

**MINUTES**

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

**COMMITTEE ON EDUCATION**

**Call to Order:** By **VICE-CHAIRMAN PEGGY ARNOTT**, on February 14, 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. Sam Kitzenberg (R)  
Rep. Bob Lawson (R)  
Rep. Gay Ann Masolo (R)  
Rep. Linda McCulloch (D)  
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. George Heavy Runner

**Members Absent:** None.

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

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HJR 21 (2/13/97); HJR 23  
(2/13/97); HB 523 (2/12/97).  
Executive Action: HJR 21; HJR 23; HB 49; HB 198;  
HB 436; HB 491; SB 71.

**HEARING ON HJR 21**

**Opening Statement by Sponsor:** REP. MATT DENNY, H.D. 63  
introduced the bill.

{Tape: 1; Side: 1; Approx. Time Count: .2.}

**Proponents' Testimony:**

**Matthew Stergus, Loyola High School teacher. EXHIBIT 1.**

{Tape: 1; Side: 1; Approx. Time Count: 1.5.}

**Karen Hammen, Loyola High School.**

{Tape: 1; Side: 1; Approx. Time Count: 6.6.}

**Mike Holden, Loyola High School.**

{Tape: 1; Side: 1; Approx. Time Count: 8.8.}

**Ryan Morton, Loyola High School.**

{Tape: 1; Side: 1; Approx. Time Count: 11.6.}

**Kathryn L. Fangsrud, Loyola High School.**

{Tape: 1; Side: 1; Approx. Time Count: 14.7.}

**Amanda Hanson, Loyola High School.**

{Tape: 1; Side: 1; Approx. Time Count: 17.5.}

**Jenna Nichols, Loyola High School.**

{Tape: 1; Side: 1; Approx. Time Count: 20.0.}

**Luke Powell, Loyola High School.**

{Tape: 1; Side: 1; Approx. Time Count: 23.2.}

**Joe Teuayos, Loyola High School.**

{Tape: 1; Side: 1; Approx. Time Count: 26.0.}

**Don Hammond, Loyola High School.**

{Tape: 1; Side: 1; Approx. Time Count: 27.7.}

**Allison Podiasky, Loyola High School.**

{Tape: 1; Side: 1; Approx. Time Count: 31.2; Comments: .}

**Charles Hansberry, Loyola High School teacher.**

{Tape: 1; Side: 1; Approx. Time Count: 35.0.}

**Don Waldron, Montana Rural Education Association.**

{Tape: 1; Side: 1; Approx. Time Count: 37.0.}

**Loren Frazier, Montana School Administrators Association.**

{Tape: 1; Side: 1; Approx. Time Count: 38.0.}

**Opponents' Testimony: None.**

{Tape: 1; Side: 1; Approx. Time Count: 38.6.}

**Informational Testimony: None.**

**Questions From Committee Members and Responses:**

{Tape: 1; Side: 1; Approx. Time Count: 38.8.}

**Closing by Sponsor: REP. DENNY closed on the bill.**

{Tape: 1; Side: 2; Approx. Time Count: .5.}

EXECUTIVE ACTION ON HJR 21

Motion: REP. SIMPKINS MOVED HJR 21 DO PASS.  
{Tape: 1; Side: 2; Approx. Time Count: 1.1.}

Discussion:  
{Tape: 1; Side: 2; Approx. Time Count: 1.4.}

Vote: Question was called. Motion carried unanimously 18-0 with  
REP. HEAVY RUNNER voting by proxy.  
{Tape: 1; Side: 2; Approx. Time Count: 2.8.}

HEARING ON HJR 23

Opening Statement by Sponsor: REP. JOE TROPILA, H.D. 47  
introduced the bill.  
{Tape: 1; Side: 2; Approx. Time Count: 3.2.}

Proponents' Testimony:

Lance Melton, Montana School Boards Association.  
{Tape: 1; Side: 2; Approx. Time Count: 6.9.}

Don Waldron, Montana Rural School Board Association.  
{Tape: 1; Side: 2; Approx. Time Count: 8.8.}

Opponents' Testimony: None.  
{Tape: 1; Side: 2; Approx. Time Count: 9.8.}

Informational Testimony: None.

Questions From Committee Members and Responses:  
{Tape: 1; Side: 2; Approx. Time Count: 9.9.}

Closing by Sponsor: REP. TROPILA closed on the bill.  
{Tape: 1; Side: 2; Approx. Time Count: 11.  
{Tape: 1; Side: 2; Approx. Time Count: 11.5.}

HEARING ON HB 523

Opening Statement by Sponsor: REP. LINDA MCCULLOCH, H.D. 70  
introduced the bill.  
{Tape: 1; Side: 2; Approx. Time Count: 12.2.}

Proponents' Testimony:

Don Waldron, Montana Rural Education Association. EXHIBIT 2.  
{Tape: 1; Side: 2; Approx. Time Count: 13.3.}

Sharon Davis, Fergus County School Board Member. EXHIBIT 3.  
{Tape: 1; Side: 2; Approx. Time Count: 12.2.}

**Jim English, Fergus County School Board Association. EXHIBIT 4.**  
{Tape: 1; Side: 2; Approx. Time Count: 24.5; Comments: Mr. English provided testimony from Shirley M. Barrick, Fergus County Superintendent of Schools, Lewistown.}

