

2009 HOUSE EDUCATION

HB 1463

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1463

House Education Committee

☐ Check here for Conference Committee

Hearing Date: February 2, 2009

Recorder Job Number: 8291

Committee Clerk Signature

Carmen Hart

Minutes:

Rep. Lisa Wolf, District 3, Minot, appeared and introduced HB 1463. It creates a North Dakota Youth Council. Some of the things they would do is look at outmigration, our educational system, college, employment opportunities and quality of life issues within our state. There is a fiscal note of \$83,600.

Rep. John Wall: How often would they meet per year?

Rep. Wolf: Four times a year.

Senator Tom Seymour, District 5, Minot, appeared in support of the bill. It is a topic that has been around but we need to bring it out and put it a little bit higher on the radar screen so we can continue to do this and continue to look for remedies in the topics discussed.

Rep. Lee Myxter appeared. He imagined some wondered why we need another council. It appears to him that there is one important group that is not given a place by a council or commission and that is our young people. He realized from many years of teaching just like adults, the majority of students don't know or care about politics or lawmaking unless it affects them. He also coached student congress and debate. He found those students are thoughtful, intelligent young people that have good ideas to contribute to society. As a

member of the interim workforce committee, they had many meetings discussing how to prevent these young people from leaving our state. One of the most successful meetings took

place at Jamestown College in which college and high school students were invited to meet with them and convey to them their thoughts and concerns. This council could be one step in allowing North Dakota young people to express themselves and maybe some changes could come about that would allow them to stay.

There was no opposition.

The hearing was closed.

Rep. David Rust wondered about getting students together with student councils and student congress.

Rep. Lee Myxter: Student councils, close up, and so on do meet. Is there input into the legislative body? Does anything come out of that to come to us?

Rep. David Rust: Basically the major focus of close up is the legislative process. This organization would be more closely tied to the legislative thing than student council. I can't imagine you couldn't get some of these types of organizations together to talk about these issues. There must be similar type organizations as well on the college level.

Rep. Lee Myxter: I am sure there are. I am not sure how well organized they are. Most of them are concerned with national concerns or problems.

Rep. Mike Schatz: There is a North Dakota close up too.

Chairman Kelsch: A lot of Class B schools attend that. Dr. Sanstead was asked if Class A schools participate. He responded that there are Class A schools involved but the activity level of Class B schools is greater.

Rep. David Rust mentioned that Rick Heidt within the Council of Educational Leaders has close up as part of his portfolio.

Rep. Bob Hunsakor: The focus of close up is education of the young people more than potential legislation that could be good or bad for North Dakota. There is a little difference between close up and this. How many legislative issues are brought forth from close up? Kids get educated, they learn about government, they participate in the government process at their level, but do they really focus on what this would focus on?

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1463

House Education Committee

☐ Check here for Conference Committee

Hearing Date: February 2, 2009

Recorder Job Number: 8373

Committee Clerk Signature

Carmen Hart

Minutes:

Rep. Mike Schatz stated that in light of having the North Dakota close up, he thinks we are kind of duplicating something here. **Rep. Mike Schatz** moved a **Do Not Pass**. **Rep. Brenda Heller** seconded the motion.

Rep. Lee Myxter disagreed on this. This is a different approach. We talk about keeping young people in North Dakota. This is one easy attempt to try.

Rep. Jerry Kelsh: I am not going to support the motion. Maybe we could do with half the money and half the number of meetings. Involve the young people somehow. There is some merit to this bill.

Rep. Corey Mock: I concur with that last approach. I find it strange that we require face to face meetings many times when conference calls can more than suffice the requirements. North Dakota close up and other programs such as student congress, debate, and speech are great programs but are geared toward education. This is geared toward problem solving. I think if this motion fails, our committee can look at it and possibly reduce the appropriation and make it so that it is two meetings a year. Then rely on avenues such as conference calls and listsers considering the audience. I am going to vote against the motion and encourage the committee to reduce the appropriation and make this youth council work.

Rep. David Rust: I found it interesting that there was no testimony other than the sponsors.

