

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON EDUCATION & CULTURAL RESOURCES**

**Call to Order:** By Chairman Ted Schye, on April 2, 1991, at 12:15 p.m.

#### **ROLL CALL**

##### **Members Present:**

Ted Schye, Chairman (D)  
Ervin Davis, Vice-Chairman (D)  
Steve Benedict (R)  
Ernest Bergsagel (R)  
Vicki Cocchiarella (D)  
Alvin Ellis, Jr. (R)  
Gary Forrester (D)  
Floyd "Bob" Gervais (D)  
H.S. "Sonny" Hanson (R)  
Dan Harrington (D)  
Tom Kilpatrick (D)  
Bea McCarthy (D)  
Scott McCulloch (D)  
Richard Simpkins (R)  
Barry "Spook" Stang (D)  
Norm Wallin (R)  
Diana Wyatt (D)

**Members Excused:** Reps. Daily, Clark, Feland

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

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

#### **HEARING ON HJR 49**

##### **Presentation and Opening Statement by Sponsor:**

**REPRESENTATIVE HOWARD TOOLE**, House District 60, Missoula, said this is a resolution for an Interim Committee Study funded by the Legislature to explore the possibility of lengthening the school year. America's 180 day school year should not be automatically accepted on a permanent basis since many other countries have an extended school year, greatly affecting competitiveness in world markets. **REP. TOOLE** presented written testimony from Lester Thurow, Massachusetts Institute of Technology. **EXHIBIT 1**

Proponents' Testimony:

Eric Feaver, Montana Education Association, (MEA), said perhaps HJR 49 should be considered a resolution requesting the Board of Public Education or the Advisory Council to conduct the study to keep it alive. A study of this type might be at the bottom of the list for funding from the Legislature. This proposal definitely merits attention and consideration.

Opponents' Testimony:

None

Questions From Committee Members:

REP. BENEDICT asked REP. TOOLE if the length of the year is the problem or is it curriculum. The original hearing exhibit sites countries with shorter school calendars that consistently score higher than the US. REP. TOOLE said the countries mentioned most often as outscoring the US are Japan, with a 143 day school year and West Germany with a school year of approximately 240 days. REP. BENEDICT said the discipline of other cultures may account for greater achievement more so than the length of the school year. REP. TOOLE remarked that may be a possible finding of the study.

REP. KILPATRICK asked REP. TOOLE if concentrated study in certain areas such as math and science could be a more important factor than the length of the school year. REP. TOOLE said American students need to spend more time in school in order to finish textbooks. A shorter summer break may also result in greater retention of learned material.

REP. SIMPKINS asked REP. TOOLE if he is familiar with the provisions in the Constitution requiring the State Board of Education to develop long range plans and goals for Montana's educational system. Should this proposal be directed to that board instead of the Legislature? REP. TOOLE answered funding is the integral part of this resolution and that is the Legislature's department. If the school year is extended it will mean money. REP. SIMPKINS said the study will be an attempt to establish policy which should rightly be the function of the Board of Education. REP. TOOLE answered this study lays the groundwork for the establishment of policy. The facts need to be established before policy is changed.

REP. DAVIS asked REP. TOOLE if the study committee might look at an additional year of elementary and high school. REP. TOOLE replied a flexible schedule would be desirable. Some districts might add an extra day during the week, some might extend the length of the school day, and others might shorten summer vacation.

REP. MCCARTHY asked REP. TOOLE if he considered requesting funding from the State Board of Public Education or the Office of Public Instruction. REP. TOOLE answered if HJR 49 passes, the question of funding will come up at the end of session and there are various ways to approach it.

Closing by Sponsor:

REP. TOOLE said the business world in the US is concerned about education. Many people in the business community are talking about the current education system. It merits a serious look and careful consideration.

EXECUTIVE ACTION ON SB 82

Motion: REP. STANG moved SB 82 BE CONCURRED IN.

Discussion: CHAIRMAN SCHYE said this bill costs money and if passed would be re-referred to the Appropriations Committee. It is not an appropriations bill but it does take money.

Vote: Motion CARRIED upon voice vote 11 to 7 with REPS. BENEDICT, BERGSAGEL, ELLIS, FELAND, HANSON, SIMPKINS, and WALLIN voting no.

