

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 54th LEGISLATURE - REGULAR SESSION**

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

**Call to Order:** By **CHAIRMAN ALVIN ELLIS JR.**, on January 9, 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. Dan W. Harrington (D)  
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. William Rehbein, Jr. (R)  
Rep. John "Sam" Rose (R)  
Rep. George Heavy Runner (D)  
Rep. Debbie Shea (D)  
Rep. Richard D. Simpkins (R)  
Rep. Diana E. Wyatt (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Andrea Merrill, Legislative Council  
Renaë Decrevel, Committee Secretary

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

##### **Committee Business Summary:**

Hearing: HB 51, HB 49, HJR 3  
Executive Action: HB 51 DO PASS  
HB 49 DO PASS  
HJR 3 DO PASS

**HEARING ON HB 51****Opening Statement by Sponsor:**

**REP. JOHN JOHNSON** said that House Bill 51 will increase the bid limit on school districts' non-emergency building, furnishing, or repair work and on the purchase of supplies that are subject to a contract. The bill changes the limit from \$7,500 to \$15,000.

**Proponents' Testimony:**

**Loran Frazier, School Administrators of Montana** said that this summer they had a delegate assembly and administrators spent a lot of their time reviewing ways to manage budgets better. One of the changes was the bid limit. This bill does not take away any local control. If the local trustees still want anything bid below the price that finalized in this legislation, they can do that.

**Harry Erickson, Superintendent of Schools of Belgrade** said he supports HB 51. The main reason is that it would save the school district money. A way that it would save money, is on the smaller items, they could do a lot of shopping around. It cost quite a bit of money to go out and bid. There is a time limit on bidding and specifications that have to be met. When the bidding is done, if specifications are not perfect, then there is argument over variances to the specifications and they may get a product they don't want or need. A bid also requires them to take the first offer. Strictly on the basis of getting the best buy for the district, he supports this legislation.

**Conrad Roberts, Superintendent of Schools in Lewistown** said that the \$15,000 bid limit would be advantageous to school districts. He said that about three weeks ago they found out from paper suppliers that the price of paper is going to go up. They have been purchasing a ream of paper for \$1.74. It was going up to \$2.76, so they purchased as many reams as they could with the bid money and could only buy \$7,499 worth of paper. If they would have had the ability to go up to \$15,000 in the district, it would have saved \$2,775. Through the negotiating process there are many ways money can be saved for the school districts.

**Bob Anderson, Montana School Board Association** said he would like to offer support for HB 51. He said he is very convinced after hearing the testimony about how the school districts will save money. If there was a session where the interest is in saving the school districts money, and also providing more local discretion and control, he hopes that this would be the session.

**Don Waldron, Montana Rural Education Association** said that \$15,000 is a reasonable number. It simplifies things and saves money. He urged support on this bill.

**Lynda Brannon, Montana Association of School Business Officials**

said that they highly support this bill. It is a bill that will actually save work and red tape in a district.

Opponents' Testimony: None

Informational Testimony: None

Questions From Committee Members and Responses:

REP. REHBEIN asked Mr. Robinson, how much \$7,499 worth of paper was, and how long would it last. Mr. Robinson said that if you were to take \$7,499 and divide it by \$1.74, that would tell you how many reams were purchased. They try to buy ahead plus have a stock pile, in case prices go up. They try to have a six month supply on hand of all supplies.

REP. HEAVY RUNNER asked Mr. Anderson with respect to the annual fall meeting, if their organization took an official position in respect to raising the limit. Mr. Anderson said that was not an issue in this delegate assembly, however, it has been passed by previous delegate assemblies.

REP. MILLS asked Mr. Anderson if people can so easily step over the requirements to bid, why legislation is needed. Mr. Anderson said that this is his 13th year as a school administrator, and he has never worked with a school board that accepted anything but the low bid.

REP. DENNY asked Mr. Anderson if there was a higher or lower amount that would optimize the cost savings for districts. Mr. Anderson said that they did have a concern about that, and it seems that there should be some percentage of the general fund budget that would be less arbitrary, but in past attempts to look at legislation like this he knows that legislatures like to see a dollar amount, "that is why we support this."

Closing by Sponsor:

REP. JOHNSON said that there is no change in the law except the increase in bid limit. There is no fiscal impact on the state, it saves money for those items that are under \$15,000 and it enables them to buy equipment and materials that meet the needs of the district. A reason why the \$15,000 was selected, was that it provides the same limit as the counties.

