

MINUTES

MONTANA SENATE
54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION

Call to Order: By CHAIRMAN DARYL TOEWS, on February 13, 1995, at
1:05 p.m.

ROLL CALL

Members Present:

Sen. Daryl Toews, Chairman (R)
Sen. John R. Hertel, Vice Chairman (R)
Sen. C.A. Casey Emerson (R)
Sen. Delwyn Gage (R)
Sen. Loren Jenkins (R)
Sen. Kenneth "Ken" Mesaros (R)
Sen. Steve Doherty (D)
Sen. Gary Forrester (D)
Sen. Barry "Spook" Stang (D)
Sen. Mignon Waterman (D)

Members Excused: N/A

Members Absent: N/A

Staff Present: Eddy McClure, Legislative Council
Janice Soft, Committee Secretary

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

Committee Business Summary:

Hearing: None
Executive Action: SJR 11, SB 280, HB 151, SB 195, HB 229

EXECUTIVE ACTION ON SJR 11

Eddy McClure distributed copies of the amendments and explained
them. EXHIBIT 1

Motion/Vote: SEN. BARRY "SPOOK" STANG MOVED TO ADOPT THE
AMENDMENTS AS PER EXHIBIT 1. Motion CARRIED by UNANIMOUS voice
vote.

Motion: SEN. BARRY "SPOOK" STANG MOVED DO PASS SJR 11 AS
AMENDED.

SEN. CASEY EMERSON asked if there was a fiscal note and Eddy

McClure said there was none, but the study, if approved, would come from the budget assigned to the Committee on Indian Affairs.

SEN. STEVE DOHERTY explained at the end of the session the Legislative Council asks legislators to prioritize the resolutions which require interim studies. After the Legislative Council receives the priority list, the resolutions are ranked according to legislative suggestion and available money.

SEN. EMERSON asked again about a fiscal note and Eddy McClure said the chairman could request one. SEN. TOEWS agreed to do so.

Vote: Motion to DO PASS SJR 11 AS AMENDED CARRIED by UNANIMOUS voice vote.

EXECUTIVE ACTION ON SENATE BILL 280

Motion: SEN. JOHN HERTEL MOVED DO PASS SB 280.

Discussion: SEN. KEN MESAROS said line 28 referred to "last executed contract" which could mean a contract for a very short period of time which may have been issued at a higher rate of pay.

SEN. STANG commented part of the opposition to SB 280 was the fear of reducing teachers from full-time to half-time without apparent reason.

Motion/Vote: SEN. STEVE DOHERTY MOVED TO TABLE SB 280. Motion CARRIED by UNANIMOUS voice vote.

EXECUTIVE ACTION ON HOUSE BILL 151

Eddy McClure distributed copies of the amendment and explained it was basically the same as in SB 250. EXHIBIT 2

Motion/Vote: SEN. BARRY "SPOOK" STANG MOVED TO ADOPT THE AMENDMENT AS PER EXHIBIT 2. Motion CARRIED 7-1 by voice vote.

Motion: SEN. BARRY "SPOOK" STANG MOVED HB 151 AS AMENDED BE CONCURRED IN.

Discussion: SEN. GARY FORRESTER asked what advantage HB 151 has since it has to be within the General Fund budget. SEN. TOEWS said the money was outside the reserve portion.

SEN. STANG commented HB 151 was to prevent going outside the budget because if the budget is at 100%, it will be necessary for districts to use extra money for funds such as HB 151. If these funds are not subject to the caps, the districts would be able to

increase their budgets.

SEN. FORRESTER said if districts were at 98 or 99 percent of their budgets, they could go over their budgets if the fund in **HB 151** could be limited by the caps. **SEN. STANG** said the increase was limited to 4% which prevents the district taking the increase and placing the money outside the caps.

SEN. FORRESTER asked why a line item for transfer to the reserve fund could not be included in the General Fund budget, since the transfer had to be within the budget anyway, i.e. accomplish the same thing without **HB 151**. **SEN. STANG** said without **HB 151** the compensated absences liability fund terminates.

