

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON EDUCATION**

**Call to Order:** By **CHAIRMAN ALVIN A. ELLIS, JR.**, on January 15, 1997, at 3:00 P.M., in Room 312-1.

**ROLL CALL**

**Members Present:**

Rep. Alvin A. Ellis, Jr., Chairman (R)  
Rep. Peggy Arnott, Vice Chairman (Majority) (R)  
Rep. Dan W. Harrington, Vice Chairman (Minority) (D)  
Rep. Paul Bankhead (R)  
Rep. Matt Denny (R)  
Rep. Kim Gillan (D)  
Rep. Antoinette R. Hagener (D)  
Rep. George Heavy Runner (D)  
Rep. Sam Kitzenberg (R)  
Rep. Bob Lawson (R)  
Rep. Gay Ann Masolo (R)  
Rep. Norm Mills (R)  
Rep. William Rehbein, Jr. (R)  
Rep. John "Sam" Rose (R)  
Rep. Richard D. Simpkins (R)  
Rep. Joe Tropila (D)  
Rep. Allan Walters (R)

**Members Excused:** Rep. Linda McCulloch

**Members Absent:** None.

**Staff Present:** Connie Erickson, Legislative Services Division  
Alberta Strachan, Committee Secretary

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 192 (1/13/97); HB 79  
(1/8/97)  
Executive Action: HB 25; HB 28; HB 104, HB 77  
and HB 52 (action deferred on  
HB 52)

**HEARING ON HB 192**

**Opening Statement by Sponsor:** REP. H.S. "SONNY" HANSON, H.D. 9  
introduced the bill. EXHIBITS 1-3.

{Tape: 1; Side: 1; Approx. Time Count: .06; Comments: None.}

**Proponents' Testimony:**

**Wayne Buchanan, Montana Board of Public Education.**

{Tape: 1; Side: 1; Approx. Time Count: 10.5; Comments: None.}

**Richard Croft, Commissioner of Higher Education.**

{Tape: 1; Side: 1; Approx. Time Count: 16.0; Comments: None.}

**Gail Gray, Office of Public Instruction.**

{Tape: 1; Side: 1; Approx. Time Count: 22.1; Comments: None.}

**Opponents' Testimony:** None.

{Tape: 1; Side: 1; Approx. Time Count: 25.6; Comments: None.}

**Informational Testimony:** None.

**Questions From Committee Members and Responses:**

{Tape: 1; Side: 1; Approx. Time Count: 25.8; Comments: None.}

**HEARING ON HB 79**

**Opening Statement by Sponsor:** REP. RICHARD SIMPKINS, H.D. 49 introduced the bill.

{Tape: 1; Side: 2; Approx. Time Count: 1.7; Comments: None.}

**Proponents' Testimony:** None.

{Tape: 1; Side: 2; Approx. Time Count: 6.5; Comments: None.}

**Opponents' Testimony:**

**Wayne Buchanan, Montana Board of Public Education.**

{Tape: 1; Side: 2; Approx. Time Count: 6.7; Comments: None.}

**Gail Gray, Office of Public Instruction.**

{Tape: 1; Side: 2; Approx. Time Count: 14.2; Comments: None.}

**Eric Feaver, Montana Education Association.**

{Tape: 1; Side: 2; Approx. Time Count: 17.8; Comments: None.}

**Informational Testimony:** None.

**Questions From Committee Members and Responses:**

{Tape: 1; Side: 2; Approx. Time Count: 23.0; Comments: None.}

**Closing by Sponsor:** REP. SIMPKINS closes on the bill.

EXECUTIVE ACTION ON HB 25

Motion: REP. SIMPKINS MOVED HB 25 DO PASS.  
{Tape: 2; Side: 1; Approx. Time Count: 7.3; Comments: None.}

Vote: Motion carried 17-0 with REP. MCCULLOCH not voting.  
{Tape: 2; Side: 1; Approx. Time Count: 7.5; Comments: None.}

EXECUTIVE ACTION ON HB 28

Motion: REP. ROSE MOVED HB 28 DO PASS.  
{Tape: 2; Side: 1; Approx. Time Count: 8.6; Comments: None.}