HEARING ON HB 49

Opening Statement by Sponsor:

**REP. MIKE KADAS** said this revisits an issue that was dealt with in the last special session. About a year and a half ago, the Missoula County High School District consolidated with the largest elementary district in Missoula County, District 1. Prior to the consolidation the elementary district was able to levy one mill for adult education, the high school district was able to levy two mills for adult education. One of the consequences of the consolidating is that, combined, they can only levy two mills for adult education, so there is a net decrease of one mill. They came to the special session November 30, 1993 and brought a bill that was thought to allow the district to levy the three mills that it had originated prior to consolidation. As it turned out it did not work, it allowed everyone else to levy three mills, but it only allowed Missoula to levy two mills because the two districts that had been unified did not have co-terminus boundaries. This bill allows the combined districts to levy a total of three mills for adult education.

**Proponents' Testimony:**

**Michael Kuplich, Chairman of the Board of Trustees, of Missoula County Public Schools** said he is here to urge passage of this bill. "We are asking that the mistake be rectified."

**Mary Wagner, Superintendent of Schools from Missoula County Public Schools** said the community of Missoula voted to unify Missoula County High Schools and Missoula elementary district #1. As a result of that unification there was a negative impact. This bill does attempt to rectify the mistake so that elementary and high school districts that unified, and do not have the same boundaries, can continue to levy two mills at the high school and one mill at the elementary.

**Carl Sandau, Director of Adult Education for Missoula County Public School District** said that for the last 37 years the district has operated an adult education program for the community. He has been involved in the program for 23 years and has seen it grow from 1,700 students to 4,600. "Obviously it is going to take some money to run the program." If they were to loose one mill, it would necessitate some severe cuts in the program. He described the three general programs: Adult basic education, computer applications, and continuing education classes that are seen in most communities. "This is a rather big operation and I hope that you support this bill."

**Don Waldron, Montana Rural Education Association** said that they support HB 49 and would like to point out that if there is a county like Missoula where there are a number of elementary districts, and only one of them is unified, the taxpayers are not out any more money. It is exactly the same money as if they were under one high school. "This bill is not costing the taxpayers of Missoula County any more money."

**Bob Anderson, Montana School Board Association** said he was hopeful that this would have been taken care of in the special session a year ago, and many supported the concept at that time. He hopes that they will support it again.

**Loran Frazier, School Administrators of Montana** stated, "We too support HB 49."

Opponents' Testimony: None

Informational Testimony: None

Questions From Committee Members and Responses:

**REP. REHBEIN** asked **Don Waldron** whom it is costing, if it is not costing the taxpayers. **Don Waldron** answered that in the district, there are mills for the elementary and the high school. It is costing the same if you give what is in this bill. If you don't give what is in this bill, 1/3 of the cost is gone. It saves money, but the adults are not getting that educational benefit. They are not asking more than any other district.

**REP. KEENAN** asked **Mr. Anderson** what percentage of the districts in the state have adult education. **Mr. Anderson** said that he does not have that information. **Michael Kuplich** cannot give the exact figure, but thinks that there are close to 70 districts in the state. **Gail Gray, Office of Public Instruction** answered that on the last count there are 147 districts that have adult education programs, and 113 of those levied for the mills, 34 did it without any levy at all.

Closing by Sponsor:

**REP. KADAS** responded to **REP. REHBEIN'S** question by saying that prior to the unification, the people who lived in the area and were affected by consolidation, were paying approximately three mills, maybe slightly less. Last year because of the unification they will be paying only two mills. The school has tried to patch up the program and carry over in hopes of getting this passed again since it was passed last year, and be able to maintain the level that it had.

HEARING ON HJR 3

Opening Statement by Sponsor:

**REP. DIANA WYATT** is urging the Board of Regents of Higher Education and the Board of Public Education to recognize American Sign Language (ASL) as a separate and complete language, and authorize teaching American Sign Language as part of the public

school and the university system curriculum. The interpreter for the proponents is **Sandra Van Tighem**.

**Proponents' Testimony:**

**Betty Van Tighem**, Written Testimony, Exhibit #1

**Robert LeMieux**, Written Testimony, Exhibit #2

**Flo Ellen Hippe**, Written Testimony, Exhibit #3

**Darwin Younggren**, Written Testimony, Exhibit #4

**Richard Crofts**, Deputy Commissioner for Higher Education came to support this Joint Resolution offer, and encouraged recognition of further instruction of American Sign Language. There are currently minimum credit offerings at some of the campuses. "I support the spirit of this resolution."

**John Malee**, Montana Federation of Teachers would like to go on record as supporting HJR 3.

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions From Committee Members and Responses:**

**REP. ROSE** asked **Mr. Crofts** if he would explain why they would drop Sign Language, and leave some of the other courses in the curriculum. **Mr. Crofts** answered that the sign language courses were dropped at the University of Montana because they were smaller programs, and they didn't feel that they could continue to offer it. The same program at the Montana State University has gone through a similar experience and has consolidated with the psychology department.