SEN. LOREN JENKINS said the fund was not within the budget; only the money going into the fund is within the budget. The amendment sets up a fund outside the budget.

SEN. JENKINS said the original version of **HB 151** said the end-of-the-year excess could be placed in a fund such as the one in **HB 151**. He said the intent of the funds is good, but including the transfer amount as a budgeted item means it can be moved from the budget.

Jack Copps explained only budgeted revenue could be transferred, not the unexpected revenue. The amendment ensures this concept. The original **HB 151** would have allowed the excess unexpected revenue to be transferred to the reserve funds.

Eddye McClure reminded the committee the Attorney General said the statutes do not say, "within the adopted General Fund budget"; therefore, the amendments.

Vote: Motion that **HB 151 AS AMENDED BE CONCURRED IN PASSED** on a 9-1 voice vote, with **SEN. JENKINS** voting "No."

SEN. MIGNON WATERMAN will carry **HB 151**.

EXECUTIVE ACTION ON SENATE BILL 195

Eddye McClure distributed amendments SB019506.AEM by **SEN. JENKINS**. (EXHIBIT 3) **SEN. JENKINS** explained his amendments line by line.

SEN. DELWYN GAGE commented according to Amendment #8, the only state money a school district receives could be the only money acquired for education that year if the voted levy fails. **SEN. JENKINS** said it meant any district levy for additional funding desired by each district. **SEN. GAGE** countered it said one election each year. If the taxpayers vote a levy down, the state BASE is the only money running the district.

SEN. MIGNON WATERMAN questioned Amendment #1, wondering if it would now say, "...a quality educational access and opportunity to persons...." She suggested the "a" should be omitted.

SEN. MESAROS said Amendment #8 included a specific amount and since SB 195 would be a constitutional amendment, he did not think it would be wise to be so specific.

SEN. STANG asked if the 95 mills state-wide levy would be eliminated, and was told it was. **SEN. JENKINS** said SB 195 would be a vote of the people.

SEN. WATERMAN commented the amendments don't appear to include changes to the language now written in ballot language. If these amendments pass, it would be necessary to rewrite them because they do not agree with SB 195. **Eddie McClure** concurred the ballot language should be changed.

SEN. STANG said he did not support the amendments because state aid is removed, except for the items listed in the amendments, as is the 95 mills which was the equalizing factor. **SEN. STANG** said each county has a different mill levy and value and that has caused the financial unequalization in the schools.

SEN. GAGE said the amendment says quality, not equality, is now the requirement, and that determination is left to the tax payers.

SEN. JENKINS said neither the amendments nor SB 195 would go into effect until the voters would accept it via vote. The original Constitution said equality of educational opportunity is guaranteed each person in the state of Montana. Section 1, subsection 3 in SB 195 says, "...may provide a basic system of free quality public elementary and secondary schools....". **SEN. JENKINS** said since the Constitutional Convention, the state has increased the mandatorily collected mills, divided them and called them the state's share.

SEN. EMERSON commented **SEN. JENKINS'** amendments change the thrusts of SB 195, which were: (1) Levies should not repeatedly be voted on; (2) Ensure there be no more lawsuits wasting school money.

SEN. FORRESTER said he was concerned about the emphasis in the amendments being placed upon dollars instead of children.

{Tape: 1; Side: B; Approx. Counter: ; Comments: .}

Motion/Vote: **SEN. LOREN JENKINS** MOVED TO ADOPT AMENDMENTS SB019506.AEM AS PER EXHIBIT 3. Motion FAILED on a 9-1 voice vote, with **SEN. JENKINS** voting "Yes."

SEN. EMERSON explained the intent of his amendments was to clarify and simplify SB 195. **SEN. EMERSON** explained his

amendments line by line. EXHIBIT 4

Motion: SEN. CASEY EMERSON MOVED TO ADOPT HIS AMENDMENTS AS PER EXHIBIT 4.

SEN. WATERMAN asked for clarification on Amendment #5, saying she would suggest "educational" to be inserted between "specific" and "needs." SEN. EMERSON agreed.

Vote: Motion to adopt SEN. EMERSON'S amendments PASSED 6-4 on a roll call vote, with SEN. DOHERTY, SEN. WATERMAN, SEN. STANG and SEN. JENKINS voting "No."

