

EXHIBIT 5
DATE 2-13-15
HB HB 339

From: Adele Stenson 5stensions@wildblue.net
Subject: HB339

Date: February 10, 2015 at 12:01 PM

To: rep.sarah.laszloffy@mt.gov, jessmann@mt.gov, rep.moffie.funk@mt.gov, rep.kathy.kelker@mt.gov,
rep.susan.webber@gmail.com, rep.debra.lamm@mt.gov, ediemcclafferty@gmail.com, bennettforhouse@gmail.com,
edgreef@hotmail.com, gregheitz11@gmail.com, rep.gbruce.meyers@mt.gov, rep.matthew.monforton@mt.gov,
jeanbigskybigwin@gmail.com, dansalomon12@gmail.com, nick.schwadererhd14@gmail.com

Hello Education Committee Members,

I am writing in regard to HB 339. I am chairman of the board of trustees at Wibaux Public Schools, and I am personally in support of HB 339. When we last had an opening on our board, it took us several months to fill it. It seems this is an issue across the state.

I believe that boards and administration do their best to fill open positions, but sometimes trustee positions sit open because nobody is ready to step up to fill them. It just makes sense that the board must be able to continue to conduct business, and the reality is that every trustee does not make every meeting. It is very frustrating when I arrange my schedule and drive into town from the ranch to attend a board meeting where there is not a quorum and we cannot conduct business. This has only happened a few times on our board, but if we were to ever have two open positions and the quorum were to be based on 5 positions rather than the positions filled, it would mean every trustee seated would have to attend every meeting in order for business to be conducted and I could envision several meetings where there would not be a quorum. That can mean even simple items, like approving payments, get delayed. This affects the school's ability to do business in a timely fashion. And it certainly doesn't make it easier to get and retain good trustees.

If the standard has been to accept a quorum of the seated members, rather than requiring a quorum that includes empty positions, I think it is in everyone's best interest to clarify this practice, so it is not open to interpretation, and so boards know with a certainty that they are doing business correctly.

Thank you for your time and consideration on this matter.

Sincerely,

Mary Adele Stenson, trustee
Wibaux Public Schools

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[Handwritten initials]

[Handwritten initials]

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21-8-10
208 208

From: **Ken Olson** kenolson@midrivers.com
Subject: HB 339
Date: February 10, 2015 at 12:21 PM
To: jeanbigskybigwin@gmail.com

Dear Representative Price,

I am writing in support of HB 339. Being on the school board in Richey for the past 12 years, I recognize that we need the flexibility to function as a board when we are short a member or two. Actually, we have tried to recruit members from two precincts for the last several years. We've been unsuccessful in our attempts but we keep trying. The best solution would be for people to step up to the plate and serve, but we need to be able to tend to business in the meantime. Please lend your support to this bill.

Sincerely,

Ken Olson

From: Zimpel, Ed zimpele@butte.k12.mt.us
Subject: Please reconsider HB 339
Date: February 10, 2015 at 1:17 PM
To: jeanbigskybigwin@gmail.com

Dear Rep. Price,

I strongly urge you to reconsider HB 339, to clear up some confusion on the definition of a quorum for School Boards. Butte Public Schools is an 8 member board which makes our quorum 4. In August of 2014, our board had two board members resign before the next board meeting. Because of this, members of our board were confused by what constituted a quorum when we met to swear in the two new board members. We met for our September meeting, with myself, our board chair and one other sitting trustee. By definition as it stands we did not meet a quorum. The Montana School Boards Association conflicted with our board attorney on which rule applied. We took a gamble and called the meeting to order with 3 board members, so that we could swear in two new board members.

This is a confusing statute that could hinder school boards, that as you know are volunteer positions. Volunteers that many times, have basketball games to coach or speech tournaments to drive their children to and miss meetings often.

Please reconsider HB 339 and clarify for local school boards, what procedure we should follow, and take out the chance for attorneys to interpret the law differently.

Thank you for your service,

Eddie Zimpel
Trustee- Butte Public Schools
406-491-8807

From: Karen Talley ktalley@3rivers.net 

Subject: HB 339

Date: February 10, 2015 at 1:39 PM

To: rep.sarah.laszloffy@mt.gov, rep.debra.lamm@mt.gov, ediemcclafferty@gmail.com, bennettforhouse@gmail.com, jessmann@mt.gov, rep.moffie.funk@mt.gov, edgreef@hotmail.com, gregertz11@gmail.com, rep.kathy.kelker@mt.gov, rep.gbruce.meyers@mt.gov, rep.matthew.monforton@mt.gov, jeanbigskybigwin@gmail.com, dansalomon12@gmail.com, nick.schwadererhd14@gmail.com, rep.susan.webber@gmail.com

Cc: Ray Shaw shaw@3rivers.net

Hello, My name is Karen Talley, a Sheridan School Trustee serving my third term.