**REP. ROSE** asked the sponsor how much of a major reduction is seen in this area. **REP. WYATT** answered that many of those things are being cut out. They do not want to cut out the cultural advantages of the language. Persons with learning disabilities can use sign language as a tool in their attention deficit disorder. It is being cut out but they are looking at the possibility of this being a volunteer program.

**REP. SHEA** asked what part of ASL is universal as far as signs and symbols go. **Flo Ellen Hippe** answered the question by signing that 60% of ASL came from France, the other part came from the American people. While traveling in France if a hearing person came across another person from France, without knowing the

language they could not understand, but in knowing universal signs, the deaf have an advantage.

**CHAIRMAN ELLIS** asked **Flo Ellen Hippe** if there are video tapes that people can get to learn sign language? **Ms. Hippe** said some of the signs are opposite of each other so when watching on television, it would be complicated; the signs would appear backward. **Darwin Younggren** commented that he has a daughter who is deaf and teaches American Sign Language to a hearing class.

There is a long waiting list of people who want to sign up for the class. Working with deaf people is the best way to learn and remember.

Closing by Sponsor:

**REP. WYATT** said "I ask for your support."

EXECUTIVE ACTION ON HB 51

Motion: **REP. DAN HARRINGTON** MOVED HB 51 DO PASS.

Discussion: **REP. REHBEIN** asked if \$15,000 would save so much money, what would \$25,000 do. **REP. HANSON** pointed out that \$15,000 is a logical balance. If it gets too high there would be encouragement to play with the system. **REP. ROSE** agreed with **REP. HANSON** that if this is what was requested, then they are probably more knowledgeable as to what is wanted. **REP. HEAVY RUNNER** had no problem with the amount of money and hopes there is a fair process of sharing the wealth. **REP. HURDLE** asked if this included any construction projects. **CHAIRMAN ELLIS** answered that it would.

Vote: Motion carried unanimously.

EXECUTIVE ACTION ON HB 49

Motion/Vote: **REP. MILLS** MOVED HB 49 DO PASS. Motion carried 16-2 with **REPS. REHBEIN** and **SIMPKINS** voting no.

EXECUTIVE ACTION ON HJR 3

Motion: **REP. WYATT** MOVED HJR 3 DO PASS.

Discussion: **REP. SIMPKINS** was bothered by the wording "each unit of" on the back on line 2. It seems that it is not practical for all the schools to have this program. **REP. WYATT** said that the whole resolution is voluntary. The Board of Regents is strongly urged to recognize the language and to adopt administrative rules authorizing each unit for elective course.

**REP. COCCHIARELLA** wanted to clarify to **REP. ROSE** that in the past the speech disorder program at the University of Montana was subject to major budget cutting. Members of the legislature tried to revive the program, but killed the department in their vote. At the University of Montana, ASL was taught in that department, therefore the class was taken out. The waiting list "was a mile long" for ASL classes.

**REP. HARRINGTON** said there is only one person in the whole school district #1 who works with ASL. That goes to show that this is a real problem. Montana Tech also asks that individual to come there and teach a few hours a day.

**REP. MILLS** asked **REP. WYATT** if this is referred to as a foreign language and if credit is given in the foreign language department.

**REP. WYATT** said that it is an American language and there are certain colleges that do give credits in the foreign language department.

**REP. MILLS** asked if it fits the requirements as a foreign language to get into college.

**REP. WYATT** has an opinion of her own, that it certainly should qualify, but does not set the rules.

**REP. HEAVY RUNNER** said that ASL has been universally used for thousands of years and still today people on the reservations use sign language.

**REP. REHBEIN** said that the university system didn't believe that it was cost effective so they dropped it and asked what they are going to do about funding it now.

**REP. COCCHIARELLA** in response to **REP. REHBEIN** said that the state will be paying for the program.

**REP. SIMPKINS** disagreed with that. The cost of the program was cut. This is the one thing that we absolutely need to teach the master program in speech pathology.

**Vote:** Motion carried 17-1 with **REP. REHBEIN** voting no.



HOUSE EDUCATION & CULTURAL RESOURCES COMMITTEE

January 9, 1995

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ADJOURNMENT

Adjournment: 4:20 pm.