Motion: SEN. STEVE DOHERTY MOVED TO ADOPT AMENDMENTS SB019502.AEM. (EXHIBIT 5)

SEN. DOHERTY explained his amendments line by line, emphasizing Amendments #3 & #4, which would be ballot language.

SEN. WATERMAN commented "guaranty" should be spelled "guarantee" and SEN. DOHERTY agreed.

SEN. EMERSON commented the insertion eliminated "equal" but the legislature will get as close to "equal" as is possible when dealing with people; therefore, "equal" is not the right word.

SEN. WATERMAN interpreted it as saying eliminating "constitutional guarantee", with guarantee being the key word.

SEN. GAGE said SEN. DOHERTY eliminated a constitutional guarantee and did not replace it. He asked if SEN. DOHERTY would be opposed to ".....and providing instead a constitutional guarantee of reasonable access to educational opportunity." SEN. DOHERTY agreed, calling it a friendly amendment.

Vote: MOTION TO ADOPT AMENDMENTS SB019502.AEM CARRIED by a UNANIMOUS voice vote. (Eddy McClure will rewrite them, making the suggested changes).

SEN. DOHERTY distributed and explained Amendment SB019504.AEM. (EXHIBIT 6)

Motion/Vote: SEN. STEVE DOHERTY MOVED TO ADOPT AMENDMENT SB019504.AEM AS PER EXHIBIT 6. Motion CARRIED by UNANIMOUS voice vote.

SEN. DOHERTY distributed and explained Amendments SB019503.AEM (EXHIBIT 7), requesting Amendment #4 be removed because of SEN. GAGE'S friendly amendment. He acknowledged some amendments eliminated some of the Emerson amendments previously adopted.

Motion/Vote: SEN. STEVE DOHERTY MOVED TO ADOPT AMENDMENTS SB019503.AEM AS PER EXHIBIT 7. Motion CARRIED 8-2 on a voice vote, with SEN. GAGE and SEN. EMERSON voting "No."

Motion/Vote: SEN. BARRY "SPOOK" STANG MOVED TO TABLE SB 195 AS AMENDED. Motion to table SB 195 as amended PASSED 7-3 by voice vote, with SEN. TOEWS, SEN. EMERSON AND SEN. GAGE voting "No."

EXECUTIVE ACTION ON HOUSE BILL 229

Eddye McClure distributed and explained Amendments HB022901.AEM (EXHIBIT 8).

SEN. WATERMAN asked if this amendment provided for an eight-member commission appointed for one or two years. Eddye McClure concurred, saying the term limits would probably be set by statute in 1997.

Motion: SEN. KEN MESAROS MOVED TO ADOPT AMENDMENTS HB022901.AEM AS PER EXHIBIT 8.

Discussion: SEN. GAGE asked if Board of Regents members would remain on the Board until 2001. SEN. HERTEL said they would, but if a term expired before 2001, the Governor would appoint someone; ultimately, however, all terms would expire by 2001.

SEN. WATERMAN differed by saying this transition language indicates before 2001, there could be three heads of education instead of two, and four boards instead of three.

SEN. JENKINS opined constituents would be irate if HB 229 is passed, they vote to pass the Constitutional Amendment and nothing happens for three years.

SEN. WATERMAN said she was concerned about splitting the Task Force's Recommendation into two bills, because now there was not a seamless system of education. She said she favored tabling HB 229 and dealing with it during the next legislative session in 1997 because the 2001 time frame could still be honored.

SEN. STANG said he favored a delay in dealing with HB 229.

SEN. JENKINS said he thought once a Constitutional Amendment was started, the process had to be completed. Eddye McClure said it could be tabled in committee, but if the committee sent it to the floor, the bill would then have to go to the House.

SEN. TOEWS opined HB 229 is a better bill than when it came to the committee because it takes away the direct line to the Governor.

Vote: MOTION TO ADOPT AMENDMENTS HB022901.AEM PASSED 6-4 on a roll call vote.

