

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION & CULTURAL RESOURCES

Call to Order: By **CHAIRMAN ALVIN ELLIS, JR.**, on January 4, 1995,
at 3:00 PM

ROLL CALL

Members Present:

Rep. Alvin A. Ellis, Jr., Chairman (R)
Rep. Peggy Arnott, Vice Chairman (Majority) (R)
Rep. Vicki Cocchiarella, Vice Chairman (Minority) (D)
Rep. Matt Denny (R)
Rep. H.S. "Sonny" Hanson (R)
Rep. Jack R. Herron (R)
Rep. Joan Hurdle (D)
Rep. Bob Keenan (R)
Rep. Sam Kitzenberg (R)
Rep. Gay Ann Masolo (R)
Rep. Norm Mills (R)
Rep. John "Sam" Rose (R)
Rep. George Heavy Runner (D)
Rep. Richard D. Simpkins (R)
Rep. Diana E. Wyatt (D)

Members Excused: Rep. Dan Harrington
Rep. Bill Rehbein
Rep. Debbie Shea

Members Absent: None

Staff Present: Andrea Merrill, Legislative Council
Rena DeCrevel, Committee Secretary

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

Committee Business Summary:

Hearing: HB 25
Executive Action: HB 25, DO PASS

HEARING ON HB 25

CHAIRMAN ALVIN ELLIS explained the rules of the hearings. If anyone is unable to attend a hearing they need to let the vice-chairman know this, so they are able to be excused. They may leave a proxy with the appropriate vice chairpersons. He explained that executive sessions are closed to further testimony

and the committee alone debates the bill and decides which course of action to take on it. **CHAIRMAN ELLIS** explained what motions will be in order: these are, do pass, be concurred in, do not pass, or do not be concurred in, to amend, to pass as amended, be concurred in as amended, do not pass as amended, or do not concur as amended. A table motion is not debatable. Other motions are to postpone action and reconsider action.

CHAIRMAN ELLIS informed the committee that there are no cellular phones allowed in the committee meeting. The final requirement is that anyone who testifies is expected to sign the register, and a written testimony is to be given to the secretary and also one to each member of the committee. He asked if there are any questions from the committee. **REP. SAM ROSE** asked if permission to be absent should be in writing. **CHAIRMAN ELLIS** replied that it is not necessary.

REP. SONNY HANSON asked how the voting takes place when someone is absent. Who will vote for the person that is gone?

CHAIRMAN ELLIS said that a proxy should be left. He asked if there are any objections, there are none, so he asked that everyone introduce themselves. All members of the committee do so. **CHAIRMAN ELLIS** introduced the sponsor, **REP. RAY PECK**.

Opening Statement by Sponsor:

REP. PECK explained that the reason for this bill is to change a date from January 1 to March 1. January as the date that teachers may start the application process for renewal of teacher certificates. A problem of inconvenience and build-up of applications is created when the renewal date is March 1. Having the extra three months to apply makes the whole process easier.

Proponents' Testimony:

Jack Copps, Deputy Superintendent of Office of Public Instruction (OPI), speaking for the agency said they are in support of HB 25 because they have had many requests from teachers to increase the window of opportunity to renew the teaching certificates. They have 24,000 teachers in Montana who hold active teaching certificates. Under the present law, teachers have four months to apply for renewing their certificates. Teachers feel that the window should be increased to a six-month period of time.

Don Waldron, Montana Rural Education Association, stated that the MREA represents about 100 school districts in the state. MREA is very supportive of the bill as it does not cost any money. As an ex-school superintendent, anything that the committee can do to unload the pressure on OPI, so the teachers can apply for their certificates, would be a benefit.

Loran Frazier, School Administrators of Montana, stated their support of HB 25.

Opponents' Testimony: none

Informational Testimony: none

Questions From Committee Members and Responses:

REP. DICK SIMPKINS asked **Jack Copps** how many applications on an average are turned down. **Jack Copps** replied that the division administrator, **Don Freshour**, would be able to answer that question. **Don Freshour** said there are very few denials for a renewal. There are not one in a 1000 that are denied. He explained that there is an option of reinstating the certificate if the requirements are not met on time.

