

MINUTES

MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

Call to Order: By **CHAIRMAN DON RYAN**, on March 9, 2005 at 3:15 P.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Don Ryan, Chairman (D)
Sen. Gregory D. Barkus (R)
Sen. Jerry W. Black (R)
Sen. Kim Gillan (D)
Sen. Bob Hawks (D)
Sen. Sam Kitzenberg (R)
Sen. Jesse Laslovich (D)
Sen. Jeff Mangan (D)
Sen. Dan McGee (R)
Sen. Bob Story Jr. (R)

Members Excused: Sen. Jim Elliott (D)

Members Absent: None.

Staff Present: Christopher Lohse, Legislative Branch
Lois O'Connor, Committee Secretary

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

Committee Business Summary:

Hearing & Date Posted: HB 16, 3/9/2005; HB 310, 3/9/2005
Executive Action: SB 496; HB 20; HB 63; HB 83; HB
184; HB 317; HJ 17; HB 623

{Tape: 1; Side: A; Time Counter: 1.8}

EXECUTIVE ACTION ON SB 496

Motion: SEN. GILLAN moved that SB 496 DO PASS.

Motion: SEN. GILLAN moved the approval of amendment #SB049601.acl clarifying where the funds collected for the statewide driver education programs for novice and senior drivers would go. Motion carried unanimously by voice vote. SENATORS KITZENBERG AND ELLIOTT voted aye pay proxy.

EXHIBIT(eds52a01)

Motion: SEN. GILLAN moved that SB 496 DO PASS AS AMENDED.

Discussion:

SEN. GILLAN said that she received many e-mails in support of SB 496. The feeling was the need to help reduce the cost of drivers' safety education as well as putting resources into senior citizen traffic education.

Motion: SEN. JEFF MANGAN, SD 12, moved a CONCEPTUAL AMENDMENT to include a 2-year sunset clause.

Discussion:

SEN. MANGAN said that the purpose for SB 496 is to reduce the cost of drivers' education programs for Montana's children and senior citizens. SB 496 does not include that language. It only states that it goes for administration. He wants the sunset clause included so that in two years, if the costs have not decreased and OPI is using the money for things other than reducing the cost of the program, it does not have to be renewed.

Motion/Vote: SEN. MANGAN'S CONCEPTUAL AMENDMENT carried on a unanimous voice vote. SENATORS KITZENBERG and ELLIOTT voted aye by proxy.

Motion: SEN. GILLAN moved that SB 496 DO PASS AS AMENDED.

Discussion:

SEN. STORY said that his concern with SB 496 is that it takes a current senior education program that has operated without a state appropriation and puts a state appropriation in it. He believed that the bill creates another state-funded program when

there was a private-sector agency doing it already. That is how things get started and the state ends up funding them from here to eternity.

SEN. GREGORY BARKUS, SD 4, opposed SB 496 because he felt that it just imposed another tax on all Montana drivers.

SEN. GILLAN said that she hears a serious concern about traffic safety in the state, both new drivers and senior citizens. It is difficult to launch preventative programs if there are no resources. She felt that with **SEN. MANGAN'S** 2-year sunset clause, it would be worth it for the Committee to put resources into an area of demonstrated need. She did not want to raise fees, but she felt it appropriate that the fee be levied on those who are receiving drivers education.

SEN. RYAN noted that SB 496 will be referred to Senate Finance and Claims if passed from the Committee.

Motion/Vote: **SEN. GILLAN'S** motion that SB 496 DO PASS AS AMENDED carried on a 7 to 4 roll call vote with **SENATORS RYAN, BARKUS, BLACK,** and **MC GEE** voting nay. **SENATORS KITZENBERG, ELLIOTT,** and **LASLOVICH** voted aye by proxy.

{Tape: 1; Side: A; Time Counter: 11.8}

EXECUTIVE ACTION ON HB 20

Motion/Vote: **SEN. MANGAN** moved that HB 20 BE CONCURRED IN. Motion carried unanimously by voice vote. **SENATORS KITZENBERG, ELLIOTT,** and **LASLOVICH** voted aye by proxy. **SEN. MANGAN** will carry the bill.

{Tape: 1; Side: A; Time Counter: 13.1}

EXECUTIVE ACTION ON HB 63

Motion: **SEN. GILLAN** moved that HB 63 BE CONCURRED IN.

Motion: **SEN. GILLAN** moved the approval of amendment #HB006302.ace.

EXHIBIT(eds52a02)

Discussion:

SEN. JERRY BLACK, SD 14, said there were many e-mails from Billings in opposition to HB 63. He asked if there was any

determination as to what the objections were. **SEN. GILLAN** said that she repeatedly called the numbers on her e-mail messages and never spoke with anyone. She was unable to figure out what the opposition was.