It has become so difficult to find folks who want to serve on school district boards of trustees. There is so much that can go wrong and many of us spent a lot of our time as volunteers serving on a board of trustees and obtaining training. I mean many hours.

HB 339 is the bill to clarify that "quorum" is based on trustees currently seated.

Please consider passing this bill; it will only help us volunteers for this very important function of our communities rest a little better.

Thank you for your consideration

Karen Talley
406-596-0123 mobile



From: Rick Cummings rcummings@cascade.k12.mt.us

Subject: HB 339

Date: February 10, 2015 at 2:30 PM

To: rep.sarah.laszloffy@mt.gov, rep.debra.lamm@mt.gov, ediemcclafferty@gmail.com, bennettforhouse@gmail.com, jessmann@mt.gov, rep.moffie.funk@mt.gov, edgreef@hotmail.com, greghertz11@gmail.com, rep.kathy.kelker@mt.gov, rep.gbruce.meyers@mt.gov, rep.matthew.monforton@mt.gov, jeanbigskybigwin@gmail.com, dansalomon12@gmail.com, nick.schwadererhd14@gmail.com, rep.susan.webber@gmail.com

Cc: sabrina@gpantherz.com

Members of House Education Committee,

My name is Rick Cummings and I have been a Cascade School Board Trustee since 2002 and a member of the MTSBA Board of Directors since 2014.

I am writing you concerning HB 339. I fully support HB 339.

Our district has yet to be in the situation addressed by HB 339.

But we have had situations where only 5 members of our 7 member board has been present and one agenda items vote was 3 Yes and 2 No votes. The opponents arguments against HB 339 would also logically make these types of votes invalid.

It is my understanding that the Supreme Court and Attorney General opinions have already addressed this issue with other government entities but not school boards directly.

Please save the taxpayers money from requiring a school board to pay lawyer fees for defending something that has already been addressed by the Supreme court.

And I apologize for using the "save the taxpayers money" card. :)

Thank you for your time and service,

Rick Cummings
Cascade Schools Trustee
406-781-1100

Dear Representatives,

First let me say Thank You for your time, both as a Legislator and as a committee member.

I am emailing you to ask you to support HB 339. I ask you to resurrect HB 339 which was recently voted down by your committee.

I have been a Trustee on the Board at Huntley Project Schools, District #24, for almost seven years. We have a Board of five Trustees. If my memory serves me correctly...I can think of only once did we wind up having only three of the five trustees at a meeting. So I can say we have fortunately not been faced with a quorum issue. School Boards are committed to open meetings. Allowing the public to participate in those meetings is a must. Personally I find it easier to make decisions when the public will take the time to come to a meeting and participate.

That is not to say we haven't had to face the prospect of not filling all 5 seats come election time. An incumbent and myself were seated in May of 2008.

The next couple of years the Trustees whose terms were up, were reelected with no opposition, probably because we were in the process of building a new school to replace our school that had been burnt down.

In 2012 no election was required as an incumbent and 1 other person were able to fill the two spots.

It was not till May of 2013 that we needed to hold an election for one spot.

In 2014 one incumbent chose to run again and was joined on the last day of filing by a second person.

So we have dodged the bullet of not being able to fill a vacancy on the board, but we have had occasion to be concerned. It seems to be getting harder and harder to find people willing to sit on the School Board.

So the prospect of not being able to fill a 7 person board is quite real. A smaller problem obviously might be filling a 5 person board. However the problem is out there. All the while our schools must function.

Please support this bill, should it not eventually pass, we may be putting our children's education in jeopardy. It would be terrible to not allow a board to operate based on a technicality. Nothing is being changed only further clarified.

THANK YOU for your time,

Steven M. Erb

Board Chair, Huntley Project Schools, District # 24

Hm Ph # 348-3888

Cell Ph # 670-4779

If it doesn't kill you, it only makes you stronger!!

From: Patricia Lewis radon.gal@gmail.com

Subject: HB339 please reconsider and pass

Date: February 10, 2015 at 4:43 PM

To: rep.sarah.laszloffy@mt.gov, ediemcclafferty@gmail.com, jessmann@mt.gov, edgreef@hotmail.com, rep.kathy.kelker@mt.gov, rep.matthew.monforton@mt.gov, dansalomon12@gmail.com, rep.susan.webber@gmail.com, rep.debra.lamm@mt.gov, bennettforhouse@gmail.com, rep.moffie.funk@mt.gov, greghertz11@gmail.com, rep.gbruce.meyers@mt.gov, jeanbigskybigwin@gmail.com, nick.schwadererhd14@gmail.com

Please reconsider and pass HB339 sponsored by Ryan Lynch of Butte.

This Bill clarifies a quorum of "seated" trustees.

The concern of an extreme situation of a board consisting of only 1 trustee is far-fetched.

Any order of business so vital that only 1 trustee should make the decision would certainly draw the attention and scrutiny of the public and school administration for propriety.