**Bill Reber, Lewistown resident.**  
{Tape: 1; Side: 2; Approx. Time Count: 26.5.}

**Rachel Vielleux, Missoula County Superintendents Office.**  
{Tape: 1; Side: 2; Approx. Time Count: 27.4.}

**Opponents' Testimony:** None.  
{Tape: 1; Side: 2; Approx. Time Count: 29.3.}

**Informational Testimony:** None.

**Questions From Committee Members and Responses:**  
{Tape: 1; Side: 2; Approx. Time Count: 29.4.}

**Closing by Sponsor:** REP. MCCULLOCH closed on the bill.  
{Tape: 1; Side: 2; Approx. Time Count: 31.9.}

#### **EXECUTIVE ACTION ON HB 49**

**Motion:** REP. ELLIS MOVED HB 49 DO PASS.  
{Tape: 1; Side: 2; Approx. Time Count: 33.4.}

**Motion:** REP. ELLIS moved to adopt the Ellis amendments.  
{Tape: 1; Side: 2; Approx. Time Count: 33.6.}

**Discussion:**  
{Tape: 1; Side: 2; Approx. Time Count: 35.2.}

**Vote:** Question was called. Motion carried 13-5 to adopt the Ellis amendments by roll call vote with REP. HEAVY RUNNER voting by proxy.  
{Tape: 2; Side: 1; Approx. Time Count: 7.2.}

**Motion:** REP. ELLIS MOVED HB 49 DO PASS AS AMENDED.  
{Tape: 2; Side: 1; Approx. Time Count: 8.9.}

**Discussion:**  
{Tape: 2; Side: 1; Approx. Time Count: 9.8.}

**Vote:** Question was called. Motion carried 11-7 on a roll call vote with REP. HEAVY RUNNER and SIMPKINS voting by proxy.  
{Tape: 2; Side: 1; Approx. Time Count: 13.2.}

#### **EXECUTIVE ACTION ON HB 198**

**Motion/Vote:** REP. PAVLOVICH MOVED HB 198 BE TABLED. Motion carried 17-1 with REP. REHBEIN voting no.

{Tape: 2; Side: 1; Approx. Time Count: 14.1.}

EXECUTIVE ACTION ON HB 436

Motion: REP. LAWSON MOVED HB 436 DO PASS.  
{Tape: 2; Side: 1; Approx. Time Count: 14.3.}

Discussion:  
{Tape: 2; Side: 1; Approx. Time Count: 15.0.}

Vote: Question was called. Motion carried 14-4 on a roll call vote with REP. HEAVY RUNNER voting by proxy.  
{Tape: 2; Side: 1; Approx. Time Count: 17.0.}

EXECUTIVE ACTION ON HB 491

Motion: REP. LAWSON MOVED HB 491 DO PASS.  
{Tape: 2; Side: 1; Approx. Time Count: 18.7.}

Motion: REP. REHBEIN moved to adopt the Rehbein amendments.  
{Tape: 2; Side: 1; Approx. Time Count: 18.7.}

Discussion:  
{Tape: 2; Side: 1; Approx. Time Count: 19.8.}

Vote: Question was called. Motion failed 1-17 with REP. REHBEIN voting no and REP. HEAVY RUNNER voting by proxy.  
{Tape: 2; Side: 1; Approx. Time Count: 20.2.}

Vote: Question was called. Motion carried unanimously 18-0 with REP. HEAVY RUNNER voting by proxy.  
{Tape: 2; Side: 1; Approx. Time Count: 20.9.}

EXECUTIVE ACTION ON SB 71

Motion: REP. KITZENBERG MOVED SB 71 BE CONCURRED IN.  
{Tape: 2; Side: 1; Approx. Time Count: 21.3.}

Motion/Vote: REP. KITZENBERG moved to adopt the Kitzenberg amendments. Question was called. Motion carried 17-1 with REHBEIN voting no and REP. HEAVY RUNNER voting by proxy.  
{Tape: 2; Side: 1; Approx. Time Count: 21.7.}

Vote: Question was called. Motion carried 15-3 with REPS. BANKHEAD, REHBEIN and ARNOTT voting no and REP. HEAVY RUNNER voting by proxy.  
{Tape: 2; Side: 1; Approx. Time Count: 23.3.}

EXECUTIVE ACTION ON HJR 23

Motion/Vote: REP. SIMPKINS MOVED HJR 23 DO PASS. Question was called. Motion carried unanimously 18-0 with REP. HEAVY RUNNER voting by proxy.

{Tape: 2; Side: 1; Approx. Time Count: 23.9.}

EXECUTIVE ACTION ON HB 246

Motion: REP. SIMPKINS MOVED HB 246 BE REMOVED FROM TABLE.

{Tape: 2; Side: 1; Approx. Time Count: 24.6.}

VICE-CHAIRMAN ARNOTT deferred further action on the bill.

{Tape: 2; Side: 1; Approx. Time Count: 26.0.}

ADJOURNMENT

Adjournment: 5:05 P.M.

  
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REP. PEGGY ARNOT, Vice-Chairman

  
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ALBERTA STRACHAN, Secretary

PA/ajs