Rep. R. Kelsch, Chairman) recommends **DO NOT PASS**  
(10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1494 was placed on the  
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-26-2261

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*Richard Costa*  
Operator's Signature

*10/6/03*  
Date



Date: 2/11/03  
Roll Call Vote #: 3

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 494

House HOUSE EDUCATION Committee

☐ Check here for Conference Committee

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

Action Taken Reconsider

Motion Made By Hawken Seconded By Hanson

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 passed

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

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

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LoCosta Richard 10/16/03  
Operator's Signature Date

30689.0101  
Title.0200

Adopted by the Education Committee  
February 11, 2003

YR  
2/12/03

HOUSE AMENDMENTS TO HOUSE BILL NO. 1494 EDU 2-12-03

Page 1, line 4, replace "require" with "urge"

Renumber accordingly

Page No. 1

30689.0101

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Yolanda Rickford  
Operator's Signature

10/16/03  
Date

Date: 2/11/03  
Roll Call Vote #: 4

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1494

House HOUSE EDUCATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number line 4 shall

Action Taken Amendment ~~urge~~

Motion Made By Hawken Seconded By Nelson

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 \_\_\_\_\_

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

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

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Salvatore Riccio  
Operator's Signature

10/16/03  
Date

Date: 2/11/03  
Roll Call Vote #: 5

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1494

House HOUSE EDUCATION Committee

☐ Check here for Conference Committee

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

Action Taken

SO Pass As Amended

Motion Made By

Hawken

Seconded By

Hanson

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) 13 No 0

Absent 1

Floor Assignment Hanson

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

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Yolanda Richardson  
Operator's Signature

10/16/03  
Date

REPORT OF STANDING COMMITTEE (410)  
February 12, 2003 2:57 p.m.

Module No: HR-27-2463  
Carrier: Hanson  
Insert LC: 30689.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**  
**HB 1494: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS**  
**AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS,  
1 ABSENT AND NOT VOTING). HB 1494 was placed on the Sixth order on the  
calendar.

Page 1, line 4, replace "require" with "urge"

Renumber accordingly

(2) DESK, (3) COMM

Page No. 1

HR-27-2463

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La Costa Richard  
Operator's Signature

10/6/03  
Date

2003 TESTIMONY

HB 1494

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La Costa Richard  
Operator's Signature

10/16/03  
Date

Testimony on HB1494  
Rep. David Monson

Good morning Madam Chair and members of the House Education Committee.  
For the record, I am Rep. David Monson from Dist. 10 in northeastern ND.

I thought of this idea early in the session when DOT was before the House Appropriations Committee. They were testifying that the cost of asphalt was up due to the cost of crude oil being higher. As a result, they would not be able to do as many miles of roads as in previous years without an increase in their budget to buy the needed asphalt. I started wondering if there were other cheaper alternatives to asphalt. They didn't know of any when I asked. They mentioned some recycling is going on and that fly ash and other alternatives are being used in concrete, but very little is being done in asphalt. I talked with some other people about this, and they said they had heard there was some research using plastics or polymers but knew very little about it.

I went to legislative council to see if I could get a study resolution to see if it would be feasible for the state to find alternatives for asphalt to stretch our highway construction dollars. The person to whom I talked there suggested a bill directing a research institution (UND or NDSU) to do the study, perhaps in their engineering department or as a graduate study. So, here I am with this bill. I believe they can do this with little or no money, and with the new entrepreneurship initiatives they are promoting, if it turns out to be a viable idea, perhaps we can see a new company in ND. I think if we can find a use for the waste coal tar or even a use for our ND lignite coal, it would be a great thing for ND and our road construction problems.

Thank you for your time, and I would be happy to answer any questions you may have.