

# Montana State Legislature

**2015 SESSION**

## **ADDITIONAL DOCUMENTS**

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**[Signed by Chairman]**

**Roll Call**

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**\*Any other documents, which were submitted after the committee hearing has ended and/or was submitted late [within 48 hours], regarding information in the committee hearing.**

**\*Witness Statements that were not presented as exhibits.**

**Montana Historical Society Archives**

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**2015 Legislative**

**E-Document Specialist Susie Hamilton**

**BUSINESS REPORT**

**MONTANA SENATE  
64th LEGISLATURE - REGULAR SESSION**

**SENATE EDUCATION AND CULTURAL RESOURCES COMMITTEE**

**Date:** Friday, February 20, 2015  
**Place:** Capitol

**Time:** 3:00 PM  
**Room:** 422

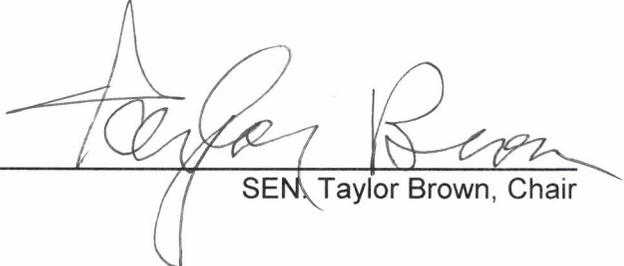
**BILLS and RESOLUTIONS HEARD:**

SB 331 - Revise laws related to employing noncertified teachers - Sen. Kris Hansen  
SB 345 - Revise process for adoption of accreditation standards - Sen. Elsie Arntzen

**EXECUTIVE ACTION TAKEN:**

*HB 87 Be Concurred In*  
*SB 272 Do Pass*  
*SB 328 Do Pass As Amended*

**Comments:**

  
\_\_\_\_\_  
SEN. Taylor Brown, Chair





SENATE STANDING COMMITTEE REPORT

February 20, 2015  
Page 1 of 1

Madame President:

We, your committee on **Education and Cultural Resources** report that **House Bill 87** (third reading copy -- blue) **be concurred in.**

Signed: \_\_\_\_\_

*Taylor Brown*  
Senator Taylor Brown, Chair

To be carried by Senator Llew Jones

- END -

**Committee Vote:**

**Yes 10, No 0**

Fiscal Note Required  X

HB0087001SC13870.spt



**SENATE STANDING COMMITTEE REPORT**

**February 20, 2015**  
**Page 1 of 1**

Madame President:

We, your committee on **Education and Cultural Resources** report that **Senate Bill 272** (first reading copy -- white) **do pass**.

Signed: \_\_\_\_\_

A handwritten signature in cursive script that reads "Taylor Brown".

*Senator Taylor Brown, Chair*

- END -

**Committee Vote:**

**Yes 10, No 0**

Fiscal Note Required  X

SB0272001SC.spt



## SENATE STANDING COMMITTEE REPORT

February 20, 2015

Page 1 of 5

Madame President:

We, your committee on **Education and Cultural Resources** report that **Senate Bill 328** (first reading copy -- white) **do pass as amended**.

Signed: \_\_\_\_\_

*Taylor Brown*  
Senator Taylor Brown, Chair

**And, that such amendments read:**

1. Title, page 1, line 10.

**Strike:** "AN"

**Strike:** "DATE"

**Insert:** "DATES AND A TERMINATION DATE"

2. Page 1, line 14.

**Strike:** "4"

**Insert:** "5]"

3. Page 1, line 17.

**Strike:** "4"

**Insert:** "5"

4. Page 1, line 26.

**Strike:** "4"

**Insert:** "5"

5. Page 3, line 2.

**Strike:** "or"

6. Page 3, line 5.

**Following:** "account"

**Insert:** "; or

(c) if the child has not utilized all funds in the account by the child's 25th birthday"

**Committee Vote:**

**Yes 7, No 3**

Fiscal Note Required  X

7. Page 3, line 7.

**Strike:** "Funds"

**Insert:** "The commissioner shall distribute funds"

**Strike:** "may be spent only on"

**Insert:** "only to the designated beneficiary or the designated beneficiary's parent for"

8. Page 3, line 17.

**Insert:** "NEW SECTION. **Section 5. Education is the best bet savings account program -- administration.** (1) There is an education is the best bet savings account program administered by the commissioner of higher education.

(2) (a) A resident child of Montana is eligible to have an account established on the child's behalf on the child's birth or adoption. An account must be established only:

(i) on a parent's request for the establishment indicated on the child's Montana birth registry form; or

(ii) under conditions established by the commissioner of higher education that allow for the establishment of an account for residents of Montana who become adoptive parents or give birth outside the state of Montana.

