

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

Call to Order: By Chairman Ted Schye, on March 8, 1989, at 3:00 p.m.

ROLL CALL

Members Present: All with the exceptions of:

Members Excused: Rep. Wilbur Spring and Rep. Fred Thomas

Members Absent: None

Staff Present: Dianne McKittrick, Committee Secretary and Andrea Merrill, Legislative Council Researcher

Announcements/Discussion: None

DISPOSITION OF SJR 15

Motion: Rep. Nelson made the motion that SJR 15 BE CONCURRED IN.

Discussion: None

Amendments, Discussion, and Votes: Rep. Nelson then made the motion that SJR 15 BE CONCURRED IN AS AMENDED (see Standing Committee Report). Rep. Nelson stated his and Rep. Davis' concerns that the resolution implies firearm safety courses must be included in school curriculum.

Nancy Keenan, Superintendent of Public Instruction stated Gary Marbut in his testimony of March 6, 1989 misrepresented her position on SJR 15 and said she shared the concerns of Reps. Davis and Nelson. She said the amendments address her concerns in that the firearms safety courses are not mandatory in school curriculum, which is usually set by the Board of Public Education. She stated that although this is a resolution it does set a precedent and needs to be clarified. She said the letter on campaign stationary Mr. Marbut submitted to the committee was dated May 1988 when she was not yet superintendent.

Rep. Eudaily stated opposition to SJR 15 saying if teaching firearm safety is strictly an after school program many children will be missed who simply cannot stay after school and that these children may well be the ones who go home and become involved in a needless tragedy with a gun or rifle. He said he didn't think taking a few

moments out of the day once or twice a year would be detrimental to anyone. Rep. Eudaily also said this is not mandatory but does allow a district to implement a program of this nature if they desire. He closed his comments by stressing this is no different than any other safety class where children are involved.

Rep. Harrington said even though he feels all children should know the danger of guns there will be parents who resent this teaching in the classroom. He said he sees the solution being accomplished through the Hunter Safety Program.

Rep. Simpkins said this is not just a hunter safety question but the necessary teaching of all children in the respect and care of firearms which may save their lives. He said if a school can find make time for gun safety during school hours involving all children this should be the approach.

Rep. Darko said she agreed with Rep. Wyatt that a more generic term other than National Rifle Association of America (NRA) would be more appropriate in SJR 15.

Rep. Zook said he didn't know of any other groups who would implement and direct this type program other than the NRA. He said this is merely encouragement to the educational community to seek the counsel and advice of the NRA to design and implement an appropriate firearm safety program.

Rep. Eudaily asked Andrea Merrill if school boards now have the right to implement these firearm safety programs and she said they do. He then followed by asking what then is the need for SJR 15. Ms. Merrill said it is an encouragement to school districts.

Rep. Eudaily then made a substitute motion that SJR 15 be TABLED. The motion FAILED upon Roll Call Vote 10 yes, 10 no.

Rep. Wyatt made a motion for a substitute amendment to strike reference to the NRA and the Montana Rifle and Pistol Association. Rep. Darko agreed saying one of her concerns has been the attempts of the NRA all session to place themselves in statute and resolution and to become the final authority on firearms. She said she didn't think it appropriate to single out their organization as such.

Rep. Johnson said deleting from page 2, line 23 all the way to page 3, line 4 would accomplish this and made the motion to amend accordingly. Motion CARRIED upon unanimous voice vote.

Roll Call Vote was then taken on the original amendment

of Reps. Nelson and Davis and the motion CARRIED 12
yes, 8 no.

Recommendation and Vote: A voice vote was taken on the motion
that SJR 15 BE CONCURRED IN AS AMENDED. Motion CARRIED
unanimously.

DISPOSITION OF SJR 16

Motion: Rep. Stang made the motion that SJR 16 BE CONCURRED IN.

Discussion: None

Amendments, Discussion, and Votes: Rep. Darko made the motion to
amend SJR 16 deleting reference to the NRA. Motion CARRIED
by unanimous voice vote.