Is there support out there for it?

Rep. Lyle Hanson: Last week we received a printout of schools that have close up. There were a dozen or so. That might be a dead issue too.

Rep. Phillip Mueller: I think the points made about close up and the other organizations are well taken. I don't think they necessarily lead to state policy. The part we haven't talked about is up to 25 years of age. That age group has something to say to state policymakers about what it is that may keep them here, what they want in terms of employment, entertainment, and the culture thing. To dismiss it on hand is a mistake.

Rep. Mike Schatz withdrew his motion for a **Do Not Pass**. **Rep. Brenda Heller** seconded it to **withdraw** the **Do Not Pass**.

Chairman Kelsch: Rep. John Wall and I served on the interim higher ed. committee and also serve on round table. At round table discussions, we have young people that are represented from each of the campuses. We had the student body representative that is on the board of higher ed. They were very articulate and very well informed young individuals. I have issues with 16-year olds and up to 25-year olds, who actually have different agendas. The makeup kind of makes me a little bit curious. I see it as another duplication.

Rep. Dennis Johnson made a motion for a **Do Not Pass**. **Rep. Karen Karls** seconded the motion.

Rep. Lee Myxter: This is pretty much patterned after one that has been working in Colorado.

Rep. Bob Hunsakor: Do we have any youth groups in North Dakota that function to promote what it says at the bottom of page 2?

Vice Chair Lisa Meier: I think student government on college campuses work with individuals to develop policy to bring forward as recommendations.

Rep. Dennis Johnson: State FFA is another avenue.

Vice Chair Lisa Meier mentioned a bill that was similar last session that was passed.

Rep. John Wall: Having taught high school age kids many years, I find they do have great ideas. I think their voices for the most part do go unheard. That is bothersome. There are some problems with the bill I do have. One of the positive things I see about the youth council would be getting young people who are very interested in politics. They want to know what is going on and how the system works. We will all need to be replaced someday so this might be a great investment in the future.

Rep. Jerry Kelsh: A lot of those 16-year olds have some pretty definite ideas. Just about every county has ITV that could be set up. Even if their parents did have to come with one or two of them, they may be honored that their youngster was involved with this. We need that diversity in thought on what public policy should be in the future.

Rep. Lee Myxter: We put the part in about the parent being there because we didn't want the committee worrying about the 16-year olds running around in motels.

Rep. Corey Mock: This is a piece of legislation that can be worked with perhaps even in a subcommittee.

DO NOT PASS FAILS, 7-7. A subcommittee was formed of **Rep. Karen Karls, Rep. Mike Schatz, and Rep. Jerry Kelsh.** The subcommittee was to be ready with some type of amendment by February 11, 2009.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1463

House Education Committee

☐ Check here for Conference Committee

Hearing Date: February 4, 2009

Recorder Job Number: 8716

Committee Clerk Signature

Carmen Hart

Minutes:

Rep. Karen Karls presented information the subcommittee received about other youth groups.

In regard to getting the cost down, there was discussion about not having face to face meetings. They decided to try the ITV way. Using this method, there should be no fiscal impact. They also discussed reducing the number of meetings from four a year for two years to two a year for two years and the members would report to Legislative Council. She presented the amendment that Anita Thomas had drafted.

Chairman Kelsch mentioned that if there is a consensus that the amendment will be adopted, then they didn't necessarily have to take it up that day.

Rep. Corey Mock: A question to the subcommittee: Was it considered a conference call? Is ITV or IVN considered an infrastructure that works for having multiple people across the state all linked together? Was it considered to just have a conference call where you can be at the convenience of your home?

Rep. Karen Karls: We did talk about it, but I didn't check on it.

Chairman Kelsch: That wouldn't be too bad of an idea.

Rep. Karen Karls: They are not free, but I could check.

Chairman Kelsch: We don't have a statewide PIN?

Rep. Karen Karls: I have been in a conference call with about 30 people and somebody said \$300-\$400. It might have been the length of the call.

