

MINUTES

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

COMMITTEE ON EDUCATION & CULTURAL RESOURCES

Call to Order: By **CHAIRMAN ALVIN ELLIS, JR.**, on March 22, 1995,
at 3:20 p.m.

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
Patti Borneman, Substitute Secretary

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

Committee Business Summary:

Hearing: None
Executive Action: SB 370 TABLED
SB 232 TABLED
SB 291 TABLED

{Tape: 1; Side: A; Approx. Counter: 000; Comments: n/a.}

EXECUTIVE ACTION ON SB 370

Motion: REP. BILL REHBEIN MOVED THAT SB 370 BE NOT CONCURRED IN.

Discussion:

REP. PEGGY ARNOTT felt charter schools have merit and something can be done with them and the bill has potential.

Motion: REP. DICK SIMPKINS MADE A SUBSTITUTE AMENDMENT THAT SB 370 BE CONCURRED IN.

Motion: REP. PEGGY ARNOTT MOVED TO AMEND SB 370.

Discussion:

REP. ARNOTT walked the committee through the bill and described the amendments.

REP. DAN HARRINGTON opposed the amendments and stated that the way it is now the whole unit has to agree and the amendment takes that out so that breaks the union collective bargaining agreement. With the amendment anyone could set up a charter school.

REP. SIMPKINS agreed with REP. ARNOTT and supported the amendments.

REP. BILL REHBEIN asked about the amendments and REP. ARNOTT clarified their intention.

REP. HARRINGTON reiterated that the union represented the whole and not just a few members and the amendments would be breaking the contract.

REP. NORM MILLS supported the amendments.

REP. JOAN HURDLE stated that this is an innovative proposal and they might make it without the union being involved at all.

{Tape: 1; Side: A; Approx. Counter: 405-430; Comments: REP. SAM ROSE made a statement that was not picked up on the tape.}

REP. HARRINGTON made the point that as long as the union agrees that the charter school would move in the right direction and vote, then it would be all right. If they don't get the votes of the whole body then it is union busting.

REP. SONNY HANSON stated that the Republican Action Plan supported the charter schools and he supported the amendments.

REP. GAY ANN MASOLO asked if the teachers of charter schools would receive the same benefits and salary as other teachers in the union receive.

CHAIRMAN ELLIS said that with the section 5 amendment that it would be that way and he would like to see the amendments segregated and teachers should receive equal treatment.

REP. ARNOTT said that the teachers have to come to an agreement about the restrictions of the innovation.

REP. MASOLO stated that it was a problem that some the teachers will have the same salary and benefits but don't have to go with the union contract.

REP. DEBBIE SHEA mentioned that the Montana Education Association welcomed these ideas and wondered why the committee was afraid of dealing with the union.

REP. HURDLE asked why the charter teachers needed to be separated from the rest and ruin the union.

REP. SIMPKINS said that the classroom enrollment in charter schools may not be larger than normal and asked why people were afraid to allow innovative people to step outside and work outside the union.

REP. HARRINGTON questioned if the people were not afraid of the union, then why are they taking it out of the bill.

REP. GEORGE HEAVY RUNNER said that creativity should be allowed a chance.

REP. ARNOTT said that it was not her intention to stir up the union versus the non-union issue. Her intention is to give some latitude and freedom.

Vote: The motion failed 8-10 with REPS. ELLIS, ARNOTT, HANSON, HERRON, KEENAN, MILLS, REHBEIN and SIMPKINS voting yes.

Motion: REP. SONNY HANSON MOVED TO AMEND SB 370.

Motion/Vote: REP. VICKI COCCHIARELLA MADE A SUBSTITUTE MOTION TO TABLE SB 370. The motion carried 13-5 with REPS. ELLIS, ARNOTT, HANSON, HERRON and HURDLE voting no.

{Tape: 1; Side: B; Approx. Counter: 155; Comments: NA.}

EXECUTIVE ACTION ON SB 232

Motion: REP. DICK SIMPKINS MOVED THAT SB 232 BE CONCURRED IN.

Motion: REP. DICK SIMPKINS MOVED TO AMEND SB 232.

Discussion:

REP. DICK SIMPKINS passed out the constitution and explained the proposed amendments that would delete all sections except section seven.

REP. DAN HARRINGTON asked if the authority of the Superintendent of Public Education was being removed.

Motion/Vote: REP. VICKI COCCHIARELLA MOVED TO TABLE SB 232. The motion carried 12-6 with REPS. ELLIS, HANSON, HERRON, KEENAN, REHBEIN and SIMPKINS voting no.