Motion: REP. ROSE moved to adopt the Rose amendments. EXHIBIT  
4.  
{Tape: 2; Side: 1; Approx. Time Count: 9.0; Comments: None.}

Discussion:  
{Tape: 2; Side: 1; Approx. Time Count: 9.5; Comments: None.}

Vote: Motion carried 17-0 with REP. MCCULLOCH not voting.  
{Tape: 2; Side: 1; Approx. Time Count: 10.1; Comments: None.}

Motion/Vote: REP. ROSE MOVED HB 20 DO PASS AS AMENDED. Motion  
carried 17-0 with REP. MCCULLOCH not voting.  
{Tape: 2; Side: 1; Approx. Time Count: 10.8; Comments: None.}

EXECUTIVE ACTION ON HB 52

Motion: REP. KITZENBERG MOVED HB 52 DO PASS.  
{Tape: 2; Side: 1; Approx. Time Count: 11.3; Comments: None.}

Discussion:  
{Tape: 2; Side: 1; Approx. Time Count: 12.2; Comments: None.}

CHAIRMAN ELLIS deferred further discussion on this bill until a  
further date.  
{Tape: 2; Side: 1; Approx. Time Count: 16.4; Comments: None.}

EXECUTIVE ACTION ON HB 77

Motion: REP. SIMPKINS MOVED HB 77 DO PASS.  
{Tape: 2; Side: 1; Approx. Time Count: 19.8; Comments: None.}

Motion: REP. SIMPKINS moved to adopt the Simpkins amendments.  
EXHIBIT 5.  
{Tape: 2; Side: 1; Approx. Time Count: 21.1; Comments: None.}

Discussion:  
{Tape: 2; Side: 1; Approx. Time Count: 22.6; Comments: None.}

Vote: Motion carried 17-0 with **REP. MCCULLOCH** not voting.  
{Tape: 2; Side: 1; Approx. Time Count: 26.6; Comments: None.}

Motion/Vote: **REP. TROPILA** moved to adopt the Tropila amendments.  
**REP. TROPILA** withdrew his amendments.  
{Tape: 2; Side: 1; Approx. Time Count: 26.8; Comments: None.}

Discussion:  
{Tape: 2; Side: 1; Approx. Time Count: 27.3; Comments: None.}

Motion: **REP. SIMPKINS MOVED HB 77 DO PASS AS AMENDED.**  
{Tape: 2; Side: 1; Approx. Time Count: 29.0; Comments: None.}

Discussion:  
{Tape: 2; Side: 1; Approx. Time Count: 30.3; Comments: None.}

Vote: Motion carried 16-1 on a roll call vote with **REP. HARRINGTON** voting no and **REP. MCCULLOCH** not voting. **EXHIBIT 6.**  
{Tape: 2; Side: 2; Approx. Time Count: 18.0; Comments: None.}

**EXECUTIVE ACTION ON HB 104**

Motion: **REP. HAGENER MOVED HB 104 DO PASS.**  
{Tape: 2; Side: 2; Approx. Time Count: 19.0; Comments: None.}

Motion: **REP. HAGENER** moved to adopt the Hagener amendments.  
**EXHIBIT 7.**  
{Tape: 2; Side: 2; Approx. Time Count: 19.0; Comments: None.}

Discussion:  
{Tape: 2; Side: 2; Approx. Time Count: 20.5; Comments: None.}

Vote: Motion carried to adopt the Hagener amendments 17-0 with **REP. MCCULLOCH** not voting.  
{Tape: 2; Side: 2; Approx. Time Count: 20.9; Comments: None.}

Motion/Vote: **REP. HAGENER MOVED HB 104 DO PASS AS AMENDED.**  
Motion carried 17-0 with **REP. MCCULLOCH** not voting.

ADJOURNMENT

Adjournment: 5:05 P.M.

  
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REP. ALVIN A. ELLIS, Jr., Chairman

  
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ALBERTA STRACHAN, Secretary

AAE/ajs