Chairman Kelsch: I don't know if the state has a conference bridge or not. People buy the conference bridges, and I didn't know they were that expensive.

Rep. Phillip Mueller: Legislative Council conducted some of their meetings this last interim using that exact system. How they did it or who paid for it, I don't know.

There was a consensus that the amendment will be adopted.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **HB 1463**

House Education Committee

☐ Check here for Conference Committee

Hearing Date: **February 5, 2009**

Recorder Job Number: 8886

Committee Clerk Signature



Minutes:

Chairman Kelsch opened discussion of HB 1463.

Representative Karls discussed the subcommittee's recommendations/findings regarding this bill. This is for a videoconference--they charge \$25 per event, \$50 for recurring events, \$3.50 per phone line per hour. They estimated if we chose the first alternative it would be a committee meeting would cost \$82. If we chose the cheaper alternative we could get the costs way down. Our amendments do. . .

Chairman Kelsch: So you are changing the age from 16 to 17, and your are meeting twice instead of four times and they would be able to do it by videoconference and to provide reports by September 2010.

Representative Karls: Then the Legislative Counsel would decide which interim committee that information would go to.

Chairman Kelsch: You are just enacting 3 new sections instead of 5 new sections. Would you like to move your amendments?

Representative Karls: I so move.

Vice Chairman Meier: Second

Representative Mueller: Please clarify--are we doing a conference call or a video conference?

Representative Karls: A videoconference. A telephone conference was thought to be cheaper, but it is not. It would however save driving to a videoconference location. It would probably be a wash.

Representative Myxter: I will vote for this but I think they should be together at least once so they get to know each other. There needs to be some camaraderie and some connection at least in the beginning. Hopefully it will work.

Chairman Kelsch: This is an idea this Committee thinks has value. It's a start.

A voice vote on the amendment (with change) was taken: Carried.

Representative Myxter: I move Do Pass as Amended.

Representative Karls: Second.

Vice Chairman Meier: So the cost of the videoconferencing or the audio conferencing is that borne by higher education???

Chairman Kelsch: I would guess there will be a revised fiscal note for this and money made available for these.

A roll call vote was taken. Yes: 10, No: 2, Absent: 0 The amended bill was passed.

Representative Mueller will carry the bill.

FISCAL NOTE
Requested by Legislative Council
03/09/2009

Amendment to: Engrossed
 HB 1463

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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

Re-engrossed House Bill 1463 establishes a North Dakota State Youth Council. There is no fiscal impact.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

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.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Name:	Tessa Sandstrom	Agency:	Governor's Office
Phone Number:	701-328-2206	Date Prepared:	03/09/2009

FISCAL NOTE
Requested by Legislative Council
02/09/2009

Amendment to: HB 1463

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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

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

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

House Bill 1463 establishes a North Dakota State Youth Council. Amendments to the bill removed language relating to compensation paid to members and reimbursements of travel expenses; therefore, there is no identifiable fiscal impact.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

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.*

not applicable

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.*

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Name:	Tessa Sandstrom	Agency:	Governor's Office
Phone Number:	701-328-2206	Date Prepared:	02/09/2009

FISCAL NOTE
Requested by Legislative Council
01/20/2009

Bill/Resolution No.: HB 1463

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.*

	2007-2009 Biennium		2009-2011 Biennium		2011-2013 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$83,600	\$0	\$90,575	\$0
Appropriations	\$0	\$0	\$83,600	\$0	\$90,575	\$0

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

2007-2009 Biennium			2009-2011 Biennium			2011-2013 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

House Bill 1463 establishes a North Dakota State Youth Council and provides for compensation to members and reimbursement of travel expenses.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

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.*

not applicable

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.*

The estimated expenditures are based on 16 members, eight 2 day meetings at \$135.00 per day as referenced in the bill. The assumption of an average round trip of 300 miles at \$.55 per mile reimbursement, lodging rate of \$60.00 per night and daily meal allowance of \$25.00 per day. An additional \$10,000 for other statewide and national travel is also included for a total of \$83,600.00.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Appropriation amount of \$83,6000 is the same as the estimated expenditure in 3B above.