SEN. WATERMAN distributed and explained Amendment HB022903.AEM (EXHIBIT 9). She said the amendment conforms HB 229 to HB 228 as

amended by REP. H.S. "SONNY" HANSON, and streamlines the system into one head, i.e. superintendent of all public instruction who would serve as the director of the Department of Education.

Motion/Vote: SEN. MIGNON WATERMAN MOVED TO ADOPT AMENDMENT HB022903.AEM AS PER EXHIBIT 9. Motion FAILED 6-4 by voice vote, with SEN. WATERMAN, SEN. DOHERTY, SEN. STANG AND SEN. FORRESTER voting "Yes."

SEN. WATERMAN distributed and explained Amendments HB022905.AEM (EXHIBIT 10).

Motion: SEN. MIGNON WATERMAN MOVED TO ADOPT AMENDMENTS HB022905.AEM AS PER EXHIBIT 10, BUT INCLUDE "OTHER" ON PAGE 1, LINE 21.

SEN. JENKINS commented he thought of the Sherlock decision but SEN. WATERMAN said that decision did not apply to the university system. She stated this is language for the Board of Regents.

SEN. STANG commented Section 9, lines 18-19 say the duties shall be as assigned by law. They will only be responsible for long-range planning and coordinating values, but the legislature will still have control.

SEN. JENKINS said the Constitution only gives the Board of Education general supervisory powers over schools but the Sherlock decision said the Board of Public Education had Constitutional rulemaking authority.

Vote: MOTION TO ADOPT AMENDMENTS HB022905.AEM FAILED 6-4 on a roll call vote.


Motion/Vote: SEN. MIGNON WATERMAN MOVED HB 229 BE TABLED AS AMENDED. Motion FAILED 7-3 on a roll call vote.

Motion/Vote: SEN. KEN MESAROS MOVED DO PASS FOR HB 229 AS AMENDED. Motion CARRIED 7-3 by voice vote, with SEN. DOHERTY, SEN. WATERMAN, and SEN. STANG voting "No."

SEN. JOHN HERTEL will carry HB 229.

ADJOURNMENT

Adjournment: The meeting adjourned at 3:02 p.m.



SEN. DARYL TOEWS, Chairman



JANICE SOFT, Secretary

DT/jes

MONTANA SENATE
1995 LEGISLATURE
EDUCATION AND CULTURAL RESOURCES COMMITTEE

ROLL CALL

DATE _____

2/13/95

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SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 13, 1995

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration HB 151 (third reading copy -- blue), respectfully report that HB 151 be amended as follows and as so amended be concurred in.

Signed: _____
Senator Toews, Chair

That such amendments read:


1. Page 1, lines 22 and 23.


Following: "(3)" on line 22

Strike: remainder of line 22 through "balance" on line 23

Insert: "The trustees may transfer money from the general fund,
within the adopted budget,"

-END-


Amd. Coord.
Sec. of Senate


Senator Carrying Bill

371600SC.SPV

SENATE STANDING COMMITTEE REPORT

Page 1 of 2
February 13, 1995

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration HB 229 (third reading copy -- blue), respectfully report that HB 229 be amended as follows and as so amended be concurred in.

Signed: _____


Senator Daryl Toews, Chair

That such amendments read:

1. Title, line 8.

Following: second "EDUCATION"

Strike: "ADVISORY"

Following: COMMISSION;

Insert: "PROVIDING TRANSITIONAL INSTRUCTIONS;".

2. Title, line 9.

Following: "PROVIDING"

Strike: "A DELAYED"

Insert: "AN IMMEDIATE"

Following: first "DATE"

Strike: "AND AN APPLICABILITY DATE"

3. Page 1, line 14.

Following: "education"

Strike: "advisory"

4. Page 1, line 20.

Following: "education"

Strike: "advisory"

Following: "appointed"

Insert: "by the governor and confirmed by the senate"

5. Page 1, line 21.

Following: "staggered"

Strike: ", 7-year"

Following: "terms"

Strike: "by the governor"

Insert: ", as provided by law"

