

**MINUTES**

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

**COMMITTEE ON EDUCATION**

**Call to Order:** By **ALVIN E. ELLIS, JR.**, on February 19, 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. 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:** None.

**Members Absent:** None.

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

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 563 (2/17/97); HB 564  
(2/17/97).

Executive Action: HB 564; HB 563; HB 560; HB  
542; HB 523; HB 563.

**HEARING ON HB 563**

**Opening Statement by Sponsor:** REP. RAY PECK, H.D. 91 introduced  
the bill. **EXHIBIT 1.**

{Tape: 1; Side: 1; Approx. Time Count: .6; Comments: Rep. Peck  
supplied proposed amendments.}

**Proponents' Testimony:**

Don Waldron, Montana rural Education Association.

{Tape: 1; Side: 1; Approx. Time Count: 10.4.}

Larry Fasbender, Great Falls Public Schools.

{Tape: 1; Side: 1; Approx. Time Count: 12.0.}

Madalyn Quinlan, Office of Public Instruction.

{Tape: 1; Side: 1; Approx. Time Count: 13.4.}

Tom Bilodeau, Montana Education Association.

{Tape: 1; Side: 1; Approx. Time Count: 16.0.}

Loren Frazier, Montana School Administrators Association.

{Tape: 1; Side: 1; Approx. Time Count: 19.1; Comments: .}

John Malee, Montana Federation of Teachers.

{Tape: 1; Side: 1; Approx. Time Count: 19.9.}

Lance Melton, Montana School Boards Association. EXHIBIT 2.

{Tape: 1; Side: 1; Approx. Time Count: 20.0; Comments: Mr. Melton provided testimony from Lynda Brannon, Montana Association of School Business Officials.}

Jean Curtis, Montana Parent Teacher's Association.

{Tape: 1; Side: 1; Approx. Time Count: 20.3.}

Cathy Day, Montana Parent Teacher's Association.

{Tape: 1; Side: 1; Approx. Time Count: 22.0.}

Gloria Paladichuk, Richland County Development.

{Tape: 1; Side: 1; Approx. Time Count: 22.7.}

Mark Leatzow, Smith Valley School.

{Tape: 1; Side: 1; Approx. Time Count: 24.0.}

**Opponents' Testimony:** None.

{Tape: 1; Side: 1; Approx. Time Count: 25.5.}

**Informational Testimony:** None.

**Questions From Committee Members and Responses:**

{Tape: 1; Side: 1; Approx. Time Count: 25.9.}

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

{Tape: 1; Side: 1; Approx. Time Count: 41.1.}

**HEARING ON HB 564**

**Opening Statement by Sponsor:** REP. TIM DOWELL, H.D. 78 introduced the bill.

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

**Proponents' Testimony:**

**Lance Melton, Montana School Boards Association. EXHIBIT 3.**  
{Tape: 1; Side: 2; Approx. Time Count: 4.7; Comments: Mr. Melton provided testimony from Lynda Brannon, Montana Association of School Business Officials.}

**Don Waldron, Montana Rural Education Association.**  
{Tape: 1; Side: 2; Approx. Time Count: 5.8.}

**Mark Leatzow, Smith Valley School.**  
{Tape: 1; Side: 2; Approx. Time Count: 6.5.}

**Madalyn Quinlan, Office of Public Instruction.**  
{Tape: 1; Side: 2; Approx. Time Count: 8.4.}

**Opponents' Testimony: None.**  
{Tape: 1; Side: 2; Approx. Time Count: 9.1.}

**Informational Testimony: None.**

**Questions From Committee Members and Responses:**  
{Tape: 1; Side: 2; Approx. Time Count: 9.4.}

**Closing by Sponsor: REP. DOWELL closed on the bill.**  
{Tape: 1; Side: 2; Approx. Time Count: 29.1.}

**EXECUTIVE ACTION ON HB 564**

**Motion: REP. SIMPKINS MOVED HB 564 DO PASS.**  
{Tape: 1; Side: 2; Approx. Time Count: 29.9.}

**Motion/Vote: REP. SIMPKINS moved to adopt the Dowell amendments. Question was called. Motion carried 18-0 with REP. KITZENBERG voting by proxy.**  
{Tape: 1; Side: 2; Approx. Time Count: 33.3.}

**Motion: REP. SIMPKINS MOVED HB 564 DO PASS AS AMENDED.**  
{Tape: 1; Side: 2; Approx. Time Count: 36.2.}

**Discussion:**  
{Tape: 1; Side: 2; Approx. Time Count: 36.0.}

**Vote: Question was called. Motion carried 14-4 with REPS. WALTERS, BANKHEAD, REHBEIN and ARNOTT voting no and REP. KITZENBERG voting by proxy.**  
{Tape: 1; Side: 2; Approx. Time Count: 36.0; Comments: .}

**EXECUTIVE ACTION ON HB 563**

**Motion: REP. HARRINGTON MOVED HB 563 DO PASS.**  
{Tape: 1; Side: 2; Approx. Time Count: 37.8.}

**Motion/Vote:** REP. HARRINGTON moved to adopt the Peck amendments which were prepared by the Legislative Fiscal Analyst. Question was called. Motion carried 18-0 with REP. KITZENBERG and MASOLO voting by proxy.