Recommendation and Vote: Rep. Stang then made the motion that
SJR 16 BE CONCURRED IN AS AMENDED. Motion CARRIED by
unanimous voice vote.

DISPOSITION OF HB 510

Motion: Rep. Darko made the motion that HB 510 DO PASS.

Discussion: None

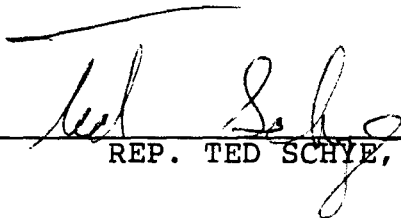
Amendments, Discussion, and Votes: Rep. Darko then made the
motion to amend HB 510 saying the subcommittee of Reps.
Darko, Davis and Eudaily addressed several of the concerns
of the Education Committee. She said Bill Lannan of the
Commissioner's Office prepared the amendments addressing
these concerns. Motion CARRIED upon unanimous voice vote.

Rep. Daily made the motion to amend HB 510 addressing the fact
the Board would select the scholarship recipients and
the Governor would award the scholarship. Motion
CARRIED upon unanimous voice vote.

Recommendation and Vote: Rep. Daily made the motion that HB 510
DO PASS AS AMENDED. Motion CARRIED upon unanimous
voice vote.

ADJOURNMENT

Adjournment At: 4:30 p.m.



REP. TED SCHYE, Chairman

TS/dlm
5704.min

DAILY ROLL CALL

EDUCATION & CULTURAL RESOURCES COMMITTEE

DATE March 8, 1989

NAME	PRESENT	ABSENT	EXCUSED
Rep. Ted Schye, Chairman	✓		
Rep. Fritz Daily, Vice-Chairman	✓		
Rep. Vicki Cocchiarella	✓		
Rep. Paula Darko	✓		
Rep. Ervin Davis	✓		
Rep. Ralph Eudaily	✓		
Rep. Floyd Gervais	✓		
Rep. Bill Glaser	✓		
Rep. Dan Harrington	✓		
Rep. John Johnson	✓		
Rep. Tom Kilpatrick	✓		
Rep. Richard Nelson	✓		
Rep. John Phillips	✓		
Rep. Richard Simpkins	✓		
Rep. Wilbur Spring, Jr.			✓
Rep. Barry "Spook" Stang	✓		
Rep. Fred Thomas			✓
Rep. Norm Wallin	✓		
Rep. Diana Wyatt	✓		
Rep. Tom Zook	✓		

STANDING COMMITTEE REPORT

March 10, 1989

Page 1 of 2

Mr. Speaker: We, the committee on Education and Cultural Resources report that SENATE JOINT RESOLUTION 15 (third reading copy -- blue) be concurred in as amended .

Signed: _____
Ted Schye, Chairman

[REP. EUDAILY WILL CARRY THIS BILL ON THE HOUSE FLOOR]

And, that such amendments read:

1. Title, line 7.

Following: "TRAINING"

Strike: "IN ELEMENTARY SCHOOLS OF"

Insert: "FOR SCHOOL-AGE CHILDREN IN"

2. Page 2, lines 3 and 4."

Following: "training"

Strike: remainder of line 3 through "schools" on line 4

Insert: "for school-age children"

3. Page 2, line 10.

Strike: "(1)"

4. Page 2, lines 11 and 12.

Strike: "inclusion" on line 11

Insert: "provision"

Following: "training"

Strike: remainder of line 11 through line 12

Insert: "for school-age children in Montana through cooperation between school districts and appropriate local organizations that represent the shooting and sporting community in Montana. The cooperation should include:

(1) the dissemination of information on firearms safety;

(2) information on the availability of firearms safety

training programs offered by the appropriate local organizations; and

(3) an offer by school districts of use of a school facility during after-school hours for any firearms safety training program offered by an appropriate local organization that represents the shooting and sporting community."