6. Page 1, lines 21 and 22.


Following: "shall" on line 21

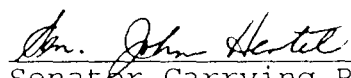
Strike: remainder of line 21 through "education" on line 22

Insert: "have duties assigned by law"

7. Page 2, line 9.

Following: "governor"


Amd. Coord.
Sec. of Senate


Senator Carrying Bill

371622SC.SPV

Strike: ", commissioner of higher education"

8. Page 2, line 12.

Strike: "-- applicability"

9. Page 2, lines 13 and 14.

Following: "approval" on line 13

Strike: remainder of line 13 through "2001" on line 14

10. Page 2, line 15.

Insert: "NEW SECTION. Section 3. Transition. Upon passage and approval, the governor may create a department of education and the state education commission as provided in Article X, section 9. The department and the commission may exercise statutorily assigned duties. The board of regents and the commissioner of higher education shall continue to perform duties that were constitutionally assigned until January 1, 2001. The terms of office and appointments to the board of regents remain in effect until January 1, 2001."

Renumber: subsequent section

11. Page 2, line 20.

Strike: "advisory"

12. Page 2, line 22.

Strike: "advisory"

-END-

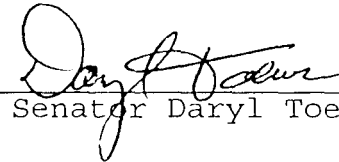
SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 13, 1995

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration SJ 11 (first reading copy -- white), respectfully report that SJ 11 be amended as follows and as so amended do pass.

Signed: _____



Senator Daryl Toews, Chair

That such amendments read:

1. Page 1, lines 25 and 26.

Following: "high school" on line 25

Strike: remainder of line 25 through "in" on line 26

Insert: "students who drop out of school or who have insufficient credits to graduate within 4 years from

2. Page 2, line 17.

Following: "Instruction,"

Insert: "the Board of Public Education, the units of the Montana University System through the Commissioner of Higher Education,"

-END-



Amd. Coord.
Sec. of Senate

371528SC.SPV

DATE 2/13/95 BILL NO. SB 195 NUMBER 1

[illegible]

SEN:1995
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MONTANA SENATE
1995 LEGISLATURE
EDUCATION AND CULTURAL RESOURCES COMMITTEE
ROLL CALL VOTE

DATE 2/13/95 BILL NO. #0229 NUMBER 2

MOTION: Adopt amendments proposed by
Rep. A.D. Hanson (HB 022901.4EM)

NAME	AYE	NO
SEN. JOHN HERTEL, VICE CHAIRMAN	✓	
SEN. DELWYN GAGE	✓	
SEN. KEN MASAROS	✓	
SEN. STEVE DOHERTY		✓
SEN. MIGNON WATERMAN		✓
SEN. BARRY "SPOOK" STANG		✓
SEN. LOREN JENKINS	✓	
SEN. GARY FORRESTER		✓
SEN. CASEY EMERSON	✓	
SEN. DARYL TOEWS, CHAIRMAN	✓	

DATE 2/13/95 BILL NO. HB 229 NUMBER 3
MOTION: Adopt Amendments HB 22905, AEM

SEN:1995
wp:rlclvote.man
CS-11

MONTANA SENATE
1995 LEGISLATURE
EDUCATION AND CULTURAL RESOURCES COMMITTEE
ROLL CALL VOTE

DATE 2/13/95 BILL NO. HB 229 NUMBER A

MOTION: HB 229 table is amended

NAME	AYE	NO
SEN. JOHN HERTEL, VICE CHAIRMAN		✓
SEN. DELWYN GAGE		✓
SEN. KEN MASAROS		✓
SEN. STEVE DOHERTY	✓	
SEN. MIGNON WATERMAN	✓	
SEN. BARRY "SPOOK" STANG	✓	
SEN. LOREN JENKINS		✓
SEN. GARY FORRESTER	<i>line</i>	✓
SEN. CASEY EMERSON		✓
SEN. DARYL TOEWS, CHAIRMAN		✓

Amendments to Senate Joint Resolution No. 11
First Reading Copy

Requested by Senator Brooke
For the Senate Committee on Education and Cultural Resources