Name:	Tessa Sandstrom	Agency:	Governor's Office
Phone Number:	701-328-2206	Date Prepared:	01/23/2009

Date: 2-2-09

Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1463

House	Education	Committee
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☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☐ Do Pass ☒ Do Not Pass ☐ Amended

Motion Made By Gep Johnson Seconded By Rep Kaul

[illegible]

Total (Yes) 7 No 7

Absent

Floor Assignment

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

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1463

Page 1, line 1, replace "five" with "three"

Page 1, line 20, replace "sixteen" with "seventeen"

Page 2, line 6, replace "at" with "twice"

Page 2, line 7, remove "least four times" and after the underscored period insert "The meetings must be conducted using *audioconferencing or* videoconferencing facilities available in state agencies, institutions of higher education, school districts, or other political subdivisions."

Page 2, remove lines 8 through 22

Page 2, line 31, after the underscored period insert "The council shall provide a report and any recommendations to the legislative council before September 1, 2010."

Renumber accordingly

V/R
2/6/09

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1463

Page 1, line 1, replace "five" with "three"

Page 1, line 2, after the semicolon insert "to provide for a report to the legislative council;"

Page 1, line 20, replace "sixteen" with "seventeen"

Page 2, line 6, replace "at" with "twice"

Page 2, line 7, remove "least four times" and after the underscored period insert "The meetings must be conducted using audioconferencing or videoconferencing facilities available in state agencies, institutions of higher education, school districts, or other political subdivisions."

Page 2, remove lines 8 through 22

Page 2, line 31, after the underscored period insert "The council shall provide a report and any recommendations to the legislative council before September 1, 2010."

Renumber accordingly

Date: Feb 5, 2009
Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1463

House Education _____ Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 90777.0101 (with chg)

Action Taken ☐ Do Pass ☐ Do Not Pass ☐ Amended

Motion Made By _____ **Seconded By** _____

[illegible]

Total (Yes) 100 (No) 0

Absent _____

Floor Assignment

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

90777.0101
with noted change

Date: 2-5-09
Roll Call Vote #: _____

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1463

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☒ Do Pass ☐ Do Not Pass ☒ Amended

Motion Made By Rep Myxter Seconded By Rep. Karls

Representatives	Yes	No	Representatives	Yes	No
Chairman RaeAnn Kelsch	✓		Rep. Lyle Hanson	✓	
Vice Chairman Lisa Meier	✓		Rep. Bob Hunsakor	✓	
Rep. Brenda Heller		✓	Rep. Jerry Kelsh		
Rep. Dennis Johnson	✓		Rep. Corey Mock		
Rep. Karen Karls	✓		Rep. Phillip Mueller	✓	
Rep. Mike Schatz	✓		Rep. Lee Myxter	✓	
Rep. John D. Wall	✓				
Rep. David Rust		✓			

Total (Yes) 10 No 2

Absent 2

Floor Assignment Rep Mueller

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

REPORT OF STANDING COMMITTEE

HB 1463: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1463 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "five" with "three"

Page 1, line 2, after the semicolon insert "to provide for a report to the legislative council;"

Page 1, line 20, replace "sixteen" with "seventeen"

Page 2, line 6, replace "at" with "twice"

Page 2, line 7, remove "least four times" and after the underscored period insert "The meetings must be conducted using audioconferencing or videoconferencing facilities available in state agencies, institutions of higher education, school districts, or other political subdivisions."

Page 2, remove lines 8 through 22

Page 2, line 31, after the underscored period insert "The council shall provide a report and any recommendations to the legislative council before September 1, 2010."

Renumber accordingly

2009 SENATE EDUCATION

HB 1463

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1463

Senate Education Committee

☐ Check here for Conference Committee

Hearing Date: March 2, 2009

Recorder Job Number: 9900

Committee Clerk Signature



Minutes:

Chairman Freborg opened the hearing on HB 1463. All members were present.

