

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION

Call to Order: By **CHAIRMAN KATHLEEN GALVIN-HALCRO**, on March 14, 2005 at 3:20 P.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Kathleen Galvin-Halcro, Chairman (D)
Rep. Joan Andersen, Vice Chairman (R)
Rep. Gary Branae, Vice Chairman (D)
Rep. Edward B. Butcher (R)
Rep. Margaret H. Campbell (D)
Rep. Tim Dowell (D)
Rep. Wanda Grinde (D)
Rep. Roger Koopman (R)
Rep. Joe McKenney (R)
Rep. Scott Sales (R)
Rep. Jon Sonju (R)
Rep. John Ward (R)
Rep. Jeanne Windham (D)

Members Excused: Rep. Bob Lake (R)
Rep. Holly Raser (D)
Rep. Dan Villa (D)

Members Absent: None.

Staff Present: Chris Lohse, Legislative Branch
Eddy McClure, Legislative Branch
Nina Roatch-Barfuss, Committee Secretary

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

Committee Business Summary:

Hearing & Date Posted:
Executive Action: SB 101; SB 359; SJ 12

REP. GALVIN-HALCRO encouraged the committee members to be talking to their parties and the sponsors of HB 47 and HB 101 so that the Education Committee might be able to pass the two bills out of committee next week.

EXECUTIVE ACTION ON SB 101

Motion: **REP. WINDHAM** moved that SB 101 BE CONCURRED IN.

Discussion:

REP. ANDERSEN informed the committee that she had copies for the committee of the amendments that **REP. CLARK** was going to present to the House Appropriations Committee for **HB 628**.

EXHIBIT(edh56a01)

REP. GALVIN-HALCRO testified that the amendments were ones she had asked for during the bill hearing in committee and on the house floor.

REP. ANDERSEN informed the committee that there was another amendment that would address the concerns of Kim Gardner who had a program in Boulder that wanted to take out-of-state students. The program had received some state assistance for some of the students in her program. Ms. Gardner was concerned that if **HB 628** passed without some changes, it would not allow her to continue her program. **REP. ANDERSEN** had assured Ms. Gardner that her concerns had been met in the proposed amendments.

REP. GALVIN-HALCRO reported that her concern was that she would like to see **HB 628** and **SB 101** become the concern of some other committee. She did not feel they belonged in the House Education Committee. She felt more people should be able to air their concerns than had done so in the House Education Committee. She testified that she had no problems with **HB 628**, especially if the amendments were added to the bill. She would like to see something in law to protect the good programs discussed in the bill and also a check on the programs that might not be so good. She pondered that maybe the two bills need to come together and form one.

REP. ANDERSEN informed the committee that she had concerns about one of the programs in her district. **REP. CLARK** had assured her that the amendments would see to it that all programs would be looked at and what regulation that might come out the bill would address her particular group. The REPRESENTATIVE was going to

oppose the bill. She would like to see the people involved in the programs have a major role in looking at the kinds of regulations that should be required and how many regulations are necessary. She felt the programs that do exist should be meeting some safety standards and be required to show that they provide the help that they promise.

Vote: Motion that SB 101 BE CONCURRED IN failed 3-13 by roll call vote with REP. BRANAE, REP. GALVIN-HALCRO, and REP. VILLA voting aye. REP. BRANAE, REP. DOWELL, REP. LAKE, REP. RASER, REP. SONJU, and REP. VILLA voted by proxy.

Motion: REP. BUTCHER moved that SB 101 BE TABLED AND THE VOTE REVERSED. Motion carried.

EXECUTIVE ACTION ON SB 359

Motion: REP. CAMPBELL moved that SB 359 BE CONCURRED IN.

Discussion:

REP. ANDERSEN informed the committee should would support the bill. She felt it made sense to expand the categories for which a student may be partially counted. The bill had a positive fiscal note and she found that refreshing.

Vote: Motion that SB 359 BE CONCURRED IN carried unanimously by voice vote. REP. VILLA, REP. BRANAE, REP. RASER, REP. DOWELL, REP. LAKE, and REP. SONJU voted by proxy.

REP. ANDERSEN will carry the bill on the house floor.