EXECUTIVE ACTION ON SB 17

Motion: REP. STANG moved SB 17 BE CONCURRED IN.

Motion/Vote: CHAIRMAN SCHYE moved to adopt amendments to SB 17. EXHIBIT 2 Motion CARRIED unanimously.

Discussion: REP. SIMPKINS questioned protested taxes being given to the school districts. The money is given on the state level and then when the protested taxes are paid the districts also receive that money. Is that correct? Jan Thompson, Office of Public Instruction, (OPI), answered that currently when protested taxes are paid the district must reimburse the state. REP. STANG explained this simply allows the school districts to make up for funds they couldn't spend because of 105. This bill allows districts to spend a portion of what the local taxpayers raise. REP. SIMPKINS said some protests result in very sizeable amounts of money. Local taxpayers should receive the refund, not the school system. Dori Nielson, OPI, explained this is not a "double-dip". School districts keep only district mill protested taxes.

Motion/Vote: REP. STANG made a substitute motion SB 17 BE CONCURRED IN AS AMENDED. Motion carried 11 to 7 with REPS. BENEDICT, BERGSAGEL, ELLIS, FELAND, HANSON, SIMPKINS and WALLIN voting no.

EXECUTIVE ACTION ON HJR 49

HOUSE EDUCATION & CULTURAL RESOURCES COMMITTEE

April 2, 1991

Page 4 of 4

Motion: REP. MCCARTHY moved HJR 49 DO PASS.

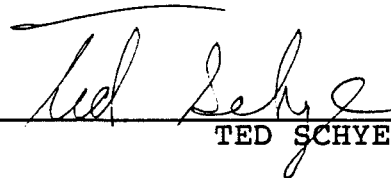
Discussion: CHAIRMAN SCHYE explained that a study resolution can be passed until the 90th day of the session. At the end of the session the studies are prioritized once available funding is determined. Last session approximately 20 study resolutions passed committee and only three were funded.

REP. SIMPKINS explained his opposition saying as long as the Legislature takes this responsibility the Board of Education is released from functioning as the Constitution requires. As a result, there will not be a long range plan for education in Montana.

Vote: Motion CARRIED 13 to 6 that HJR 49 DO PASS. EXHIBIT 3

ADJOURNMENT

Adjournment: 1:00 p.m.



TED SCHYE, Chair



DIANNE MCKITTRICK, Secretary

TS/dMcK

# HOUSE OF REPRESENTATIVES

## EDUCATION AND CULTURAL RESOURCES COMMITTEE

ROLL CALL

DATE 4-2-91

NAME	PRESENT	ABSENT	EXCUSED
REP. TED SCHYE, CHAIRMAN	✓		
REP. ERVIN DAVIS, VICE-CHAIRMAN	✓		
REP. STEVE BENEDICT	✓		
REP. ERNEST BERGSAGEL	✓		
REP. ROBERT CLARK			✓
REP. VICKI COCCHIARELLA	✓		
REP. FRED "FRITZ" DAILY			✓
REP. ALVIN ELLIS, JR.	✓		
REP. GARY FELAND			✓
REP. GARY FORRESTER	✓		
REP. FLOYD "BOB" GERVAIS	✓		
REP. H.S. "SONNY" HANSON	✓		
REP. DAN HARRINGTON	✓		
REP. TOM KILPATRICK	✓		
REP. BEA MCCARTHY	✓		
REP. SCOTT MCCULLOCH	✓		
REP. RICHARD SIMPKINS	✓		
REP. BARRY "SPOOK" STANG	✓		
REP. NORM WALLIN	✓		
REP. DIANA WYATT	✓		

HOUSE STANDING COMMITTEE REPORT

April 2, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Education and Cultural Resources report that Senate Bill 82 (third reading copy -- blue) be concurred in.

Signed: Ted Schye  
Carried by: Rep. Ted Schye, Chairman

HOUSE STANDING COMMITTEE REPORT

2:07 PM  
4/2/91  
me  
April 2, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Education and Cultural Resources report that Senate Bill 17 (third reading copy -- blue) be concurred in as amended.

