

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
56th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON EDUCATION

Call to Order: By **CHAIRMAN GAY ANN MASOLO**, on February 17, 1999
at 3:00 P.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Gay Ann Masolo, Chairman (R)
Rep. Bob Lawson, Vice Chairman (R)
Rep. Linda McCulloch, Vice Chairman (D)
Rep. Joan Andersen (R)
Rep. Tom Facey (D)
Rep. Daniel Fuchs (R)
Rep. Kathleen Galvin-Halcro (D)
Rep. Kim Gillan (D)
Rep. John L. Holden (R)
Rep. Monica Lindeen (D)
Rep. Jeff Mangan (D)
Rep. Joe McKenney (R)
Rep. Mark Noennig (R)
Rep. Bill Rehbein (R)
Rep. Sam Rose (R)
Rep. Allan Walters (R)
Rep. Diana Wyatt (D)

Members Excused: Rep. Sam Kitzenberg (R)

Members Absent: None.

Staff Present: Connie Erickson, Legislative Branch
Linda Scott, Committee Secretary

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

Committee Business Summary:

Hearing Dated: HJ 28, 2/17/1999; HB 608,
2/17/1999
Executive Action: HB 590; HB 588; HB 589; HB
599; HB 608

HEARING ON HJ 28

Opening Statement by Sponsor: Rep. Larry Grinde

Tape : 1; Side : A; Approx. Tape Counter : 1 - 58

Proponents' Testimony:

Robert Runkel, O.P.I.

{Tape : 1; Side : A; Approx. Tape Counter : 60 - 148}

EXHIBIT (edh39a01)

Bob Vogel, M.S.B.A., Chairman of Helena School Board

{Tape : 1; Side : A; Approx. Tape Counter : 151 - 176}

Wayne Buchanan, Montana Public Education

{Tape : 1; Side : A; Approx. Tape Counter : 178 - 202}

Phil Campbell

{Tape : 1; Side : A; Approx. Tape Counter : 203 - 205}

Kathy Day

{Tape : 1; Side : A; Approx. Tape Counter : 207 - 210}

Don Waldron, M.R.E.A.

{Tape : 1; Side : A; Approx. Tape Counter : 211 - 216}

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

{Tape : 1; Side : A; Approx. Tape Counter : 219 - 240}

Closing by Sponsor:

{Tape : 1; Side : A; Approx. Tape Counter : 241 - 258}

HEARING ON HB 608

Opening Statement by Sponsor: Rep. Roger Somerville

{Tape : 1; Side : A; Approx. Tape Counter : 280 - 400}

Proponents' Testimony:

Beda Lovitt, A.G.A.T.E.

{Tape : 1; Side : A; Approx. Tape Counter : 402 - 505}

Brenda Nordlund, parent, trustee from Helena

{Tape : 1; Side : A; Approx. Tape Counter : 508 - 519}

Sandy Olson, past President of AGATE

{Tape : 1; Side : B; Approx. Tape Counter : 520 - 578}

Gayle Vidal, AGATE, Principal from Kalispell

{Tape : 1; Side : B; Approx. Tape Counter : 581 - 685}

David Steele, Kalispell, self

{Tape : 1; Side : B; Approx. Tape Counter : 688 - 704}

Diane McCormick, Corvallis High School

{Tape : 1; Side : B; Approx. Tape Counter : 706 - 749}

Gale Price, Corvallis High School

{Tape : 1; Side : B; Approx. Tape Counter : 750 - 785}

Scott Warnick, Simms High School, Fort Shaw

{Tape : 1; Side : B; Approx. Tape Counter : 788 - 810}

Stewart Merja, Simms High School, Sun River, Mt.

{Tape : 1; Side : B; Approx. Tape Counter : 812 - 821}

Jomaque Cannon, Simms High School, Sun River, Mt.

{Tape : 1; Side : B; Approx. Tape Counter : 824 - 845}

Dan West, Simms High School, Sun River, Mt.

{Tape : 1; Side : B; Approx. Tape Counter : 847 - 865}

Cory Kalanick, East Middle School, Great Fall, Mt.

{Tape : 1; Side : B; Approx. Tape Counter : 867 - 875}

Peter Dolan, East Middle School, Great Falls, Mt.

{Tape : 1; Side : B; Approx. Tape Counter : 876 - 882}

Madeline Merja, Sun River Middle School, Sun River

{Tape : 1; Side : B; Approx. Tape Counter : 885 - 896}

Morgan Merja, Fort Shaw Elem., Sun River, Mt.