EXECUTIVE ACTION ON SJ 12

Motion: REP. ANDERSEN moved that SJ 12 BE CONCURRED IN.

Motion: REP. ANDERSEN moved to AMEND SJ 12.
[EXHIBIT](#)(edh56a02)

Discussion:

REP. ANDERSEN reported that the purpose of her amendment was to add to the bill by encouraging school boards to safeguard two nights a week, in addition to Sunday, from school sponsored extracurricular activities. She felt that schools have reached a point where the students do not have a night a week to do family-

related activities or organizational activities. She wanted to provide students with the opportunity to be more civic minded.

{Tape: 1; Side: A; Approx. Time Counter: 0 - 15.3}

REP. GALVIN-HALCRO testified that in her district they try to safeguard one night a week for students to do other activities. She was wondering if all districts have that policy. **REP. ANDERSEN** believed that most districts do have what is called a family night. In her district the high school can schedule athletic practices until 6:00 P.M. She believed her amendment might be more for rural schools. She felt by the time kids practice until 6:00 P.M. and shower and then get home they are eating dinner by 6:45 P.M. After dinner they don't have time to take part in community activities.

REP. SONJU questioned whether an athletic team would be able to practice on the two nights in **REP. ANDERSEN's** amendments.

REP. ANDERSEN assured him that she was asking for the schools to refrain extracurricular activities scheduled on two nights a week in addition to Sunday night. **REP. SONJU** understood the intent but said he could not support the amendments because a school's schedule might make it necessary for teams to practice more than three days a week. He had been a student involved in athletics and he found time to do the things he was interested in. He believed that students make choices as to what they want to be involved in and they need to talk to their families about the choices when they are made.

REP. WINDHAM rose in support of the amendments. She informed the committee that she agreed with **REP. ANDERSEN**. She believed students are so heavily scheduled that they don't have time to do civic activities, even if they wanted to do so.

REP. GRINDE asked **REP. ANDERSEN** if she was aiming at sporting activities more than just extracurricular activities. If the amendments were aimed at extracurricular activities, she felt they were in conflict with the context of the bill. **REP. ANDERSEN** said she was aware of the wording in the bill but she was talking about curtailing all school extracurricular activities two nights a week. If the school was offering civic involvement to the students, they would need to figure out how to get those activities done during the three nights available to them. She believed it would be a problem for the school to adhere to the amendments, but she believed they could find a way.

REP. BUTCHER asked **REP. ANDERSEN** if there could be a time added to her amendments. He suggested that there would be no school activities after 5:00 P.M. That would allow some athletic practices until 5:00 P.M. That would allow the evening to be

free for the students. **REP. ANDERSEN** replied, "I would be amendable to that idea." She believed the 6:00 P.M. hour, that is used at present, is too late. **REP. BUTCHER** informed her that in his opinion an athletic practice never needed to last longer than 5:00 P.M.

REP. KOOPMAN testified in support of the amendment. He reminded the committee they were working on a resolution with broad ideas being recommended to the school districts.

{Tape: 1; Side: A; Approx. Time Counter: 15.3 - 26.4}

REP. CAMPBELL reminded the committee that scheduling gym time is a problem in schools for all the sports that boys and girls participate in. She believed schools had worked hard to get a flexible schedule and she did not want to interfere with their schedules.

REP. BRANAE, informed the committee he did not feel he could support the amendment. He had worked in a large high school and presently scheduling is very difficult, if not impossible. There were 20-30 organizations in the school and scheduling meetings was very difficult.

Vote: Motion that **ANDERSEN AMENDMENT TO SJ 12 DO PASS** failed 7-9 by roll call vote with **REP. ANDERSEN, REP. BUTCHER, REP. KOOPMAN, REP. LAKE, REP. SALES, REP. WARD, and REP. WINDHAM** voting aye. **REPS. DOWELL, LAKE, RASER, and VILLA** voted by proxy.