{Tape: 1; Side: 2; Approx. Time Count: 39.0.}

**Motion:** REP. HARRINGTON MOVED HB 563 DO PASS AS AMENDED.

{Tape: 1; Side: 2; Approx. Time Count: 41.2.}

**Discussion:**

{Tape: 1; Side: 2; Approx. Time Count: 41.9.}

**Vote:** Question was called. Motion failed 9-9 on a roll call vote with REPS. ELLIS, ARNOTT, BANKHEAD, DENNY, LAWSON, MILLS, REHBEIN, SIMPKINS and WALTERS voting no and REPS. KITZENBERG and MASOLO voting by proxy.

{Tape: 1; Side: 2; Approx. Time Count: 8.2.}

**Motion/Vote:** REP. MILLS MOVED HB 563 BE TABLED. Question was called. Motion carried 11-7 on a roll call vote with REPS. HARRINGTON, GILLAN, HAGENER, HEAVY RUNNER, KITZENBERG, MCCULLOCH and TROPILA voting no and REPS. KITZENBERG and MASOLO voting by proxy.

{Tape: 2; Side: 1; Approx. Time Count: 8.4.}

#### EXECUTIVE ACTION ON HB 560

**Motion:** REP. REHBEIN MOVED HB 560 DO PASS.

{Tape: 2; Side: 1; Approx. Time Count: 4.8.}

**Motion:** REP. REHBEIN moved to adopt the Peck amendments.

{Tape: 2; Side: 1; Approx. Time Count: 5.0.}

**Discussion:**

{Tape: 2; Side: 1; Approx. Time Count: 5.4.}

**Vote:** Question was called. Motion carried unanimously to adopt the Peck amendments with REPS. KITZENBERG and MASOLO voting by proxy.

{Tape: 2; Side: 1; Approx. Time Count: 7.2.}

**Motion/Vote:** REP. ROSE MOVED HB 560 DO PASS AS AMENDED.

Question was called. Motion carried 17-1 with REP. ARNOTT voting no and REPS. KITZENBERG and MASOLO voting by proxy.

{Tape: 2; Side: 1; Approx. Time Count: 8.2.}

#### EXECUTIVE ACTION ON HB 542

**Motion:** REP. MCCULLOCH MOVED HB 542 DO PASS.

{Tape: 2; Side: 1; Approx. Time Count: 8.6.}

**Motion:** REP. MCCULLOCH moved to adopt the Peck amendments.  
{Tape: 2; Side: 1; Approx. Time Count: 8.9.}

**Discussion:**  
{Tape: 2; Side: 1; Approx. Time Count: 10.0.}

**Vote:** Question was called. Motion failed 5-12 to adopt the Peck amendments on a roll call vote with REPS. HARRINGTON, HAGENER, HEAVY RUNNER, MCCULLOCH and TROPILA voting yes, REP. KITZENBERG not voting on the amendments and REP. MASOLO voting by proxy.  
{Tape: 2; Side: 1; Approx. Time Count: 24.0.}

**Motion:** REP. MCCULLOCH moved to adopt the second set of amendments. Question was called. Motion carried 17-0 to adopt the second set of amendments with REP. KITZENBERG not voting on the amendments and REP. MASOLO voting by proxy.  
{Tape: 2; Side: 1; Approx. Time Count: 28.2.}

**Discussion:**  
{Tape: 2; Side: 1; Approx. Time Count: 28.5.}

**Motion/Vote:** REP. MCCULLOCH MOVED HB 542 DO PASS AS AMENDED. Question was called. Motion carried 16-2 with REPS. GILLAN and HARRINGTON voting no, REPS. KITZENBERG AND MASOLO voting by proxy.  
{Tape: 2; Side: 1; Approx. Time Count: 31.2.}

**EXECUTIVE ACTION ON HB 523**

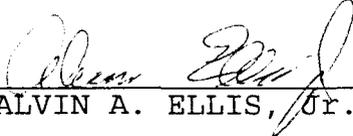
**Motion:** REP. MCCULLOCH MOVED HB 523 DO PASS.  
{Tape: 2; Side: 1; Approx. Time Count: 33.4.}

**Discussion:**  
{Tape: 2; Side: 1; Approx. Time Count: 33.7.}

**Vote:** Question was called. Motion carried unanimously 18-0 with REPS. KITZENBERG and MASOLO voting by proxy.  
{Tape: 2; Side: 1; Approx. Time Count: 35.0.}

ADJOURNMENT

Adjournment: 5:30 P.M.

  
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REP. ALVIN A. ELLIS, Jr., Chairman

  
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ALBERTA STRACHAN, Secretary

AAE/ajs