(b) The commissioner shall ensure that residents of Montana who become parents under subsection (2)(a)(ii) have the opportunity to learn about the program and request the establishment of an account.

(c) If an adopted child already has an established account, a second account may not be established; however, in this circumstance, the commissioner shall transfer an amount equal to the amount contributed to the child's family education savings account within 1 year of the child's adoption, with the total lifetime state contribution to the account not to exceed \$200.

(3) There is a higher education generation account within the state special revenue fund created in 17-2-102. The higher education generation account is administered by the commissioner of higher education.

(4) Upon the establishment of an education is the best bet account, the commissioner shall transfer \$25 from the higher education generation account to the child's education is the best bet account.

(5) For the first 2 years of a child's life, the commissioner shall transfer an amount equal to the amount contributed to the child's family education savings account from the higher education generation account to the child's education is the best bet account. The total state contribution to a child's account may not exceed \$100 per year, including the initial \$25.

(6) A child's education is the best bet account must remain separate from the child's family education savings account and must be invested as determined by the commissioner of higher education. The commissioner of higher education shall distribute

interest earnings in proportion to the balances of individual accounts. Only the funds transferred under subsections (4) and (5) and interest earnings may be deposited in an education is the best bet account.

(7) A child's education is the best bet account must be closed and any funds in the account transferred to the higher education generation account under any of the following circumstances:

(a) if, on the child's second birthday, a family education savings account has not been established on behalf of the child with a contribution of at least \$25; or

(b) if the child's family education savings account is closed, the designated beneficiary is changed, or funds are withdrawn for expenses other than qualified higher education expenses leaving a balance of less than the balance of the child's education is the best bet account.

(8) (a) The designated beneficiary of an education is the best bet account may not be changed.

(b) The commissioner shall distribute funds in an education is the best bet account only to the designated beneficiary or the designated beneficiary's parent for qualified higher education expenses, as defined in 15-62-103, that were incurred within a unit of the Montana university system.

(c) (i) The commissioner may accept donations from private sources for distribution to the designated beneficiary or the designated beneficiary's parent for qualified higher education expenses, as defined in 15-62-103, that were incurred at a higher education institution, as defined in 15-62-103, that is not within a unit of the Montana university system.

(ii) The distributions under subsection (8)(c)(i) may not exceed the balance of the designated beneficiary's education is the best bet account.

(iii) When a designated beneficiary of an education is the best bet account receives distributions under subsection (8)(c)(i) totaling the balance of the account, the designated beneficiary's account must be closed and any funds in the account must be transferred to the higher education generation account.

(iv) An individual receiving distributions under subsection (8)(b) is not eligible for distributions under this subsection (8)(c).

(9) The commissioner shall market the education is the best bet savings account program to ensure widespread awareness. The marketing effort must include program information distributed to a parent of a Montana resident child following the parent's request to establish an account and 60 days prior to the child's first and second birthdays. The commissioner shall inform parents of the account balance annually.

(10) The commissioner may spend no more than 5% of any funds transferred to the higher education generation account on administering and marketing the program.

(11) The commissioner shall adopt policies for the

administration of the education is the best bet savings account program."

**Renumber:** subsequent sections

9. Page 3, line 30.

**Strike:** "2"

**Insert:** "4"

10. Page 4, line 1.

**Strike:** "\$675,000"

**Insert:** "\$625,000"

11. Page 4, line 2.

**Strike:** "\$675,000"

**Insert:** "\$625,000"

12. Page 4, line 15.

**Strike:** "2"

**Insert:** "4"

13. Page 4, line 16.

**Strike:** "\$675,000"

**Insert:** "\$625,000"

14. Page 4, line 17.

**Strike:** "\$675,000"

**Insert:** "\$625,000"

15. Page 6, line 27.

**Strike:** "4"

**Insert:** "5"

16. Page 6, line 30.

**Strike:** "4"

**Insert:** "5"

17. Page 7, line 2.

**Strike:** "4"

**Insert:** "5"

18. Page 7, line 3.

**Insert:** "NEW SECTION. **Section 9. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

19. Page 7, line 4.

**Strike:** section 8 in its entirety

**"NEW SECTION. Section 10. Effective date -- contingent effective date -- contingent termination date.** (1) Except as provided in subsections (2) and (3), [this act] is effective July 1, 2015.

(2) [Section 4] terminates if [section 4] is found to be invalid or unconstitutional as provided for in subsection (3).