Representative Lisa Wolf introduced the bill. It provides for the creation of a North Dakota Youth Council with 4 youth per quadrant of the state for a total of 16. They would apply for the positions and would be appointed by the Governor. There would be one member appointed by the minority and majority leaders of the House and Senate and the Lt. Governor would act as chair. The original bill called for them to meet in person but it had a fiscal note of \$80,000. The engrossed bill calls for the meetings to be conducted via ITV or IVN so there is no fiscal note. She would like to see a wide range of socio-economic groups represented. It would be an opportunity for youth to give their opinions on our educational programs, higher education, job prospects, out migration, health care, entertainment and other issues important to our youth. The group would report at the next legislative session.

Senator Flakoll asked what the executive order is that is referred to on page 2, lines 2 and 3.

Representative Wolf said that is the order that separates the state into four quadrants.

Senator Taylor asked if the work can be accomplished by meeting via conference or if face to face meetings would be better.

Representative Wolf said she thinks face to face meetings would be much better. She would even prefer if their first meeting could be face to face. She wants the bill to pass, though, and in the House, she was told it would not pass with the fiscal note.

Senator Flakoll asked if there was any discussion on the House side about giving them spending authority in case they would get a grant to pay for a face to face meeting.

Representative Wolf said she did not hear any discussion of it.

Senator Bakke asked who would be the overseeing agency? Who would prepare the minutes, draft any necessary legislation?

Representative Wolf said it is not specified, she would see Legislative Council overseeing the group.

Senator Bakke said she would encourage some of the young people in the room to testify.

Nick Larson, a high school student from Underwood, testified in favor of the bill. Many young people leave the state and return when they are 30 and are lower key. This might help keep people in the state.

Senator Flakoll asked if he thinks his voice is heard as much as that of a 45 year old.

Nick Larson said no.

Senator Freborg asked if he would like to serve on such a council.

Nick Larson said yes.

James Hirsch, Director, Workforce Development Division, Department of Commerce submitted written testimony in favor of the bill which is attached.

Chairman Freborg closed the hearing on HB 1463.

Senator Flakoll said he would like time to do some research and compare some prior legislation. He may want to have an amendment drafted. The fiscal note is zero now and it would not be his intent to change that.

Senator Bakke asked if he wants to add one face to face meeting.

Senator Flakoll said he trusts and believes in the earlier comment about death by fiscal note. He is considering giving them spending authority in the case of a grant or donation for one face to face meeting. It would help the process and a face to face meeting would be a better situation.

Senator Bakke said in working with kids as much as she has, they can be hesitant to speak in large groups. Perhaps a regional meeting twice a year would help them speak up. It would build confidence and give them a voice. She will visit with Senator Flakoll.

Chairman Freborg closed the discussion on HB 1463.

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1463

Senate Education Committee

☐ Check here for Conference Committee

Hearing Date: March 3, 2009

Recorder Job Number: 10033

Committee Clerk Signature



Minutes:

Chairman Freborg opened the discussion on HB 1463. All members were present.

Senator Flakoll distributed amendment .0201. It deals with the ability of the Youth Council to accept grants or gifts to carry out their duties. The appropriation would still be zero. An

example of what the funds could be used for would be for a face to face meeting as discussed yesterday.

Senator Flakoll moved amendment .0201, seconded by Senator Bakke. The motion passed 5 – 0.

Senator Flakoll distributed amendment .0202. The amendment would allow the Youth Council to hold regional or subcommittee meetings. They would not have to hold the meetings but they could if they so desired. The meetings could deal with special topics assigned to a subcommittee or could be regional in scope.

Senator Flakoll moved amendment .0202, seconded by Senator Taylor. The motion passed 4 – 1.

Senator Bakke asked if on page 2 line 7 where the language says the meeting must be via ITV or IVN, would that preclude the Youth Council from meeting face to face if they received a grant? If so, perhaps the "must" should be changed to "may".

Senator Bakke moved the Bakke amendment, on page 2 line 7 overstrike "must" and insert "may", seconded by Senator Flakoll. The motion passed 4 – 1.