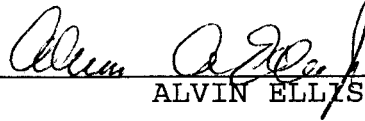
{Tape: 1; Side: B; Approx. Counter: 380; Comments: NA.}

EXECUTIVE ACTION ON SB 291

Motion/Vote: REP. PEGGY ARNOTT MOVED TO TABLE SB 291. The motion carried 14-4 with REPS. HANSON, KEENAN, REHBEIN and SIMPKINS voting no.

ADJOURNMENT

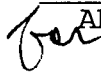
Adjournment: 4:00 p.m.



ALVIN ELLIS, JR., Chairman



ANDREA SMALL, Recording Secretary



AE/as

HOUSE OF REPRESENTATIVES

Education

ROLL CALL

DATE 3-22-95

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		
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	X		
Rep. Debbie Shea	X		
Rep. Dick Simpkins	X		
Rep. Diana Wyatt	X		

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

Education Committee

DATE 3-22-95 BILL NO. _____ NUMBER _____

MOTION: Rep. Simpkins - substitute motion
Do Pass - Arnett Amendments

NAME	AYE	NO
Rep. Alvin Ellis, Jr., Chairman	X	
Rep. Peggy Arnett, 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	X
Rep. Bill Rehbein	X	
Rep. Sam Rose		X
Rep. Debbie Shea		X
Rep. Dick Simpkins	X	
Rep. Diana Wyatt		X

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HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

Education Committee

DATE 3-22-95 BILL NO. SB 370 NUMBER _____

MOTION: Rep. Cocchiarella - substitute motion - Table

NAME	AYE	NO
Rep. Alvin Ellis, Jr., 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	X	
Rep. Debbie Shea	X	
Rep. Dick Simpkins	X	
Rep. Diana Wyatt	X	

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HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

Education Committee

DATE 3-22-95 BILL NO. ^{SB}232 NUMBER _____

MOTION: Simpkins - Do Pass

NAME	AYE	NO
Rep. Alvin Ellis, Jr., Chairman		
Rep. Peggy Arnott, Vice Chairman, Majority		
Rep. Vicki Cocchiarella, Vice Chairman, Minority		
Rep. Matt Denny		
Rep. Sonny Hanson		
Rep. Dan Harrington		
Rep. George Heavy Runner		
Rep. Jack Herron		
Rep. Joan Hurdle		
Rep. Bob Keenan		
Rep. Sam Kitzenberg		
Rep. Gay Ann Masolo		
Rep. Norm Mills		
Rep. Bill Rehbein		
Rep. Sam Rose		
Rep. Debbie Shea		
Rep. Dick Simpkins		
Rep. Diana Wyatt		

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

Education Committee

DATE 3-22-95 BILL NO. ^{8B}232 NUMBER _____

MOTION: Rep. Simpkins - Amendment

NAME	AYE	NO
Rep. Alvin Ellis, Jr., Chairman		
Rep. Peggy Arnott, Vice Chairman, Majority		
Rep. Vicki Cocchiarella, Vice Chairman, Minority		
Rep. Matt Denny		
Rep. Sonny Hanson		
Rep. Dan Harrington		
Rep. George Heavy Runner		
Rep. Jack Herron		
Rep. Joan Hurdle		
Rep. Bob Keenan		
Rep. Sam Kitzenberg		
Rep. Gay Ann Masolo		
Rep. Norm Mills		
Rep. Bill Rehbein		
Rep. Sam Rose		
Rep. Debbie Shea		
Rep. Dick Simpkins		
Rep. Diana Wyatt		

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

Education Committee

DATE 3/22/95 BILL NO. SB 237 NUMBER _____

MOTION: Rep. Cocchiarella - Table

NAME	AYE	NO
Rep. Alvin Ellis, Jr., Chairman		X
Rep. Peggy Arnott, Vice Chairman, Majority	X	
Rep. Vicki Cocchiarella, Vice Chairman, Minority	X	
Rep. Matt Denny	X	
Rep. Sonny Hanson		A
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	X	
Rep. Debbie Shea	X	
Rep. Dick Simpkins		X
Rep. Diana Wyatt	X	

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HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

Education Committee

DATE 3-22-95 BILL NO. 291 NUMBER _____

MOTION: Rep. Arnott - Table

NAME	AYE	NO
Rep. Alvin Ellis, Jr., 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	X	
Rep. Debbie Shea	X	
Rep. Dick Simpkins		X
Rep. Diana Wyatt	X	

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