ALVIN ELLIS JR., Chairman



RENAE DECREVEL, Secretary

AEJ/red

# HOUSE OF REPRESENTATIVES

## Education

ROLL CALL

DATE 1-9-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Alvin Ellis, Jr., Chairman	X		
Rep. Peggy Arnott, Vice Chairman, Majority	X		
Rep. Vicki Cocchiarella, Vice Chair, Minority	X		
Rep. Matt Denny	X	<del>X</del>	
Rep. Sonny Hanson	X	<del>X</del>	
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	<del>X</del>	
Rep. Bill Rehbein	X		
Rep. Sam Rose	X		
Rep. Debbie Shea	X		
Rep. Dick Simpkins	X	<del>X</del>	
Rep. Diana Wyatt	X		

EXHIBIT #1  
DATE 1-9-95  
B HJC -3

Hello..I'm Betty Van Tighem of Great Falls representing Montana Association of the Deaf. I am here to ask you all on the House Education Committee to support American Sign Language (ASL) as a separate language and complete language and that it can be taught in both public schools and university system.

ASL has been used widely over 150 years in America. Since the early 1960's it is proven a language in its own right with grammatical rules and syntax, but yet, the public does not take any steps to recognize ASL as a language.

In order to meet the language standards ASL is a set of symbols, not sounds--they are visible actions of the hands called 'signs'. A sign is made of four elements:

hand shape--refers to the shape of the hand--curved, flat, fingers together, fingers separated.

palm orientation--refers to the way the palm is facing --palm facing up or down, face each other.

location--refers to where the hands are located when a sign is made.

movement--refers to the movement of the whole hand-- hand move up or down, toward the body or away from the body.

Lipreading and speaking require real artistic skills--not everyone has the type of talent. ASL presents a more visual and conceptually accurate message.

ASL is used by the deaf to communicate, also to share their experiences, ideas, feelings. Facial expressions and body language play vital role for effective communication. Show feelings without talking--tired, afraid, shy, excited, angry. Gestures--read a book, make a phone call, ride a bike, wash hands, wash floor, wash walls.

Both high schools in Great Falls and the University of Montana offer ASL for credit. There are numerous sign language classes in the community. AAUW chapter in Great Falls offers sign language classes for children to take after school. It's more sense in taking ASL for credit than Spanish, French as it is more practical. ASL is a beautiful language..it is often used in performances in the hearing communities. Miss America who is deaf will sign the national anthem at the Super Bowl.

ASL is the third language used widely in the United States. ASL is a primary means by which a child learns is through the use of such child's native language and cultural heritage. For example: the umpire's signals for strike or ball in a baseball game was invented by a deaf baseball player in the early 1900's. Another example--a huddle used in every sport such as football, basketball, etc was invented by another deaf person.

I, on behalf of the deaf and hard of hearing community ask you, each of you to vote to pass the resolution. Thank you!

My name is Robert LeMieux. I am a deaf consumer since the age of nine months old due to red measles.

There is only one language that prelingually deaf children in America can and do learn as a native language--without formal instruction, in a relatively short time--and that is American Sign Language.

Our focus in this paper has been upon the deaf as an ASL-using community, out of the English-using mainstream. We believe that this focus is necessary, in order to develop reasonable, realistic solutions to the educational problems of prelingually deaf children. Most deaf persons, including deaf children, are not--and realistically cannot be--fully participating and benefitting members of the hearing community. There is no way at present to make deaf people hear. Deaf children should be accepted for what they are--deaf--and what they realistically can become: productive members of a linguistic-cultural minority group, with as much contact as possible with the hearing society. Only when there is such acceptance can educators begin to tackle the real problems of deaf children in a hearing society.

The fact indicates that American Sign Language is the only true native language of deaf children of deaf parents in America, and the only true first language of most deaf children of hearing parents. Educators of the deaf have recently been more willing to admit that it is much easier for prelingually deaf children to learn and use a manual/visual language than an auditory/vocal one. It might be more realistic, and successful, if procedures similar to the ones used in bilingual education programs for minority children were followed in teaching to deaf children. Ideally, in the earliest years, deaf children should learn ASL. Once ASL is established as a means of communication, teachers can then use it as a medium of instruction for all subjects, including English--which can be taught along with speech, speech-reading and reading.

Such a program would require that more teachers be fluent in ASL, which would in turn require that biases against ASL be discarded. A first step, then, would be to train more teachers of the deaf to use ASL and understand its structure, and to improve the attitudes of all persons--deaf and hearing, teacher and student--toward ASL.

In the meantime, efforts to use any manual/visual language should be encouraged. Once deaf children are considered in the same light as other non-English-speaking minority children, with their own language, culture and social conventions, their educational lot and their relations with the hearing world are bound to improve.