Senator Bakke moved a Do Pass As Amended on HB 1463, seconded by Senator Flakoll.

The motion passed 3 – 2. Senator Flakoll will carry the bill.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1463

Page 1, line 1, replace "three" with "four"

Page 2, after line 9, insert:

"SECTION 3. A new section to chapter 54-07 of the North Dakota Century Code is created and enacted as follows:

Youth council powers. The North Dakota youth council may accept gifts, grants, and donations of money, property, and services to carry out this Act."

Renumber accordingly

Date: 3/3/09 :
Roll Call Vote #: 1 :

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1463

Senate Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken 10201 Amendment

Motion Made By Sen. Flakoll Seconded By Sen. Bakke

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

Total (Yes) 5 No 0

Absent 0

Floor Assignment _____

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

March 2, 2009

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1463

Page 1, line 1, replace "three" with "four"

Page 2, after line 9, insert:

"SECTION 3. A new section to chapter 54-07 of the North Dakota Century Code is created and enacted as follows:

Youth council powers. The North Dakota youth council may form subcommittees to explore its various issues and concerns and complete its duties as set forth in section 4 of this Act. The subcommittees may hold regional meetings in any of the areas designated by the governor's executive order 1978-12 dated October 5, 1978."

Renumber accordingly

Date: 3/3/09
Roll Call Vote #: 2

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1463

Senate Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken . 0002 Amendment

Motion Made By Sen. Flakoll Seconded By Sen. Taylor

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

Total (Yes) 4 No 1

Absent 0

Floor Assignment _____

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

Date: 3/3/09
Roll Call Vote #: 3

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1463

Senate Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Bakke Amendment

Motion Made By Sen. Bakke Seconded By Sen. Flakoll

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

Total (Yes) 4 No 1

Absent 0

Floor Assignment _____

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

pg. 2 line 1

overstrike "must"
insert "may"

Date: 3/3/09 :
Roll Call Vote #: 4 :

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1463

Senate Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass As Amended

Motion Made By Sen. Bakke Seconded By Sen. Flakoll

Senators	Yes	No	Senators	Yes	No
Senator Freborg		<input checked="" type="checkbox"/>	Senator Taylor	<input checked="" type="checkbox"/>	
Senator Gary Lee		<input checked="" type="checkbox"/>	Senator Bakke	<input checked="" type="checkbox"/>	
Senator Flakoll	<input checked="" type="checkbox"/>				

Total (Yes) 3 No 2

Absent 0

Floor Assignment Sen. Flakoll

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

REPORT OF STANDING COMMITTEE

HB 1463, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1463 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "three" with "four"

Page 2, line 7, replace "must" with "may"

Page 2, after line 9, insert:

"SECTION 3. A new section to chapter 54-07 of the North Dakota Century Code is created and enacted as follows:

Youth council powers. The North Dakota youth council may accept gifts, grants, and donations of money, property, and services to carry out this Act. The council may form subcommittees to explore its various issues and concerns and complete its duties as set forth in section 4 of this Act. The subcommittees may hold regional meetings in any of the areas designated by the governor's executive order 1978-12 dated October 5, 1978."

Renumber accordingly

2009 TESTIMONY

HB 1463

**DEPARTMENT OF COMMERCE TESTIMONY ON SB 2018
MARCH 2, 2009,
SENATE EDUCATION COMMITTEE
MISSOURI RIVER ROOM
SENATOR LAYTON FREEBORG, CHAIRMAN**

JAMES HIRSCH – DIRECTOR, WORKFORCE DEVELOPMENT DIVISION

Mr. Chairman and members of the Committee, my name is James Hirsch, Director of the Workforce Development Division with the North Dakota Department of Commerce.

For clarification, I want you to be aware that there is a North Dakota Youth Development Council established as a Standing Committee of the North Dakota Workforce Development Council.

The North Dakota Youth Development Council is a requirement under the Workforce Investment Act of 1998.

I have attached a side-by-side comparison of the role of the North Dakota Youth Development Council and what I understand to be the role of the State Youth Council.