(3) [Section 5] is effective contingent on a final court ruling that [section 4] is invalid or unconstitutional. If [section 4] is found to be invalid or unconstitutional, the department of justice shall notify the code commissioner when the contingency has been met.

- END -

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**EDUCATION & CULTURAL RESOURCES COMMITTEE**

DATE 2/20/15 BILL NO SB 318 MOTION NO. \_\_\_\_\_  
 MOTION: SB 031802. APM  
Be Amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR MARK BLASDEL, VICE CHAIRMAN	✓		
SENATOR JILL COHENOUR, MVCH		✓	
SENATOR LLEW JONES	✓		
SENATOR SHARON STEWART-PEREGOY		✓	
SENATOR BOB KEENAN	✓		
SENATOR MARY SHEEHY MOE		✓	
SENATOR ELSIE ARNTZEN	✓		
SENATOR TOM FACEY		✓	
SENATOR KRISTIN HANSEN	✓		
SENATOR TAYLOR BROWN, CHAIRMAN	✓		

6 4

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**EDUCATION & CULTURAL RESOURCES COMMITTEE**

DATE 2/20 BILL NO. SB328 MOTION NO. \_\_\_\_\_  
 MOTION: Do Pass As Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR MARK BLASDEL, VICE CHAIRMAN	✓		
SENATOR JILL COHENOUR, MVCH		✓	
SENATOR LLEW JONES	✓		
SENATOR SHARON STEWART-PEREGOY	✓		
SENATOR BOB KEENAN	✓		
SENATOR MARY SHEEHY MOE		✓	
SENATOR ELSIE ARNTZEN	✓		
SENATOR TOM FACEY		✓	
SENATOR KRISTIN HANSEN	✓		
SENATOR TAYLOR BROWN, CHAIRMAN	✓		

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**MONTANA STATE SENATE**  
**Visitors Register**  
**SENATE EDUCATION AND CULTURAL RESOURCES COMMITTEE**

Friday, February 20, 2015

SB 345 - Revise process for adoption of accreditation standards

Sponsor: Sen. Elsie Arntzen

PLEASE PRINT

Name	Representing	Support	Oppose	Info
LANCE MELTON	MTSBA	X		
DAVE PUYEAR	MBCA	X		
Susie Hamilton	Self	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**MONTANA STATE SENATE**  
**Visitors Register**  
**SENATE EDUCATION AND CULTURAL RESOURCES COMMITTEE**

Friday, February 20, 2015

SB 331 - Revise laws related to employing noncertified teachers

Sponsor: **Sen. Kris Hansen**

PLEASE PRINT

Name	Representing	Support	Oppose	Info
Peter Donovan	Board of Public Ed		X	
E. J. Redding	Bainville Public Schools	X		
LANCE NELSON	MTSBA		X	
DAVE RYAN	MREA		X	
Eric Fearns	MSA-MFT		X	
Susie Hamilton	Self (NO NO NO NO)		X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Koehler, Angie

Subject:

FW: MREA SUPPORTS SB 345 AND OPPOSES SB 331

**From:** Dave Puyear [mailto:dpuyear@mrea-mt.org]

**Sent:** Friday, February 20, 2015 2:05 PM

**To:** Taylor@northernbroadcasting.com; Mblasdel@bresnan.net; utopiamt@optimum.net; Emarntzen@gmail.com; facey\_tom@hotmail.com; Krishansen33@gmail.com; ljones@mtbus.net; bob@bobkeenan.us; mary.sheehy.moe@gmail.com; Apsaalookewomen@yahoo.com

**Cc:** McCracken, Pad

**Subject:** MREA SUPPORTS SB 345 AND OPPOSES SB 331

**SENATE EDUCATION COMMITTEE MEMBERS**

I will not be able to attend today's hearing. I have asked Lance Melton and MTSBA to speak on our behalf as our positions on these bills are the same.

**MREA strongly SUPPORTS SB 345 sponsored by Senator Arntzen.**

Lance and MTSBA will detail the important elements included in this bill and the reason we support the measure.

**MREA OPPOSES SB 331 sponsored by Senator Hansen**

**(unless the sponsor agrees to the amendments that MREA and MTSBA have proposed)**

We appreciate the opportunity to work with Senator Hansen and the efforts of Senators Brown and Jones on this bill. Unfortunately we were not able to come to any sort of agreement on the bill.

Lance and MTSBA will explain our concerns.

Dave

Dave Puyear  
Executive Director  
Montana Rural Education Association (MREA)  
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Helena MT 59624  
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Fax:406.449.0985