{Tape : 1; Side : B; Approx. Tape Counter : 902 - 910}

Chuck Merja, father, Sun River, Mt.

{Tape : 1; Side : B; Approx. Tape Counter : 911 - 915}

Brad Darrington, Helena, father of four gifted children

{Tape : 1; Side : B; Approx. Tape Counter : 917 - 926}

Nancy Coopersmith, O.P.I.

{Tape : 1; Side : B; Approx. Tape Counter : 928 - 936}

EXHIBIT (edh39a02)

Michael Hall, O.P.I.

{Tape : 1; Side : B; Approx. Tape Counter : 938 - 954}

EXHIBIT (edh39a03)

Janey Saloman, M.T.P.T.A., Missoula, Mt.

{Tape : 1; Side : B; Approx. Tape Counter : 956 - 976}

Cindy Dolan, Great Falls Gifted Education

{Tape : 1; Side : B; Approx. Tape Counter : 978 - 999}

Cyndy Gardner, Corvallis High School, Corvallis, Mt.

{Tape : 2; Side : A; Approx. Tape Counter : 1 - 12}

Gail Downey

{Tape : 2; Side : A; Approx. Tape Counter : 13 - 31}

EXHIBIT (edh39a04)

EXHIBIT (edh39a05)

EXHIBIT (edh39a06)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

{Tape : 2; Side : A; Approx. Tape Counter : 48 - 233}

Closing by Sponsor:

{Tape : 2; Side : A; Approx. Tape Counter : 235 - 259}

EXECUTIVE ACTION ON HB 590

Motion: REP. LAWSON moved HB 590.

{Tape : 2; Side : A; Approx. Tape Counter : 300 - 304}

Motion: REP. LAWSON moved HB 590 AMENDMENTS.

{Tape : 2; Side : A; Approx. Tape Counter : 306 - 323}

Clarification by Lance Melton of Amendments.

{Tape : 2; Side : A; Approx. Tape Counter : 324 - 447}

Discussion:

{Tape : 2; Side : A; Approx. Tape Counter : 455 - 511}

{Tape : 2; Side : B; Approx. Tape Counter : 512 - 517}

Discussion concerning Amendment proposed by Rep. Linda McCulloch:

{Tape : 2; Side : B; Approx. Tape Counter : 518 - 524}

Discussion:

{Tape : 2; Side : B; Approx. Tape Counter : 526 - 610}

Motion/Vote: REP. MCCULLOCH moved that MCCULLOCH AMENDMENT BE ADOPTED. Motion failed 9-9 with Reps. Andersen, Fuchs, Holden, McKenney, Noennig, Rehbein, Rose, and Masolo voting no.

{Tape : 2; Side : B; Approx. Tape Counter : 611 - 622}

Motion/Vote: REP. LAWSON moved that HB 590 AMENDMENTS BE ADOPTED. Motion carried unanimously.

{Tape : 2; Side : B; Approx. Tape Counter : 624 - 629}

Clarification concerning HB 590 with Amendments by Rep. Bob

Lawson:

{Tape : 2; Side : B; Approx. Tape Counter : 630 - 640}

Motion/Vote: REP. NOENNIG moved that HB 590 DO PASS AS AMENDED. Motion carried 15-3 with Reps. Holden, Mangan, and Rehbein voting no.

{Tape : 2; Side : B; Approx. Tape Counter : 643 - 646}

EXECUTIVE ACTION ON HB 588

Motion: REP. LAWSON moved HB 588.

{Tape : 2; Side : B; Approx. Tape Counter : 675 - 677}

Motion: REP. LAWSON moved HB 588 AMENDMENTS.

{Tape : 2; Side : B; Approx. Tape Counter : 678 - 681}

Clarification by Lance Melton on Amendments.

{Tape : 2; Side : B; Approx. Tape Counter : 683 - 691}

Motion/Vote: REP. LAWSON moved that HB 588 AMENDMENT BE ADOPTED. Motion carried unanimously.

{Tape : 2; Side : B; Approx. Tape Counter : 693 - 697}

Motion/Vote: REP. LAWSON moved that HB 588 DO PASS AS AMENDED. Motion carried 15-3 with Reps. Holden, Lindeen, and Rehbein voting no.

{Tape : 2; Side : B; Approx. Tape Counter : 704 - 714}

EXECUTIVE ACTION ON HB 589

Motion: REP. MCCULLOCH moved HB 589.