{Tape: 1; Side: A; Approx. Time Counter: 26.4 - 30}

{Tape: 1; Side: B}

Motion: **REP. KOOPMAN** moved to **AMEND SJ 12.**

[**EXHIBIT**](#)(edh56a03)

Discussion:

REP. KOOPMAN informed the committee that none of his amendments were of great substance and would not make any fundamental changes in the resolution. He felt the resolution was not a bad one but a rather lame one. His amendments would speak more clearly to what he believed to be citizenship and patriotism. He summarized his amendments.

REP. CAMPBELL testified that she would support the Koopman Amendments.

Motion: **REP. GALVIN-HALCRO** moved to **SEGREGATE KOOPMAN AMENDMENTS 1, 2, and 3 from AMENDMENT 4.**

Discussion:

REP. BUTCHER conveyed to the committee that he had taught American Government and one of his complaints had been that in the text books there was so little substance in the subject of government. It is a sad indictment on the high school curriculum. He believed the Koopman amendments put some teeth into the resolution of what should be looked at in the classroom. He could support the resolution if the amendments were put into it.

REP. GALVIN-HALCRO felt that **REP. BUTCHER** had hit on a key issue. "Good teachers don't simply teach the book, but they teach supplemental information that they can bring in. But they (the teachers) need to be very careful not to impose their own bias in their teaching and that is why I have asked that Amendment 4 be segregated from the first three."

Vote: Motion on **KOOPMAN AMENDMENTS 1, 2, AND 3** carried unanimously by voice vote. **REPS. VILLA, LAKE, DOWELL, and RASER** voted by proxy.

REP. GALVIN-HALCRO reiterated that her concern about the 4th amendment was that good teachers, no matter what their political persuasion is or lack there of, should be able with supplemental information to teach without a bias the appreciation of all of America's founders, institutions, and the moral and intellectual foundations of our nation.

REP. BUTCHER felt that some of the committee members saw a threat of political bias in the amendment but he testified that he saw no political bias in the amendment. He felt it was very direct and the appreciation for the founding fathers should be taught as they were the ones who put together our system of government. He felt that anyone that knows history recognized the government had been pulled together throughout the world. Not to understand that, is not a political issue. He believed the resolution said nothing, if Amendment 4 was not on the resolution. In his opinion the amendment was the meat of the resolution.

REP. KOOPMAN wished to assure the committee that there was no bias intended in the statement. Originally he had been thinking in terms of putting something about faith in it, but intentionally left it out and tried to make the amendments totally neutral statements so that all the committee members would feel comfortable with them.

REP. GALVIN-HALCRO asked **REP. KOOPMAN** if he had taken his amendments to **SEN. KITZENBERG** or **SEN. RYAN**. He replied, "No, I didn't."

Vote: Motion on **KOOPMAN AMENDMENT 4** carried 9-7 by roll call vote with **REP. CAMPBELL**, **REP. DOWELL**, **REP. GALVIN-HALCRO**, **REP. GRINDE**, **REP. RASER**, **REP. VILLA**, and **REP. WINDHAM** voting no. **REPS. DOWELL**, **LAKE**, **RASER**, and **VILLA** voted by proxy.

Motion: **REP. KOOPMAN** moved that **SJ 12 BE CONCURRED IN AS AMENDED**.

Motion/Vote: **REP. WARD** moved that **SJ 12 AS AMENDED BE TABLED**. Motion failed 4-12 by roll call vote with **REP. ANDERSEN**, **REP. LAKE**, **REP. WARD**, and **REP. WINDHAM** voting aye. **REPS. DOWELL**, **LAKE**, **RASER**, and **VILLA** voted by proxy.

Vote: Motion that **SJ 12 BE CONCURRED IN AS AMENDED** carried 12-4 by roll call vote with **REP. ANDERSEN**, **REP. LAKE**, **REP. WARD**, and **REP. WINDHAM** voting no. **REPS. DOWELL**, **LAKE**, **RASER** and **VILLA** voted by proxy.

REP. BRANAE volunteered to carry the resolution on the house floor.

ADJOURNMENT

Adjournment: 4:10 P.M.

REP. KATHLEEN GALVIN-HALCRO, Chairman

NINA ROATCH-BARFUSS, Secretary

KG/nr

Additional Exhibits:

EXHIBIT ([edh56aad0.PDF](#))