The scope of work identified for the State Youth Council and the North Dakota Workforce Development Council are distinctly different.

The proposed State Youth Council does not duplicate the role of the North Dakota Youth Development Council (NDYDC). Findings of the

State Youth Council related to perceptions of careers available, services to disadvantaged youth and services to at-risk youth would be of interest to the North Dakota Youth Development Council.

Thank you. I would be happy to answer any questions.



SIDE-BY-SIDE COMPARISSON ON THE NORTH DAKOTA YOUTH DEVELOPMENT COUNCIL WITH THE PROPOSED STATE YOUTH COUNCIL

	North Dakota Youth Development Council (Federal)	State Youth Council
Governances	Organized under section 117(h) of the Workforce Investment Act of 1998 (WIA).	Established under HB 1463
Membership	<p>Members with special interest or expertise in youth policy;</p> <ul style="list-style-type: none"> Representatives of youth service agencies, including juvenile justice and local law enforcement agencies; Representatives of local public housing authorities; Parents of eligible youth seeking assistance under the Workforce Investment Act; Individuals, including former participants, and representatives of organizations, that have experience relating to youth activities; Representatives of Job Corps and; Other individuals whom the Governor may determine appropriate; <p>The Council has the following ex-officio non-voting members:</p> <ul style="list-style-type: none"> The Director of the North Dakota Workforce Development Council 	<p>The North Dakota youth council consists of</p> <ul style="list-style-type: none"> Sixteen individuals appointed by the governor; <ol style="list-style-type: none"> Must be at least sixteen years of age but may not have reached the age of twenty-five; Be residents of this state; and Include representation from: Diverse social, economic, and ethnic groups; One member of the legislative assembly appointed by the majority leader of the house of representatives; One member of the legislative assembly appointed by the minority leader of the house of representatives; One member of the legislative assembly appointed by the majority leader of the senate; One member of the legislative assembly appointed by the minority leader of the senate; and The lieutenant governor, who shall serve as the chairman.
Chairperson	Appointed by the Governor	Lieutenant Governor
Funding	Federal Workforce Investment Act of 1998	State General Fund

	North Dakota Youth Development Council (Federal)	State Youth Council
Number of Meetings	4 per year	4 per year
Compensation	\$60 per day honorarium for regular scheduled meetings	\$135 per day
Expense Reimbursement	Mileage, Room, Meals and Miscellaneous Expenses at State Allowable Rates.	Mileage, Room, Meals and Miscellaneous Expenses at State Allowable Rates.
Duties	<p>The NDYDC shall:</p> <p>(1) Assists the NDWDC by developing youth activities and services portion of the States Strategic Plan;</p> <p>(2) Make recommendations to the NDWDC on youth employment and training policy;</p> <p>(2) Recommend eligible providers of youth services to the NDWDC to be considered for grants and contracts on a competitive basis;</p> <p>(3) conducting oversight with respect to eligible providers of youth activities;</p> <p>(4) coordinating youth activities that are authorized under the Act; and</p> <p>(5) Other duties determined to be appropriate by the chairperson of the NDWDC.</p>	<p>The North Dakota youth council shall develop a list of issues and concerns pertinent to residents of this state who have not yet reached the age of twenty-five.</p> <p>The list may include education, health care, employment opportunities, and quality of life issues such as recreation and entertainment.</p> <p>The council, on its own and in conjunction with any guests it elects to invite, shall explore its issues and concerns, review current situations, and develop recommendations for consideration by local, regional, and state-level policymakers.</p>

ANALYSIS:

The mission and purpose of the Council's are distinctly different. The proposed State Youth Council does not duplicate the role of the North Dakota Youth Development Council (NDYDC). The NDYDC would have an interested in findings of the State Youth Council specifically as it pertains to perceptions of careers available in North Dakota, perception of services to disadvantaged and at risk youth to assist them with graduation and transition to postsecondary or careers.

The strength of the proposed State Youth Council is that a majority of its membership is youth ages 16 -24, membership from North Dakota's Legislature, and being chaired by the Lieutenant Governor.