Prepared by Eddye McClure
February 11, 1995

1. Page 1, lines 25 and 26.

Following: "high school" on line 25

Strike: remainder of line 25 through "in" on line 26

Insert: "students who drop out of school or who have insufficient
credits to graduate within 4 years from

2. Page 2, line 17.

Following: "Instruction,"

Insert: "the Board of Public Education, the units of the Montana
University System through the Commissioner of Higher
Education,"

Amendments to House Bill No. 151
Third Reading Copy

Requested by Representative Peck
For the Senate Committee on Education and Cultural Resources

Prepared by Eddye McClure
February 8, 1995

1. Page 1, lines 22 and 23.

Following: "(3)" on line 22

Strike: remainder of line 22 through "balance" on line 23

Insert: "The trustees may transfer money from the general fund,
within the adopted budget,"

Amendments to Senate Bill No. 195
First Reading Copy

Requested by Senator Jenkins
For the Senate Committee on Education and Cultural Resources

Prepared by Eddye McClure
February 6, 1995

1. Title, line 6.

Following: "GUARANTEEING"

Strike: "REASONABLY BALANCED"

Insert: "A QUALITY"

2. Title, line 7.

Strike: "RESIDENTS"

Insert: "PERSONS"

Following: " ; "

Insert: PROVIDING RESTRICTIONS ON STATEWIDE LEVIES;

3. Page 1, line 9.

Insert: "WHEREAS, the people of Montana believe in local control
of education; and"

4. Page 1, line 12.

Following: "Court"

Strike: remainder of line 12 through "Legislature"

5. Page 1, lines 13 through 20.

Strike: lines 13 through 20 in their entirety

Insert: "WHEREAS, legislative attempts to enact laws conforming
to Supreme Court decisions have led to excessive
administration costs and a heavy burden on the Montana
taxpayer; and

WHEREAS, high taxable property valuation within a
district does not necessarily mean high personal income; and

WHEREAS, equality of education is not achieved by
economic considerations only but must also include the student's
desire to learn, the educator's ability to teach, and parental
participation."

6. Page 1, line 29 and 30.

Strike: "resident"

Insert: "person"

Following: "~~Equality of~~"

Strike: remainder of line 29 through "to" on line 30

Insert: "A quality"

Strike: "resident"

Insert: "person"

7. Page 2, line 4

Following: "schools."

Insert: "The proceeds in the public school fund described in
Article X, section 2, must be distributed in an equitable manner

AMENDMENTS FOR SB 195

Page 1, line 12,
after "but", strike "with improper and erroneous
interpretation and", and replace with "resulting in
negative impact upon taxpayers from".

Page 1, line 14,
after "of this", strike "erroneous interpretation"

Page 1, line 16,
strike all of lines 16,17,18,19,20.

Page 1, line 22,
after "made to", strike "reasonably".
after "secure the", strike "good order and"
after "state", insert ""by".

SENATE EDUCATION

EXHIBIT NO. 4

DATE 2/13/95

BILL NO. SB 195

Page 2, line 11,
after "district of", strike "a minimum" inserting "an"
after "amount", strike "for school equity for basic",
inserting "determined appropriate for its specific needs".

Page 2, line 14,
strike all of subsection (5), lines 15 through 16.

Page 3, line 2,
after "funding." strike "." inserting ", determined by the
legislature."

Page 3, line 5,
after "funding." strike "." inserting ", determined by the
legislature."

Amendments to Senate Bill No. 195
First Reading Copy

Requested by Senator Doherty
For the Senate Committee on Education and Cultural Resources

Prepared by Eddye McClure
January 30, 1995

1. Title, line 7.

Strike: "RESIDENTS"

Insert: "EACH PERSON"

2. Page 1, lines 29 and 30.

Strike: "resident"

Insert: "person"

3. Page 2, line 30 through page 3, line 1.

Following: "FOR"

Strike: line 30 through "funding" on page 3, line 1

Insert: "eliminating the constitutional guarantee of access to
equal educational opportunity and providing instead
reasonable access to educational opportunity"

4. Page 3, lines 3 through 5.

Following: "AGAINST"

