

2023 HOUSE EDUCATION

HB 1270

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau AB Room, State Capitol

HB 1270
1/24/2023

Relating to recording, publishing, and archiving of school district board meetings.

11:09 AM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons. Absent: Representative Dyk.

Discussion Topics:

- Open access board meetings
- Video participation
- Virtual attendance
- Audio availability
- Archival period

Rep Kathy Froelich, District 15, presented the bill, oral testimony
Alexis Baxley, Executive Director, ND School Boards Association, provided oral information
Jack McDonald, ND Newspaper Association, oral testimony

Additional written testimony:

Breanna Demarais, Testimony #15593

11:25 AM Chairman Heinert closed the hearing.

Kathleen Davis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1270
2/7/2023

Relating to recording, publishing, and archiving of school district board meetings.

3:00 PM

Chairman Heinert opened the meeting. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons.

Discussion Topics:

- Committee action

Rep Hager moved a Do Pass on HB 1270, seconded by Rep Murphy.

Representatives	Vote
Representative Pat D. Heinert	N
Representative Cynthia Schreiber-Beck	N
Representative Liz Conmy	N
Representative Scott Dyk	Y
Representative LaurieBeth Hager	Y
Representative Dori Hauck	N
Representative Matt Heilman	Y
Representative Jeff A. Hoverson	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	N
Representative Andrew Marschall	N
Representative Eric James Murphy	Y
Representative Anna S. Novak	N
Representative Kelby Timmons	Y

7-7-0 Motion failed.

Rep Heinert moved to Reconsider and Amend to eliminate the date of the meeting and replace Line 9 to say 7 days after the meeting, seconded by Rep Murphy.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative Scott Dyk	Y
Representative LaurieBeth Hager	Y
Representative Dori Hauck	N
Representative Matt Heilman	Y
Representative Jeff A. Hoverson	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y

Representative Andrew Marschall	N
Representative Eric James Murphy	Y
Representative Anna S. Novak	N
Representative Kelby Timmons	Y

11-3-0 Motion carried.

Rep Murphy moved a Do Pass as Amended, seconded by Rep Dyk.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative Scott Dyk	Y
Representative LaurieBeth Hager	Y
Representative Dori Hauck	N
Representative Matt Heilman	Y
Representative Jeff A. Hoverson	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Andrew Marschall	N
Representative Eric James Murphy	Y
Representative Anna S. Novak	N
Representative Kelby Timmons	Y

11-3-0 Motion carried. Rep Murphy is carrier.

3:17 PM Chairman Heinert closed the meeting.

Kathleen Davis, Committee Clerk

February 7, 2023

JA 2-7-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1270

Page 2, line 9, replace "the date of" with "seven days after"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1270: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1270 was placed on the Sixth order on the calendar.

Page 2, line 9, replace "the date of" with "seven days after"

Renumber accordingly

2023 SENATE EDUCATION

HB 1270

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

HB 1270
3/7/2023

Relating to recording, publishing, and archiving of school district board meetings.

11:00 AM Chair Elkin opened the hearing. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

Discussion Topics:

- Concise records
- Committee action

Rep Frelich, Dist 15, bill sponsor testified in support #22610 and had suggested changes #26742.

Alexis Baxley, ND School Boards, testified neutral with no written testimony.

Sen Axtman moved amendment LC 23.0624.03001. Sen Lemm seconded the motion.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

ROLL CALL VOTE: YES – 6 NO – 0 Absent – 0 Motion PASSED

Sen Axtman moved DO PASS as Amended. Sen Lemm seconded the motion.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

ROLL CALL VOTE: YES – 6 NO – 0 Absent – 0 Motion PASSED

Sen Lemm will carry the bill.

11:15 AM Chair Elkin closed the hearing.

Pam Dever, Committee Clerk

23.0624.03001
Title.04000

Adopted by the Senate Education Committee

March 7, 2023

OK
191
3-7-23

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1270

Page 2, line 5, replace "A" with "At the request of a resident of the school district, a"

Page 2, line 7, replace "each" with "the"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1270, as engrossed: Education Committee (Sen. Elkin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1270 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 2, line 5, replace "A" with "At the request of a resident of the school district, a"

Page 2, line 7, replace "each" with "the"

Renumber accordingly

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

HB 1270
3/13/2023

Relating to recording, publishing, and archiving of school district board meetings.

3:17 PM Chair Elkin opened committee work. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

Discussion Topics:

- Committee action
- School board retreats

Sen Axtman moved to reconsider HB 1270.

Sen Beard seconded the motion.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

ROLL CALL VOTE: YES – 6 NO – 0 Absent – 0 Motion PASSED

Sen Lemm moved an amendment clarifying pg 2, lines 7-8 and lines 11-12 dealing with school board work retreats. LC 23.0624.03002

Sen Conley seconded the motion.