On the behalf of deaf and hard of hearing children and adults I urge you very strongly to vote to support HJR 3. Thank you.

TESTIMONY - HJR 3

EXHIBIT #3  
DATE 1-9-95  
B 1-11-95

My name is Flo Ellen Hippe. I am a deaf consumer and I live in Great Falls.

The adoption of this resolution should be a very encouraging sign to Montana students who take the courses in American Sign Language in the public schools and colleges or universities in this state.

Hearing students who take this course, find it worthwhile and interesting because when they encounter the deaf people, they are able to communicate with them in sign language. Some of them become interpreters after constant association with the deaf and then pursuing advanced training in interpreting.

In colleges and universities, students who study any kind of education, special education or the education of the deaf, are often required to take courses in American Sign Language. When they receive the state certification, they are qualified as professionals to work with the deaf.

In addition to the two statements I have mentioned, there are many more good reasons for this resolution to be recommended to pass.

Thank you.

January 9, 1995

EXHIBIT # 4  
DATE 1-9-95  
B HJR-3

Chairman and members of Education and Culture Committee:

I am Darwin Younggren of Great Falls. I am a deaf consumer. I come here to ask you to consider the resolution and recognize American Sign Language and authorize the teaching of American Sign Language in public schools, community colleges and universities.

I firmly believe American Sign Language is very important in the deaf child's learning and communication. It helps him to express his or her feelings, thoughts and actions, etc.

American Sign Language should be in the curriculum in public education in order to help the hearing to understand the deaf better and help to overcome communication barriers.

Sign language is not detrimental to the speech efforts of a deaf or hard of hearing child. he will pick up the signs from the others in order to improve communication among themselves.

American Sign Language, properly used, is a language of grace, beauty and power. Those do not understand <sup>signs</sup> for they cannot sign. Enemies of sign language -- they are enemies of the true welfare of the deaf,

For the last 20-30 years, American Sign Language has been a growing and important body of scientific and educational inquiry and research through public awareness. Also there has been growing public interest in learning American Sign Language, thus contributing to a broader understanding of the social and cultural aspects of Deafness and to breaking down the communication barriers between hearing people and deaf people.

Over 20 states have recognized American Sign Language and implemented it in public schools and other educational systems. Recently Canada has enacted a law to recognize American Sign Language as an official language throughout all provinces.

Lastly, I like all of you to copy from me, three signs, "I Love You". You see how beautiful and simple it is. Thank you.

HOUSE OF REPRESENTATIVES  
VISITORS REGISTER

Education COMMITTEE DATE 1-9-95  
BILL NO. 51 SPONSOR(S) John Johnson

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NAME AND ADDRESS	REPRESENTING	Support	Oppose
Loran FRAZIER	SAM	✓	
DONALD R. WALDORF	MREA	✓	
HARRY O ERICSSON	BELGRADE	✓	
ROBERT ANANSON	MSTBA	✓	
CONRAD COLLECTOR	TECHNISTON	✓	
LYNDA BRANNON	MASBO	✓	

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

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HOUSE OF REPRESENTATIVES  
VISITORS REGISTER

Education COMMITTEE DATE 1-9-95  
BILL NO. HJR 3 SPONSOR(S) Diana Wyatt

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NAME AND ADDRESS	REPRESENTING	Support	Oppose
John Semple 2507 Roberts	A. M. A. A.	X	
Robert LeMieux	H. F. Club of the Deaf	X	
DON WALDRON	M. P. E. A.	X	
Betty Van Tighem	MT Assn of Deaf	✓	
Dee Ellen Hippe	MT Assn of the Deaf	✓	
Donald Guilbert	H. F. Club of Deaf	✓	
Sandra Van Tighem	Montana School deaf/blind	X	
Darwin Youngger	MT. Assn of Deaf	X	
Reno R. Wolf	H. F. Club of Deaf	X	
Vern Hippe	H. F. Club of Deaf	✓	
RICHARD CROFTS	OCHFE		
Gloria Paladichuk		✓	
John M. Lee	M. F. T.	X	

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HOUSE OF REPRESENTATIVES  
VISITORS REGISTER

Education COMMITTEE DATE 1-9-95  
BILL NO. 49 SPONSOR(S) Mike Kadas

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NAME AND ADDRESS	REPRESENTING	Support	Oppose
DONALD R. WALDROW	<sup>MEA</sup> MONT RURAL ED ASSN	✓	
LORAN FRAZIER	SAW	✓	
HARRY D. ERICKSON	BELGRADY	✓	
MICHAEL KEEDY	MSBA	X	
BOB ANDERSON	MSBA	X	
JOHN MAIR	M.F.T.	X	

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