

MINUTES

**MONTANA SENATE
53rd LEGISLATURE - SPECIAL SESSION**

COMMITTEE ON EDUCATION

Call to Order: By Senator Blaylock, on December 14, 1993, at
4:39 P.M.

ROLL CALL

Members Present:

Sen. Chet Blaylock, Chair (D)
Sen. Harry Fritz, Vice Chair (D)
Sen. John Brenden (R)
Sen. Bob Brown (R)
Sen. John Hertel (R)
Sen. Spook Stang (D)
Sen. Daryl Toews (R)
Sen. Mignon Waterman (D)
Sen. Bill Wilson (D)
Sen. Bill Yellowtail (D)

Members Excused: None

Members Absent: None

Staff Present: Eddy McClure, Legislative Council
Sylvia Kinsey, Committee Secretary

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

Committee Business Summary:

Hearing:
Executive Action: HB 64, HB 59, SB 46, SB 49

EXECUTIVE ACTION ON HOUSE BILL 64

Motion: Senator Wilson moved HB 64 be concurred in.

Discussion: Senator Toews said he would have to vote against the
bill unless it has to have a vote of the people.

Substitute Motion: Senator Toews moved the extra mill needed a
vote of the people.

Discussion: Senator Fritz explained this was not a vote of the
people before. The issue was not raised because prior to
unification, it was two school districts levying three mills
between them. Now in this bill, it is a unified school district

levying three mills.

Vote: Senator Toews substitute motion to amend failed with 3 yes, 4 no Senators Brown, Stang and Yellowtail not leaving a vote for the amendment.

Discussion: Senator Waterman said presently in highschool elementary districts like Helena, they can run two mills permissively and they can collectively run three. In this situation, at the unified level, they can only run two and the others like Helena and Great Falls that are two districts can run three. She was assured that was correct.

Senator Hertel said he knew some districts using this program and are really benefitting from it.

Vote: Senator Wilson's motion that House Bill 64 be concurred in passed. Senator Fritz will carry the bill.

EXECUTIVE ACTION ON HOUSE BILL 59

Motion: Senator Toews moved House Bill 59 be concurred in.

Discussion: Senator Waterman asked if it was correct that the local trustees in those elementary districts could do now what this bill is asking and put it on the ballot with their trustee election any time they wanted to. She was assured that was correct.

Senator Waterman said in the interest of local control she believed they should do it locally.

Senator Toews said those trustees need to know if they are really interested or if some special interest group is making the noise. There might be a bigger group out there that really want to consolidate, but they are not hearing from them.

Senator Waterman said she felt one of the basic responsibilities of a trustee is to know where their voters are.

Senator Fritz said this is the school board association's bill for the preservation of the school board, and will make unification difficult if not impossible because it gives minorities control, and he would oppose the bill on those terms.

Vote: The motion that House Bill 59 be concurred in failed with 4 yes, 5 no. Senator Brown and Stang left their votes.

Motion/Vote: Senator Waterman moved House Bill 59 be tabled. Motion passed by reversing above vote.

EXECUTIVE ACTION ON SENATE BILL 46

Motion: Senator Toews moved Senate Bill 46 do pass.

Discussion: Senator Brenden asked if this includes highschoools if you rolled two highschoools together. Chair Blaylock answered yes.

Senator Hertel asked if he was sure it was double for the smaller of the two ANB counts. Chair Blaylock said that when he "sweetened" it he was sure it was made double. He said he doubled what it was before, and was wrong in the way he stated it before.

Senator Hertel said he remembered visiting with a board member from the Shields Valley area and he mentioned that it really helped them out and was disappointed it was not more because the transition cost when they joined together was tremendous.

Senator Waterman said it is an aid, but having been on a board that went through this with two schools in the valley, it is nice if you can use it for extras but you build it into your base and the fourth year is painful.

Vote: The motion that SB 46 do pass carried, 7 yes, 2 no. Senator Toews will carry the bill on the floor.

EXECUTIVE ACTION ON SENATE BILL 49

Senator Fritz said he had an amendment for Senate Bill 49 which would turn the bill into a state referendum. (exhibit 1)

Motion: Senator Fritz moved to amend Senate Bill 49 making it a referendum.

Discussion: Senator Fritz said this will ask the people if they want to subsidize 331 excess school districts in the state of Montana.

Vote: Motion to amend SB 49 passed with 5 voting yes, 4 voting no, roll call vote.

Motion/Vote: Senator Fritz moved SB 49 do pass as amended. Motion failed, 4 voting yes, 5 voting no.

Motion/Vote: Senator Waterman moved SB 49 be tabled as amended. Motion passed 6 voting yes, 3 voting no.

ADJOURNMENT

Adjournment: 5:18 p.m.



SENATOR BLAYLOCK, Chair



SYLVIA KINSEY, Secretary

CB/sk

ROLL CALL

SENATE COMMITTEE EDUCATION AND CULTURAL RESOURCES DATE

12-14-93

NAME	PRESENT	ABSENT	EXCUSED
SENATOR BLAYLOCK Chair	✓		
SENATOR FRITZ, V.C.	✓		
SENATOR BRENDEN	✓		
SENATOR BROWN	✓		
SENATOR HERTEL	✓		
SENATOR STANG	✓		
SENATOR TOEWS	✓		
SENATOR WILSON	✓		
SENATOR WATERMAN	✓		
SENATOR YELLOWTAIL			

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
December 14, 1993

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration House Bill No. 64 (third reading copy -- blue), respectfully report that House Bill No. 64 be concurred in.

Signed: Chet Blaylock
Senator Chet Blaylock, Chair

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
December 14, 1993

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration Senate Bill No. 46 (first reading copy -- white), respectfully report that Senate Bill No. 46 do pass.