Strike: line 3 through "funding" on line 5

Insert: "eliminating the constitutional guarantee of access to
equal educational opportunity and providing instead reasonable
access to educational opportunity"

Amendments to Senate Bill No. 195
First Reading Copy

Requested by Senator Doherty
For the Senate Committee on Education and Cultural Resources

Prepared by Eddye McClure
February 2, 1995

1. Page 2, line 13.
Following: "electors"
Insert: "voting"

Amendments to Senate Bill No. 195
First Reading Copy

Requested by Senator Doherty
For the Senate Committee on Education and Cultural Resources

Prepared by Eddye McClure
January 30, 1995

1. Title, line 7.

Following: "RESIDENTS"

Strike: "AND BY LIMITING STATE SPENDING"

2. Page 2, lines 5 and 6.

Following: "distribute"

Strike: remainder of line 5 through "system" on line 6

Following: "equitable"

Strike: "and reasonable"

3. Page 2, lines 8 through 16.

Following: line 7

Strike: line 8 through "fluctuations" on line 16

Insert: "to the school districts the state's share of the cost of
the basic elementary and secondary school system"

4. Page 3, lines 1 and 2 and 4 and 5.

Following: "residents"

Strike: "and protecting taxpayers by limiting state funding"

Amendments to House Bill No. 229
Third Reading Copy

Requested by Senator Waterman
For the Senate Committee on Education and Cultural Resources

Prepared by Eddye McClure
February 7, 1995

1. Page 1, line 18.

Following: "with"

Strike: "a director appointed by the governor"

Insert: "the superintendent of public instruction serving as
director of the department of education"

Amendments to House Bill No. 229
Third Reading Copy

Requested by Representative Hanson
For the Senate Committee on Education and Cultural Resources

Prepared by Eddye McClure
February 6, 1995

1. Title, line 8.
Following: second "EDUCATION"
Strike: "ADVISORY"
Following: COMMISSION;
Insert: "PROVIDING TRANSITIONAL INSTRUCTIONS;".
2. Title, line 9.
Following: "PROVIDING"
Strike: "A DELAYED"
Insert: "AN IMMEDIATE"
Following: first "DATE"
Strike: "AND AN APPLICABILITY DATE"
3. Page 1, line 14.
Following: "education"
Strike: "advisory"
4. Page 1, line 20.
Following: "education"
Strike: "advisory"
Following: "appointed"
Insert: "by the governor and confirmed by the senate"
5. Page 1, line 21.
Following: "staggered"
Strike: ", 7-year"
Following: "terms"
Strike: "by the governor"
Insert: ", as provided by law"
6. Page 1, lines 21 and 22.
Following: "shall" on line 21
Strike: remainder of line 21 through "education" on line 22
Insert: "have duties assigned by law"
7. Page 2, line 9.
Following: "governor"
Strike: ", commissioner of higher education"
8. Page 2, line 12.
Strike: "-- applicability"
9. Page 2, lines 13 and 14.
Following: "approval" on line 13

Strike: remainder of line 13 through "2001" on line 14

10. Page 2, line 15.

Insert: "NEW SECTION. **Section 3. Transition.** Upon passage and approval, the governor may create a department of education and the state education commission as provided in Article X, section 9. The department and the commission may exercise statutorily assigned duties. The board of regents and the commissioner of higher education shall continue to perform duties that were constitutionally assigned until January 1, 2001. The terms of office and appointments to the board of regents remain in effect until January 1, 2001."

Renumber: subsequent section

11. Page 2, line 20.

Strike: "advisory"

12. Page 2, line 22.

Strike: "advisory"

Amendments to House Bill No. 229
Third Reading Copy

Requested by Senator Waterman
For the Senate Committee on Education and Cultural Resources

Prepared by Eddye McClure
February 13, 1995

1. Page 1, line 21.

Following: "governor."

Insert: "The commission is reponsible for long-range planning and
for coordinating and evaluating policies and programs for
the state's educational systems."

2. Page 1, line 24.

Following: "commission."

Insert: "The governor and the superintendent of public
instruction are ex officio non-voting members of the
commission."