

MINUTES

MONTANA SENATE 54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION

Call to Order: By **CHAIRMAN DARYL TOEWS**, on January 11, 1995, at 1:03 p.m.

ROLL CALL

Members Present:

Sen. Daryl Toews, Chairman (R)
Sen. C.A. Casey Emerson (R)
Sen. Delwyn Gage (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: Sen. John R. Hertel, Vice Chairman (R);
Sen. Loren Jenkins (R)

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:
Executive Action:

DISCUSSION

SEN. DARYL TOEWS, SD 48, Lustre, explained that today's committee meeting was not a hearing but rather an executive session to determine the direction SB 18 should take. He stated SB 18 as introduced as well as the amendments were in front of each member of the committee and asked **Eddy McClure** to explain the amendments.

Eddy McClure said that each committee member had the introduced version of SB 18 as well as the Klampe amendments dated January 6, 1995, in front of them. She noted that the second copy of the January 6 amendments is a bit different from the first January 6 copy, but the second copy reflects what **SEN. KLAMPE** intended the first amendments to do. **Ms. McClure** began by explaining that the

first amendment is in the title and addresses the word "may" found in amendment #4. The first copy of the amendments conveys the understanding that "may" could also mean "may not". **SEN. KLAMPE's** intent was that if one party would request renegotiation of a collective bargaining agreement, reopening it would be mandatory. **Ms. McClure** then reiterated the rest of the amendments from the second January 6 copy. **EXHIBIT 1**

Questions and Comments From Committee Members and Responses by SEN. TOEWS or Eddy McClure:

SEN. MIGNON WATERMAN asked whether the discussion would regard the bill or the procedure to handle it. **SEN. TOEWS** responded that he would like it to be centered on how SB 18 should be handled procedurally -- take executive action at a later date or reopen for another hearing.

SEN. KEN MESAROS was concerned that the persons who testified at the 1/9/95 hearing did so on a somewhat different bill from what is now being considered. He asked that the committee consider comments from these people as to the introduced bill vs. the bill as amended.

SEN. STEVE DOHERTY suggested that if these amendments do what **SEN. KLAMPE** wants them to do, perhaps the amendments should be adopted to make SB 18 a stationary target so that everyone knows what is being discussed. Then comments could be requested because everyone would be reading from the same script. **SEN. TOEWS** reminded the committee that the amendments could be adopted but after today the amendments will be stripped from SB 18 and then reintroduced.

SEN. DELWYN GAGE commented that he has served on committees who discussed amendments vs. the bill without the amendments being a part of it. The people were then asked about their reaction to the amendments. **Eddy McClure** stated that the proponents and opponents of SB 18 received the amendments at the same time as the committee on January 9, 1995.

SEN. BARRY "SPOOK" STANG said that he agreed with **SEN. MESAROS** and **SEN. DOHERTY** who said that as long as the amendments are known, the interested parties should get copies of them and at the executive session they will be given the opportunity to comment on SB 18 as amended.

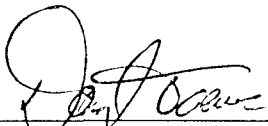
SEN. WATERMAN stated that this bill had problems in the special session and it is presently on its fourth draft. She requested that unless something major is wrong, there not be another set of amendments. She asked that every effort be made to finish SB 18.

SEN. STANG suggested that there might be another option, that being tabling the bill and waiting to see if there are similar bills. Then they could all be dealt with together.

SEN. TOEWS asked for a consensus. A unanimous voice vote indicated that a short hearing for SB 18 with proposed amendments be rescheduled for another day.

ADJOURNMENT

Adjournment: The meeting adjourned at 1:15 p.m.



SEN. DARYL TOEWS, Chairman



JANICE SOFT, Secretary

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MONTANA SENATE
1995 LEGISLATURE
EDUCATION AND CULTURAL RESOURCES COMMITTEE

ROLL CALL

DATE _____

1/11/95

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SENATE EDUCATION

EXHIBIT NO. 1

DATE 1/11/95

BILL NO. SB18

Amendments to Senate Bill No. 18
First Reading Copy

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

Prepared by Eddye McClure
January 6, 1995

1. Title, line 5.
Following: "AGREEMENT"
Insert: "UPON REQUEST OF THE EMPLOYER OR THE EXCLUSIVE BARGAINING AGENT"
2. Page 1, line 12.
Following: "required"
Insert: "upon request"
Following: "when"
Strike: "new district created"
Insert: "districts reorganize"
3. Page 1, line 13.
Following: "district".
Strike: "is"
Insert: "or districts are"
4. Page 1, lines 14 and 15.
Following: "new" on line 14
Strike: remainder of line 14 through "renegotiated" on line 15
Insert: "employer and any existing collective bargaining agreement must be renegotiated upon the request of the employer or the exclusive bargaining agent. When renegotiating a collective bargaining agreement within 2 years following reorganization, the same salary provision of 20-4-203 does not apply."
5. Page 1, line 18.
Following: "20-4-208,"
Insert: "20-6-410, and 20-6-711,"
6. Page 2, line 3.
Following: "consolidate"
Insert: ", unify,"
7. Page 2, line 4.
Following: "annexation"
Strike: "to organize into a single district"
8. Page 2, lines 7 and 13.
Strike: "and vacant"

9. Page 2, line 11.

Following: "A"

Strike: "Except as provided in 20-4-203 and [section 1], a"

Insert: "Whenever two or more school districts consolidate,
unify, or join through annexation in the manner provided for
in this chapter, a"

10. Page 2, line 12.

Following: "of"

Strike: "a school district that consolidates or joins another
district through annexation"

Insert: "the school districts"

11. Page 2, lines 20 and 21.

Following: "20-6-701, a" on line 20.

Strike: "district superintendent,"

12. Page 2, line 25.

Following: "A"

Strike: "Except as provided in 20-4-203 and [section 1], a"

Insert: "A"