Thank you for your re-consideration~

pat lewis 406 422-6512 (cell/txt/msg)

Trustee, Jefferson High School, Boulder MT

(from my radon.gal@gmail acct)

From: Mike Syverson 2130@itstriangle.com

Subject:

Date: February 10, 2015 at 7:07 PM

To: rep.sarah.laszloffy@mt.gov, rep.debra.lamm@mt.gov, ediemcclafferty@gmail.com, bennettforhouse@gmail.com, jessmann@mt.gov, rep.moffie.funk@mt.gov, edgreef@hotmail.com, gregertz11@gmail.com, rep.kathy.kelker@mt.gov, rep.gbruce.meyers@mt.gov, rep.matthew.monforton@mt.gov, jeanbigskybigwin@gmail.com, dansalomon12@gmail.com, nick.schwadererhd14@gmail.com, rep.susan.webber@gmail.com

Esteemed Legislators,

I am writing to voice my support for HB 339.

This bill will simply make it easier for districts to conduct normal business whether the board is fully seated or not. Nothing more...nothing less.

The idea that a board could make a decision that would not be supported by it's subsequent board exists in all districts. Regardless of the number of trustees sitting at the time.

Just as you must deal with the decisions made by the previous legislators. Each school board must deal with the decisions of it's predecessors as well.

Passing or not passing this bill will not change that.

It will however, allow districts encumbered with the burden of an under seated board to conduct business as usual. And that's good business.

Please consider bringing HB 339 back for a second look.

Respectfully, Michael S Syverson

Michael S Syverson

Dist 8# Board Chair

White Sulphur Springs MT.

406 547 2372

2130@itstriangle.com

From: Robert Garlati robertgarlati@gmail.com

Subject: HB339

Date: February 10, 2015 at 10:57 AM

To: rep.sarah.laszloffy@mt.gov, ediemcclafferty@gmail.com, jessmann@mt.gov, edgreef@hotmail.com, rep.kathy.kelker@mt.gov, rep.matthew.monforton@mt.gov, dansalomon12@gmail.com, rep.susan.webber@gmail.com, debra.lamm@mt.gov, bennettforhouse@gmail.com, rep.moffie.funk@mt.gov, greghezt11@gmail.com, rep.gbruce.meyers@mt.gov, jeanbigskybigwin@gmail.com, nick.schwadererhd14@gmail.com

Ladies and Gentlemen,

I agree that the issue of a quorum among school board trustees should be clarified. As HB339 seeks to do just that, I feel it would be important to reconsider.

Sincerely,

Robert Garlati, trustee
Philipsburg School District #1
281-413-9515

From: Zylawy, Nadia NZylawy@mt.gov

Subject: FW: Schedule

Date: February 10, 2015 at 3:48 PM

To: Rep. Bryce Bennett bennettforhouse@gmail.com, Rep. Daniel Salomon (dansalomon12@gmail.com) dansalomon12@gmail.com, Lamm, Debra (Rep) Rep.Debra.Lamm@mt.gov, Rep. Edie McClafferty (ediemcclafferty@gmail.com) ediemcclafferty@gmail.com, Rep. Edward Greef (edgreef@hotmail.com) edgreef@hotmail.com, Meyers, GBruce (Rep) Rep.GBruce.Meyers@mt.gov, Rep. Greg Hertz (grehertz11@gmail.com) grehertz11@gmail.com, Rep. Jean Price (jeanbigskybigwin@gmail.com) jeanbigskybigwin@gmail.com, Rep. Jeff Essmann (jeff@jeffessmann.com) jeff@jeffessmann.com, Rep. Kathy Kelker (katharink70@gmail.com) katharink70@gmail.com, Monforton, Matthew (Rep) Rep.Matthew.Monforton@mt.gov, Funk, Moffie (Rep) Rep.Moffie.Funk@mt.gov, Rep. Nicholas Schwaderer (nick.schwadererhd14@gmail.com) nick.schwadererhd14@gmail.com, Laszloffy, Sarah (Rep) Rep.Sarah.Laszloffy@mt.gov, Webber, Susan (Rep) Rep.Susan.Webber@mt.gov, Sankey, Laura LSankey@mt.gov

Cc: Sloan Harris, K'Lynn ksharris@mt.gov

From: Steven Erb stvnerb@gmail.com

Subject: HB 339

Date: February 10, 2015 at 3:57 PM

To: rep.sarah.laszloffy@mt.gov, rep.debra.lamm@mt.gov, ediemcclafferty@gmail.com, bennettforhouse@gmail.com, jessmann@mt.gov, rep.moffie.funk@mt.gov, edgreef@hotmail.com, greghertz11@gmail.com, rep.kathy.kelker@mt.gov, rep.gbruce.meyers@mt.gov, rep.matthew.monforton@mt.gov, jeanbigskybigwin@gmail.com, dansalomon12@gmail.com, nick.schwadererhd14@gmail.com, rep.susan.webber@gmail.com
