

MINUTES

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

COMMITTEE ON EDUCATION

Call to Order: By **CHAIRMAN ALVIN A. ELLIS, JR.**, on March 7, 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: SB 244 (2/21/97); SB 155
(2/21/97); SB 264 (2/21/97);
SB 240 (2/21/97).

Executive Action: SB 235; SB 244; SB 240; SB 264

HEARING ON SB 244

Opening Statement by Sponsor: SEN. DARYL TOEWS, S.D. 48
introduced the bill. **EXHIBIT 1.**

{Tape: 1; Side: 1; Approx. Time Count: 1.0; Comments: Sen. Toews
provided a chart regarding bus operating, bus depreciation
reserve, general fund, and building reserve.}

Proponents' Testimony: None.

{Tape: 1; Side: 1; Approx. Time Count: 5.9.}

Opponents' Testimony:

Lance Melton, Montana School Boards Association. EXHIBIT 2.

{Tape: 1; Side: 1; Approx. Time Count: 6.2; Comments: Mr. Melton provided proposed amendments and a copy of the gray bill.}

Don Waldron, Montana Rural Education Association.

{Tape: 1; Side: 1; Approx. Time Count: 7.1.}

Loren Frazier, Montana School Administrators Association.

{Tape: 1; Side: 1; Approx. Time Count: 8.3.}

Linda Brannon, Montana Association of School Board Officials.

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

REP. SAM KITZENBERG, H.D. 96. EXHIBIT 3.

{Tape: 1; Side: 1; Approx. Time Count: 10.9; Comments: Rep. Kitzenberg provided testimony from Roger E. Britton, Superintendent, Peerless Public Schools.}

Larry Stollfuss, Choteau County Public Schools.

{Tape: 1; Side: 1; Approx. Time Count: 13.6.}

Informational Testimony: None.

{Tape: 1; Side: 1; Approx. Time Count: 16.2.}

Questions From Committee Members and Responses:

{Tape: 1; Side: 1; Approx. Time Count: 16.4.}

Closing by Sponsor: SEN. TOEWS closed on the bill.

{Tape: 1; Side: 2; Approx. Time Count: 2.8.}

HEARING ON SB 155

Opening Statement by Sponsor: SEN. JOHN HERTEL, S.D. 47

introduced the bill.

{Tape: 1; Side: 2; Approx. Time Count: 7.1.}

Proponents' Testimony:

Randy Hitz, Chairman, Montana Council of Deans of Education, Montana State University. EXHIBIT 4.

{Tape: 1; Side: 2; Approx. Time Count: 11.9; Comments: Dr. Hitz provided written testimony.}

Erik Feaver, Montana Education Association.

{Tape: 1; Side: 2; Approx. Time Count: 12.8.}

Terry Minow, Montana Federation of Teachers.

{Tape: 1; Side: 2; Approx. Time Count: 17.5.}

Erik Hanson, Governor's Office.

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

Loren Frazier, Montana School Administrators Association.

{Tape: 1; Side: 2; Approx. Time Count: 20.3.}

Stuart Knapp, Office of the Commissioner of Higher Education.

{Tape: 1; Side: 2; Approx. Time Count: 21.4.}

Dori Nielson, Office of Public Instruction.

{Tape: 1; Side: 2; Approx. Time Count: 22.3.}

Opponents' Testimony:

Wilbur Anderson, Former Board of Education Member.

{Tape: 1; Side: 2; Approx. Time Count: 22.7.}

S. Bishop, Chairman, Board of Public Education.

{Tape: 1; Side: 2; Approx. Time Count: 25.8.}

Wayne Buchanan, Board of Public Education.

{Tape: 2; Side: 1; Approx. Time Count: .8.}

Informational Testimony: None.

{Tape: 2; Side: 1; Approx. Time Count: 4.9.}

Questions From Committee Members and Responses:

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

Closing by Sponsor: SEN. HERTEL closed on the bill.

{Tape: 2; Side: 2; Approx. Time Count: 1.5.}

HEARING ON SB 264

Opening Statement by Sponsor: SEN. KEN MILLER, S.D. 11 introduced the bill.

{Tape: 2; Side: 2; Approx. Time Count: 3.7.}

Proponents' Testimony:

Erik Hanson, Governor's Office. EXHIBIT 5.

{Tape: 2; Side: 2; Approx. Time Count: ; Comments: Mr. Hanson provided written testimony which also included the frequently asked questions.}

Stuart Knapp, Office of the Commissioner of Higher Education.

{Tape: 2; Side: 2; Approx. Time Count: 7.4.}

Opponents' Testimony: None.

{Tape: 2; Side: 2; Approx. Time Count: 8.7.}

Informational Testimony: None.

Questions From Committee Members and Responses:

{Tape: 2; Side: 2; Approx. Time Count: 8.9.}

Closing by Sponsor: SEN. MILLER closed on the bill.