March 10, 1989
Page 2 of 2

5. Page 2, line 13, through page 4, line 4.
Strike: subsections (2) through (4)

STANDING COMMITTEE REPORT

March 10, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Education and Cultural Resources report that SENATE JOINT RESOLUTION 16 (third reading copy -- blue) be concurred in as amended .

Signed: _____
Ted Schye, Chairman

[REP. _____ WILL CARRY THIS BILL ON THE HOUSE FLOOR]

And, that such amendments read:

1. Page 3, lines 10 through 12.

Following: "to" on line 10

Strike: remainder of line 10 through "to" on line 12

STANDING COMMITTEE REPORT

March 10, 1989

Page 1 of 4

Mr. Speaker: We, the committee on Education and Cultural Resources report that HOUSE BILL 510 (first reading copy -- white) do pass as amended .

Signed: _____
Ted Schye, Chairman

And, that such amendments read:

1. Title, lines 6 and 7.

Following: "ATTEND"

Strike: remainder of line 6 through "SYSTEM" on line 7

Insert: "ACCREDITED MONTANA UNIVERSITIES, COLLEGES, COMMUNITY COLLEGES, AND VOCATIONAL-TECHNICAL UNITS"

2. Page 1, lines 14 and 15.

Following: "attend"

Strike: remainder of line 14 through "system" on line 15

Insert: "accredited Montana universities, colleges, community colleges, and vocational-technical units"

3. Page 1, lines 18 and 19.

Following: "attend"

Strike: remainder of line 18 through "system" on line 19

Insert: "accredited Montana universities, colleges, community colleges, and vocational-technical units"

4. Page 1, lines 21 and 22.

Following: "at"

Strike: remainder of line 21 through "system" on line 22

Insert: "accredited Montana universities, colleges, community colleges, and vocational-technical units"

5. Page 2, lines 14 through 18.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

6. Page 2, line 19.

Strike: ""Educational costs""

Insert: ""Costs of attendance""

7. Page 2, line 21.

Strike: "commuting,"

Following: "books,"

Insert: "supplies,"

Strike: "other reasonable expenses"

Insert: "transportation"

8. Page 2, line 22.

Following: "institution"

Insert: ", as determined by the eligible institution for other
campus-based financial aid"

9. Page 2, line 23.

Following: "public"

Insert: "or independent"

10. Page 2, lines 24 and 25.

Following: "education"

Strike: remainder of line 24 through "board" on line 25

Insert: "located in Montana and accredited by the northwest
association of schools and colleges"

11. Page 3.

Following: line 14

Insert: "(9) "Written essay" means an essay submitted by an
eligible student, the contents, criteria, and submission
procedures for which are established by the board."

12. Page 3, lines 16 and 17.

Strike: "Each"

Insert: "A"

Following: "scholarship"

Strike: remainder of line 16 through "attend" on line 17

Insert: "may not exceed the costs of attendance established at"

13. Page 3, line 18.

Following: "enrolled"

Insert: "provided that the cost does not exceed the cost of
attending a unit of Montana's university or vocational-
technical system"

14. Page 3, line 19.

Strike: "educational"

Following: "costs"

Insert: "of attendance"

15. Page 3, line 21.

Strike: "not"

16. Page 3, line 22 through page 4, line 1.

Following: "scholarships"

Strike: remainder of page 3 through "enforced" on page 4, line 1

Insert: "that would result in an overpayment of financial aid as determined by the eligible institution's financial aid office"

17. Page 4, lines 6 and 7.

Following: "to"

Strike: remainder of line 6 through "system" on line 7

Insert: "an accredited college or university"

18. Page 4, line 9.

Following: "eligible"

Strike: "unit of the"

Insert: "college or"

Following: "university"

Strike: "system"

19. Page 4, lines 11 and 12.

Following: "(c)"

Strike: remainder of lines 11 through 12

Insert: "meets an extraordinarily high standard on a submitted written essay;"