Signed: Chet Blaylock
Senator Chet Blaylock, Chair

ROLL CALL VOTE

1

HB

SENATE COMMITTEE EDUCATION AND CULTURAL RESOURCES ~~4~~ BILL NO.

64

DATE 12-14-93 TIME 4:52 A.M. P.M.

NAME	YES	NO
SENATOR FRITZ, V.C.		✓
SENATOR BRENDEN	✓	
SENATOR BROWN		
SENATOR HERTEL	✓	
SENATOR STANG		
SENATOR TOEWS	✓	
SENATOR WILSON		✓
SENATOR WATERMAN		✓
SENATOR YELLOWTAIL		
SENATOR BLAYLOCK, Chair		✓
	3	4

2

SECRETARY

CHAIR

MOTION: Amend HB64
2 new

ROLL CALL VOTE

2

SENATE COMMITTEE EDUCATION AND CULTURAL RESOURCES_ BILL NO.
HB 59

DATE 12-14-93 TIME 4:58 A.M. P.M.

NAME	YES	NO
SENATOR FRITZ, V.C.		✓
SENATOR BRENDEN	✓	
SENATOR BROWN	✓	
SENATOR HERTEL	✓	
SENATOR STANG		✓
SENATOR TOEWS	✓	
SENATOR WILSON		✓
SENATOR WATERMAN		✓
SENATOR YELLOWTAIL		
SENATOR BLAYLOCK, Chair		✓
	4	5

 SECRETARY

 CHAIR

MOTION: up 2

Rev. Vote Tables

3

SB 46

DATE 12-14-93

TIME 5:03 A.M. P.M.

7	2
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CHAIR

Do Pass

ROLL CALL VOTE

(4)

SENATE COMMITTEE EDUCATION AND CULTURAL RESOURCES SB 49 BILL NO.

DATE 12-14-93 TIME 5:11 A.M. P.M.

NAME	YES	NO
SENATOR FRITZ, V.C.	✓	
SENATOR BRENDEN		✓
SENATOR BROWN		✓
SENATOR HERTEL		✓
SENATOR STANG		✓
SENATOR TOEWS	✓	
SENATOR WILSON	✓	
SENATOR WATERMAN	✓	
SENATOR YELLOWTAIL		
SENATOR BLAYLOCK, Chair	✓	
	5	4

SECRETARY

CHAIR

MOTION:

Fritz Amends

ROLL CALL VOTE

(5)

SENATE COMMITTEE EDUCATION AND CULTURAL RESOURCES S BILL NO. SB 49

DATE 12-14-93 TIME 5:13 A.M. P.M.

NAME	YES	NO
SENATOR FRITZ, V.C.	✓	
SENATOR BRENDEN		✓
SENATOR BROWN		✓
SENATOR HERTEL		✓
SENATOR STANG		✓
SENATOR TOEWS		✓
SENATOR WILSON	✓	
SENATOR WATERMAN	✓	
SENATOR YELLOWTAIL		
SENATOR BLAYLOCK, Chair	✓	
	4	5

SECRETARY

CHAIR

MOTION: Do pass as Amended

[Signature]

ROLL CALL VOTE

6

SENATE COMMITTEE EDUCATION AND CULTURAL RESOURCES S BILL NO. SB 49

DATE 12-14-93 TIME 5:15 A.M. P.M.

NAME	YES	NO
SENATOR FRITZ, V.C.		✓
SENATOR BRENDEN	✓	
SENATOR BROWN	✓	
SENATOR HERTEL	✓	
SENATOR STANG	✓	
SENATOR TOEWS	✓	
SENATOR WILSON		✓
SENATOR WATERMAN	✓	
SENATOR YELLOWTAIL		
SENATOR BLAYLOCK, Chair		✓
	6	3

SECRETARY

CHAIR

MOTION: _____

Tabled

Spook

Votes left
with chair

Senator Blaylock

SB 46 Yes

SB 49

No - Any Amend NO Table
Yes

Stacy H.B 59 No - Any Amend NO Table
Yes

H.B 64 = Amend Votes Yes - otherwise NO

Brown 64 yes
76 yes
49 No
59 Yes.

Who to Carry

SENATE EDUCATION
EXHIBIT NO. 1
DATE 12-14-93
BILL NO. SB 49

Amendments to Senate Bill No. 49
First Reading Copy

Requested by Representative McCulloch
For the Committee on Senate Education

Prepared by Eddy McClure
December 13, 1993

FISCAL NOTE
MAY BE NECESSARY

1. Title, line 4.

Following: "AN ACT"

Insert: "SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN ACT"

2. Title, page 1, line 8 through page 3, line 6.

Following: "BOUNDARIES;" on line 8

Strike: remainder of line 8 through "BUDGETS;" on page 1, line 21

Following: "AMENDING" on line 21

Insert: "MCA"

Following: "SECTIONS" on line 21

Strike: remainder of line 21 through "90-6-405, MCA," on page 2,
line 12

Following: "REPEALING" on page 2, line 15

Insert: "MCA"

Following: "SECTIONS"

Strike: remainder of line 15 through "MCA" on page 3, line 6

3. Page 180.

Following: line 24

Insert: "NEW SECTION. Section 113. Submission to electorate.

The question of whether this act will become effective shall
be submitted to the qualified electors of Montana at the
general election to be held in November 1994 by printing on
the ballot the full title of this act and the following:

[] FOR reorganizing the public school system into K-
12 school districts for the fiscal year beginning
July 1, 1995.

[] AGAINST reorganizing the public school system
into K-12 school districts for the fiscal year
beginning July 1, 1995."

Renumber: subsequent section

4. Page 181, line 2.

Strike: "passage and"

Following: "approval"

Insert: "by the electorate"