REP. NORM MILLS asked why there had to be a window of time set for the renewals, why not just renew the license when it expires on an ongoing basis all the time. **Jack Copps**, said there is a three-month time to renew a drivers license. He went on to explain some reasons why they don't just renew the certificates when they expire. If the teachers were allowed to just renew a certificate after they received a certificate, they would hold a certificate for a period of nine plus years, and during that period of time laws and regulations can change.

CHAIRMAN ELLIS restated the question by asking why teachers are limited to a certain application period, when drivers' license applications occur throughout a calendar year. **REP. MILLS** thanked **CHAIRMAN ELLIS** for clearing up his question. **Jack Copps** again referred the question to **Don Freshour**, who said that the law was written to coincide with the beginning of a school year. **Don Freshour** said that the state of Montana has a licensing year on a fiscal year basis. He said that the more populous states such as California could not work on a fiscal year basis, because they could not possibly get to all the certificates coming in at any one period in the year. In Montana, it could be done.

Closing by Sponsor:

REP. PECK said that if there is no window in which they have to apply, he feels that people start to manipulate the system. He gave the example that if the Board of Public Education was going to consider changing the rules dealing with certification, and there is no limitation on when the teachers can apply, they could say, "They are going to increase the standard, I am going to beat that increase, and go and apply early." Having the window distributes the people in terms of renewal which creates a more efficient operation in the office.

EXECUTIVE ACTION ON HB 25

Motion:

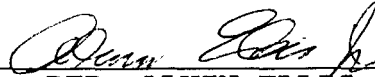
Discussion: There was no discussion

Motion/Vote: REP. HERRON MOVED HB 25 DO PASS. Motion carried
unanimously.

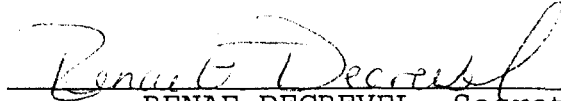
Vote:

ADJOURNMENT

Adjournment: The meeting adjourned at 3:45 pm



REP. ALVIN ELLIS JR. , Chair



RENAE DECREVEL, Secretary

AEJ/red

HOUSE OF REPRESENTATIVES

Education

ROLL CALL

DATE 1 - 4 - 95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Alvin Ellis, Chairman	X		
Rep. Peggy Arnott Vice Chairman, Majority	X		
Rep. Vicki Cocchiarella, Vice Chairman, Minority	X		
Rep. Matt Denny	X		
Rep. Sonny Hanson	X		
Rep. Dan Harrington			X
Rep. George Heavy Runner	X		
Rep. Jack Herron	X		
Rep. Joan Hurdle	X		
Rep. Bob Keenan	X		
Rep. Sam Kitzenberg	X		
Rep. Gay Ann Masolo	X		
Rep. Norm Mills	X		
Rep. Bill Rehbein			X
Rep. Sam Rose			
Rep. Debbie Shea		X	X
Rep. Dick Simpkins	X		
Rep. Diana Wyatt	X		

HOUSE OF REPRESENTATIVES
VISITORS REGISTER

Education COMMITTEE
BILL NO. 25 SPONSOR(S) Ray Peck

DATE 1-4-95

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NAME AND ADDRESS	REPRESENTING	Support	Oppose
Loran Foran	SAM	✓	
Tim Standaert	LEA		
Larry Forbender	GFP		
John G. G. G.	OBPP		
Walter H. H.	MSBA	✓	
Walter H. H. H.	MSBA	X	
PAT HAFEEY	Governor's Office		
Phil Campbell	MEA		
Don Freshour	OPI	✓	
Jack Capps	OPI	✓	
Jim Foster	ME MREA	✓	
Don Waldron	MREA	2	

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

HR:1993

wp:visbcom.man

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