Alexis Baxley came forward to explain the amendment.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	N
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

ROLL CALL VOTE: YES – 5 NO – 1 Absent – 0 Motion PASSED

Sen Lemm moved Do PASS as Amended.

Sen Conley seconded the motion.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	N
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

ROLL CALL VOTE: YES – 5 NO – 1 Absent – 0 Motion PASSED

Sen Lemm will carry the bill.

3:26 PM Chair Elkin adjourned the meeting.

Pam Dever, Committee Clerk

March 13, 2023

AG
3-13-23
(1-1)

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1270

Page 2, line 5, replace "A" with "At the request of a resident of the school district, a"

Page 2, line 5, remove "a board of"

Page 2, line 6, after the underscored period insert "A request must be submitted to the school district no later than seven days prior to the meeting."

Page 2, line 7, replace "each" with "the"

Page 2, line 9, after the underscored period insert "This section does not apply to executive sessions nor work sessions held as part of a regular or special meeting."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1270, as engrossed: Education Committee (Sen. Elkin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1270 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 2, line 5, replace "A" with "At the request of a resident of the school district, a"

Page 2, line 5, remove "a board of"

Page 2, line 6, after the underscored period insert "A request must be submitted to the school district no later than seven days prior to the meeting."

Page 2, line 7, replace "each" with "the"

Page 2, line 9, after the underscored period insert "This section does not apply to executive sessions nor work sessions held as part of a regular or special meeting."

Renumber accordingly

TESTIMONY

HB 1270

Dear Chairman and Committee members,

In short, I support HB 1270 relating to recording, publishing, and archiving school district board meetings. We find ourselves in an age of advanced technology that we should fully take advantage of.

I am a mother of three children under the age of 5 and I work full time outside the home. As my kids approach school age, I wish to attend school board meetings to be involved and stay informed in our school district. However, between work, commutes, and wrangling young children it is difficult for me to physically attend meetings or even watch a live stream at specific times due to our daily schedule the undivided attention our young kids need.

I imagine there are many similar situations across the state, of parents and community members who are feeling left out due to certain limitations not entirely within their control.

I ask that you pass HB1270.

Thank you for your consideration.

Breanna Demarais
Crary, ND

House Bill 1270

Rep. Kathy Frelich

Good morning, Chairman Elkin and Senate Education members,

My name is Kathy Frelich. I'm from Devils Lake and I gladly represent District 15.

House Bill 1270 is related to the recording, publishing, and archiving of school district board meetings. As a new legislator, I assumed this would be an easy Bill, but I now see there's no such thing.

My hope regarding this Bill is to provide parents and district citizens greater access to School Board meetings. It is my firm belief that information is always a good thing and I believe technology can provide that access.

It is very difficult to get to every school board meeting. Although meetings may be low in attendance, I don't believe it's because people aren't interested. Parents are busy. Citizens of a school district are busy. We still want access to meetings. Consider my own situation. I am on the road a lot and I can listen to both the county and city commission meetings from my area. This way, I stay abreast of what is going on in my community. Shouldn't we have the same ease of access to know the decisions being made for our children?

As you know, School Board meetings are subject to Open Meeting laws. I think we saw during the pandemic that school districts have the electronic means by which to allow for public viewing. This access is not cost prohibitive. Schools are streaming basketball games, concerts, and all their special events. The Pandemic taught us, "if there is a will, there is a way".

I met with the Executive Director of the ND School Board Association. We discussed ways in which the requirements of this Bill could be met while making sure this was not a difficult task for the School Boards. I've attached a couple amendments you may want to consider.

Chairman Elkin and members of the Education committee, I believe we live in a time that technology should be aiding in our quest for information. Keep in mind, as I am speaking today, I am being recorded so that any interested citizen may witness my testimony. Transparency has become a key word in today's talking points.

Last year, the office of the ND Attorney General prepared a manual regarding open meetings. On page 2 of the manual, it states "the open meeting law should be construed liberally in favor of the public's access to information." Now, to me this means that whenever possible, the public's access should trump the inconvenience of recording the meeting. I hope you will agree and vote to pass HB 1270.

Thank you, Mr. Chairman. I'll stand for questions.

Proposed amendments to HB 1207

Section 1, Page 2, Subsection 6, Line 5

“At the request of a resident of the School District,”

Section 1, Page 2, Subsection 6, Line 7

“make available on its website a link to the recordings”

Remove: “publish on its website a link to each”

What would it take?



Roll over image to zoom in



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Proposed amendments to HB 1207

Section 1, Page 2, Subsection 6, Line 5

“At the request of a resident of the School District,”

Section 1, Page 2, Subsection 6, Line 7

“make available on its website a link to the recordings”

Remove: “publish on its website a link to each”