{Tape: 2; Side: 2; Approx. Time Count: 27.2.}

HEARING ON SB 240

Opening Statement by Sponsor: SEN. TOM BECK, S.D. 28 introduced the bill.

{Tape: 3; Side: 1; Approx. Time Count: .1.}

Proponents' Testimony:

Don Waldron, Montana Rural Education Association.

{Tape: 3; Side: 1; Approx. Time Count: 2.8.}

Rich Moy, Helena School District #2.

{Tape: 3; Side: 1; Approx. Time Count: 3.8.}

Bob Vogel, Helena School District #1.

{Tape: 3; Side: 1; Approx. Time Count: 5.0; Comments: .}

Erik Feaver, Montana Education Association.

{Tape: 3; Side: 1; Approx. Time Count: 6.2.}

Written testimony was also provided by Mark Adams, Trustee, Helena School District #2. EXHIBIT 6.

Opponents' Testimony: None.

{Tape: 3; Side: 1; Approx. Time Count: 6.8.}

Informational Testimony: None.

Questions From Committee Members and Responses:

{Tape: 3; Side: 1; Approx. Time Count: 7.4.}

Closing by Sponsor: SEN. BECK closed on the bill.

{Tape: 3; Side: 1; Approx. Time Count: 7.4.}

CHAIRMAN ELLIS relinquished the chair to VICE CHAIRMAN ARNOTT.

EXECUTIVE ACTION ON SB 235

Motion/Vote: REP. REHBEIN MOVED SB 155 BE CONCURRED IN.

Question was called. Motion carried 16-2 with REPS. ARNOTT and HEAVY RUNNER voting no and REPS. MILLS, ELLIS, GILLAN and HARRINGTON voting by proxy.

{Tape: 3; Side: 1; Approx. Time Count: 9.9.}

EXECUTIVE ACTION ON SB 155

Motion: REP. LAWSON MOVED SB 155 BE CONCURRED IN.

{Tape: 3; Side: 1; Approx. Time Count: 11.1.}

Discussion:

{Tape: 3; Side: 1; Approx. Time Count: 11.3.}

VICE-CHAIRMAN ARNOTT deferred further action on this bill.

EXECUTIVE ACTION ON SB 244

Motion: REP. SIMPKINS MOVED SB 244 BE CONCURRED IN.

{Tape: 3; Side: 1; Approx. Time Count: 12.4.}

Discussion:

{Tape: 3; Side: 1; Approx. Time Count: 12.7.}

Motion: REP. HEAVY RUNNER moved to adopt the proposed amendments.

{Tape: 3; Side: 1; Approx. Time Count: 18.2.}

Discussion:

{Tape: 3; Side: 1; Approx. Time Count: 19.0.}

Vote: Question was called. Motion failed 8-10 on a roll call vote with REPS. ELLIS, ARNOTT, BANKHEAD, DENNY, LAWSON, MILLS, REHBEIN, SIMPKINS, TROPILA and WALTERS voting no to adopt the amendments. REPS. HARRINGTON, ELLIS and MILLS voted by proxy.

{Tape: 3; Side: 1; Approx. Time Count: 21.1.}

Motion/Vote: REP. KITZENBERG MOVED SB 244 BE TABLED. Question was called. Motion failed 7-11 on a roll call vote with REPS. ELLIS, ARNOTT, BANKHEAD, DENNY, LAWSON, MILLS, REHBEIN, ROSE, SIMPKINS, TROPILA and WALTERS voting no and REPS. ELLIS, HARRINGTON and MILLS voting by proxy. REP. REHBEIN MOVED SB 244 BE CONCURRED IN BY A REVERSE VOTE. Motion carried 11-7.

{Tape: 3; Side: 1; Approx. Time Count: 21.3.}

EXECUTIVE ACTION ON SB 240

MOTION/VOTE: REP. TROPILA MOVED SB 240 BE CONCURRED IN.

Question was called. Motion carried 17-1 with REP. ARNOTT voting no and REPS. HARRINGTON, MILLS and ELLIS voting by proxy.

{Tape: 3; Side: 1; Approx. Time Count: 24.4.}

EXECUTIVE ACTION ON SB 240

Motion: REP. SIMPKINS MOVED SB 264 BE CONCURRED IN.

{Tape: 3; Side: 1; Approx. Time Count: 25.2.}

Discussion:

{Tape: 3; Side: 1; Approx. Time Count: 25.9.}

Vote: Question was called. Motion carried 11-7 with REPS ARNOTT, BANKHEAD, DENNY, HEAVY RUNNER, KITZENBERG, REHBEIN and WALTERS voting no and REPS. HARRINGTON, ELLIS and MILLS voting by proxy.

{Tape: 3; Side: 1; Approx. Time Count: 1.0.}

ADJOURNMENT

Adjournment: 6:00 P.M.



REP. ALVIN A. ELLIS, Jr., Chairman



ALBERTA STRACHAN, Secretary

AAE/ajs