{Tape : 2; Side : B; Approx. Tape Counter : 724 - 726}

Motion: REP. LAWSON moved HB 589 AMENDMENTS.
{Tape : 2; Side : B; Approx. Tape Counter : 628 - 630}

Discussion and clarification about Amendments:
{Tape : 2; Side : B; Approx. Tape Counter : 632 - 760}

Motion/Vote: REP. LAWSON moved that HB 589 AMENDMENTS BE ADOPTED. Motion carried unanimously.
{Tape : 2; Side : B; Approx. Tape Counter : 761 - 762}

Motion: REP. MCCULLOCH moved that HB 589 DO PASS AS AMENDED.
{Tape : 2; Side : B; Approx. Tape Counter : 765 - 768}

Discussion:
{Tape : 2; Side : B; Approx. Tape Counter : 689 - 918}

Motion/Vote: REP. LAWSON moved that HB 589 DO PASS AS AMENDED. Motion failed 7-11 with Reps. Lawson, McCulloch, Facey, Galvin-Halcro, Kitzenberg, Mangan, and Wyatt voting yes.
{Tape : 2; Side : B; Approx. Tape Counter : 921 - 933}

Motion: REP. ROSE moved that HB 589 BE TABLED, so vote reversed.
{Tape : 2; Side : B; Approx. Tape Counter : 935 - 946}

EXECUTIVE ACTION ON HB 599

Motion: REP. LAWSON moved HB 599.
{Tape : 3; Side : A; Approx. Tape Counter : 1 - 5}

Motion: REP. REHBEIN moved HB 599 AMENDMENTS.
{Tape : 3; Side : A; Approx. Tape Counter : 6 - 10}

Clarification by Connie Erickson
{Tape : 3; Side : A; Approx. Tape Counter : 11 - 27}

Discussion:
{Tape : 3; Side : A; Approx. Tape Counter : 29 - 117}

Motion/Vote: REP. LAWSON moved that HB 599 AMENDMENT BE ADOPTED. Motion carried 15-3 with Reps. McCulloch, Wyatt, and Galvin-Halcro voting no.
{Tape : 3; Side : A; Approx. Tape Counter : 119 - 122}

Motion: REP. LAWSON moved that HB 599 DO PASS AS AMENDED.
{Tape : 3; Side : A; Approx. Tape Counter : 124 - 128}

Discussion:

{Tape : 3; Side : A; Approx. Tape Counter : 132 - 193}

Motion/Vote: REP. WALTERS moved that HB 599 BE TABLED. Motion carried 11-7 with Reps. Andersen, Facey, Holden, Kitzenberg, Noennig, Rehbein and Masolo voting no.

{Tape : 3; Side : A; Approx. Tape Counter : 196 - 230}

EXECUTIVE ACTION ON HJ 28

Motion/Vote: REP. LAWSON moved that HJ 28 DO PASS. Motion carried 17-1 with Rep. Rehbein voting no.

{Tape : 3; Side : A; Approx. Tape Counter : 236 - 251}

EXECUTIVE ACTION ON HB 608

Motion: REP. LINDEEN moved HB 608.

{Tape : 3; Side : A; Approx. Tape Counter : 260 - 263}

Discussion:

{Tape : 3; Side : A; Approx. Tape Counter : 264 - 281}

Motion: REP. HOLDEN moved PROPOSES AMENDMENT.

{Tape : 3; Side : A; Approx. Tape Counter : 282 - 293}

Discussion:

{Tape : 3; Side : A; Approx. Tape Counter : 294 - 499}

{Tape : 3; Side : B; Approx. Tape Counter : 500 - 523}

Motion/Vote: REP. LAWSON moved HOLDEN'S AMENDMENT. Motion failed 8-10 with Reps. Lawson, Andersen, Facey, Fuchs, Holden, McKenney, Rehbein, and Walters voting yes.

{Tape : 3; Side : B; Approx. Tape Counter : 526 - 568}

Motion: REP. LAWSON moved HB 608.

{Tape : 3; Side : B; Approx. Tape Counter : 570 - 572}

Discussion:

{Tape : 3; Side : B; Approx. Tape Counter : 573 - 610}

Motion/Vote: REP. LAWSON moved HB 608. Motion carried 14-4 with Reps. Lawson, Facey, Rehbein, and Walters voting no.

{Tape : 3; Side : B; Approx. Tape Counter : 613 - 640}

ADJOURNMENT

Adjournment: 4:00 P.M.

REP. GAY ANN MASOLO, Chairman

LINDA SCOTT, Secretary

GM/LS

EXHIBIT (edh39aad)