20. Page 4, line 14.

Strike: "educational"

Following: "costs"

Insert: "of attendance"

21. Page 4, lines 22 and 23

Following: "(c)"

Strike: remainder of lines 22 through 23

Insert: "meets an extraordinarily high standard on a submitted written essay;"

22. Page 4, line 25.

Strike: "educational"

Following: "costs"

Insert: "of attendance"

23. Page 5.

Following: line 2

Insert: "(3) A scholarship to a community college may be awarded to an eligible student who:

(a) is accepted for enrollment as a full-time student at an

eligible community college;

(b) achieves an extraordinary high school record;

(c) meets an extraordinarily high standard on a submitted written essay;

(d) signs an affidavit stating that the scholarship will be used for costs of attendance only; and

(e) complies with applicable rules and regulations adopted by the board pursuant to [sections 3 through 9]."

Renumber: subsequent subsection

24. Page 5, line 3.

Following: "shall"

Insert: "select and the governor shall"

Following: "award"

Strike: "four"

Insert: "three university system"

Following: "scholarships"

Insert: ", one community college scholarship,"

25. Page 6, line 13.

Following: "the"

Strike: "competitive examination"

Insert: "content, criteria, and submission procedures for the written essay"

26. Page 7, lines 2 and 3.

Following: "administrator"

Strike: remainder of line 2 through "necessary" on line 3

ROLL CALL VOTE

EDUCATION AND CULTURAL RESOURCES

COMMITTEE

DATE 3-8-89 BILL NO. SJR 15 NUMBER #1

NAME	AYE	NAY
Rep. Ted Schye, Chairman		✓
Rep. Fritz Daily, Vice-Chairman		✓
Rep. Vicki Cocchiarella	✓	
Rep. Paula Darko	✓	
Rep. Ervin Davis	✓	
Rep. Ralph Eudaily	✓	
Rep. Floyd Gervais	✓	
Rep. Bill Glaser		✓
Rep. Dan Harrington	✓	
Rep. John Johnson	✓	
Rep. Tom Kilpatrick	✓	
Rep. Richard Nelson	✓	
Rep. John Phillips		✓
Rep. Richard Simpkins		✓
Rep. Wilbur Spring, Jr.	✓	
Rep. Barry "Spook" Stang		✓
Rep. Fred Thomas		✓
Rep. Norm Wallin		✓
Rep. Diana Wyatt		✓
Rep. Tom Zook		✓

TALLY

10 10

Deanne McKittick
Secretary

[Signature]
Chairman

MOTION: Motion by Rep. Daily to TABLE
SJR 15 FAILED 10 yes, 10 no.

ROLL CALL VOTE

EDUCATION AND CULTURAL RESOURCES

COMMITTEE

DATE 3-8-89 BILL NO. SJR 15 NUMBER #2

NAME	AYE	NAY
Rep. Ted Schye, Chairman	✓	
Rep. Fritz Daily, Vice-Chairman	✓	
Rep. Vicki Cocchiarella	✓	
Rep. Paula Darko	✓	
Rep. Ervin Davis	✓	
Rep. Ralph Eudaily		✓
Rep. Floyd Gervais	✓	
Rep. Bill Glaser		✓
Rep. Dan Harrington	✓	
Rep. John Johnson	✓	
Rep. Tom Kilpatrick	✓	
Rep. Richard Nelson	✓	
Rep. John Phillips		✓
Rep. Richard Simpkins		✓
Rep. Wilbur Spring, Jr.		✓
Rep. Barry "Spook" Stang	✓	
Rep. Fred Thomas		✓
Rep. Norm Wallin		✓
Rep. Diana Wyatt	✓	
Rep. Tom Zook		✓

TALLY

12 8

Sharon McKittrick
Secretary

Ted Schye
Chairman

MOTION: Motion to amend (original amend
ments of Nelson & Davis) CARRIED
12 yes, 8 no.