Signed: Ted Schye  
Ted Schye, Chairman  
Carried by: Rep. Marko

And, that such amendments read:

1. Page 104, line 7.

Following: line 6

Insert: "NEW SECTION. Section 57. Coordination instruction. If House Bill No. 580 is passed and approved and if it contains a section amending 20-9-366, then the amendments to 20-9-366 in [this act] are void."

Renumber: subsequent sections

2. Page 104, line 12.

Strike: "57"

Insert: "58"

HOUSE STANDING COMMITTEE REPORT

April 2, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Education and Cultural Resources report that House Joint Resolution 49 (first reading copy -- white) do pass.

Signed: \_\_\_\_\_  
Ted Schye, Chairman





EXHIBIT #1  
DATE 4-2-91  
HB HJR 49

Massachusetts Institute of Technology  
Alfred P. Sloan School of Management  
50 Memorial Drive  
Cambridge, Massachusetts 02139  
Telephone: 617-253-2932  
FAX: 617-258-6617

Lester C. Thurow  
Dean

February 14, 1991

Representative Howard Toole  
Montana House of Representatives  
Capitol Station  
Helena, Montana 59801

Dear Representative Toole:

I would be glad to publicly support your bill lengthening the school year in Montana.

In a modern world economy, there is a simple fact of life. If you aren't better educated and skilled than the competition in the rest of the world, your wages will have to fall to levels dictated by them. Skills are the only route to higher wages.

The rest of the industrial world and increasingly large parts of the developing world now have school years and days that are much longer than that of the United States. Learning is a function of effort and effort has to begin with more time spent learning. No matter how well run, Americans cannot learn in 180 days what the rest of the world learns in 220-240 days per year.

In the long run, nothing is more important to our standard of living than improving K-12 education. Without an upfront commitment to more school, improvements are not going to occur.

Sincerely yours,

LCT:ml

EXHIBIT #2  
DATE 4-2-91  
HB SB 17

Amendments to Senate Bill No. 17  
Third Reading Copy

Requested by Ted (He's So) Schye  
For the Committee on Education

Prepared by Greg Petesch  
April 1, 1991

1. Page 104, line 7.

Following: line 6

Insert: "NEW SECTION. Section 57. Coordination instruction. If  
House Bill No. 580 is passed and approved and if it contains  
a section amending 20-9-366, then the amendments to 20-9-366  
in [this act] are void."

Renumber: subsequent sections

2. Page 104, line 12.

Strike: "57"

Insert: "58"

EXHIBIT #3  
DATE 4-2-91  
HB HJR 49

HOUSE OF REPRESENTATIVES

EDUCATION AND CULTURAL RESOURCES COMMITTEE

ROLL CALL VOTE

DATE 4-2-91 BILL NO. HJR 49 NUMBER \_\_\_\_\_

MOTION: do Pass by Rep. McCarthy.  
Motion Carried 13 aye 6 no

NAME	AYE	NO
REP. TED SCHYE, CHAIRMAN	✓	
REP. ERVIN DAVIS, VICE-CHAIRMAN	✓	
REP. STEVE BENEDICT		✓
REP. ERNEST BERGSAGEL		✓
REP. ROBERT CLARK		
REP. VICKI COCCHIARELLA	✓	
REP. FRED "FRITZ" DAILY	✓	
REP. ALVIN ELLIS, JR.		✓
REP. GARY FELAND		✓
REP. GARY FORRESTER	✓	
REP. FLOYD "BOB" GERVAIS	✓	
REP. H.S. "SONNY" HANSON	✓	
REP. DAN HARRINGTON	✓	
REP. TOM KILPATRICK	✓	
REP. BEA MCCARTHY	✓	
REP. SCOTT MCCULLOCH	✓	
REP. RICHARD SIMPKINS		✓
REP. BARRY "SPOOK" STANG		✓
REP. NORM WALLIN	✓	
REP. DIANA WYATT	✓	
TOTAL	13	6

**HOUSE OF REPRESENTATIVES  
VISITOR REGISTER**

Education COMMITTEE BILL NO. HJR 49  
DATE 4-2-91 SPONSOR(S) Toole

**PLEASE PRINT**

[illegible]

**PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.**