Christopher Lohse, Legislative Services Division (LSD), said that the amendment turns the effective date to an immediate effective date and the remaining amendments strike "statewide" and insert "facility guaranteed" to make it consistent internally with parts of the bill.

SEN. BARKUS asked about the meaning of "facility guaranteed".

SEN. STORY said that if a district wants to pass a bond issue to build a school building, the state will subsidize the mills. The facility guaranteed mill value is the percentage that the state will subsidize. For example, if a district mill value per ANB was only 90%, the state will provide funding to the district to get it to 140% so that every district has equal opportunity to the revenue to build buildings.

Vote: **SEN. GILLAN'S** motion to approve amendment #HB006302.ace passed unanimously by voice vote. **SENATORS KITZENBERG, ELLIOTT, and LASLOVICH** voted aye by proxy.

Motion: **SEN. GILLAN** moved that HB 63 BE CONCURRED IN AS AMENDED.

Discussion:

SEN. STORY said that although he was unsure why Billings objected to HB 63, it may object because it allows school districts to lease out personal property for various occasions. Once districts do that, they are in direct competition with rental businesses.

Vote: **SEN. GILLAN'S** motion that HB 63 BE CONCURRED IN AS AMENDED carried unanimously by voice vote. **SENATORS KITZENBERG, ELLIOTT, and LASLOVICH** voted aye by proxy. **SEN. LASLOVICH** will carry the bill.

{Tape: 1; Side: A; Time Counter: 22.6}

HEARING ON HB 16

Opening Statement by Sponsor:

REP. RICK RIPLEY (R), HD 17, said that HB 16 was requested by the State Tribal Relations Interim Committee. Nonbeneficiary students are nonIndian students who attend tribal colleges. Tribal colleges receive federal funds only for Indian students in

attendance. In 1995, the state began providing funds for nonbeneficiary students through legislation appropriated to the Board of Regents. However, funding has been provided in different amounts in every session and the amount has varied greatly. HB 63 changes the per-student distribution from \$1,500 to \$3,024 which is consistent with what all community colleges are currently receiving.

REP. RIPLEY added that tribal colleges are public schools that are federally funded. There are currently 375 qualifying nonbeneficiary students attending tribal colleges throughout the state. If that trend continues, HB 63 states that the funds would be distributed on a prorated basis.

{Tape: 1; Side: A; Time Counter: 27.2}

Proponents' Testimony:

Alice Chumrau, Academic Vice President, Salish Kootenai College (SKC), provided written comments in support of HB 16.

EXHIBIT(eds52a03)

{Tape: 1; Side: B; Time Counter: 5.5}

REP. CAROL JUNEAU, HD 16, said that she thinks of tribal colleges as an important part of the solution to many of the challenges facing Montana and reservation communities as well. Funding nonbeneficiary students attending tribal colleges is an important way for Montana to invest in its future. She encouraged the Committee to support HB 16.

Melanie Strong, Current Nonbeneficiary Student, SKC, said that the only way to obtain a healthy community is to support it in any way possible, and the state should be doing the same by supporting nonbeneficiary students such as herself. As a single mother with a monthly income of \$336 a month, it is impossible for her to attend a state-supported university. In her third year of college, she was able to completely get off welfare because of the financial support she received from SKC. Like the domino affect, her future generations and she will be contributing to society rather than being dependent upon it. She urged the Committee to support HB 16.

Dr. David Yarlott, Jr., President, Little Big Horn College (LBHC), said that LBHC has quite a few nonbeneficiary students enrolled. LBHC does not differentiate its tuition between Indian and non-Indian students. With the support of HB 16, LBHC will have the opportunity to continue to do that. He added that tribal

colleges are becoming more important in the workforce development arena because its courses can be offered at a lesser expense to the students.

{Tape: 1; Side: B; Time Counter: 12.0}

Marcie Butte, 2nd Year Nursing Student, SKC, said that as a single mother of three and caregiver for her blind and disabled father, her family responsibilities have made her unable to travel to larger universities to gain her degree. Financially, she cannot afford the luxury of elder care, child care, and increased tuition at Montana larger universities. She could not have made it this far in her degree without SKC. It allowed her to gain her degree and a marketable career which gives her the freedom to support her family without the continued need for public assistance. She urged the Committee's support of HB 16.

Susan Woods, 2nd Year Nursing Student, SKC, said that she is married with two children, lives in Polson on the Flathead Indian Reservation, and she is not a member of a nationally recognized Indian tribe or a descendant. Because of her roots in the Mission Valley, she would be unable to relocate or leave her family to attend a university to pursue her career in nursing, if not for SKC. She added that attending SKC has educated her on the customs and needs of Native Americans; and once she is employed as a nurse, her family will no longer need public assistance. She urged the Committee's support of HB 16.

Kathie Maiers, Former Nonbeneficiary Student and Graduate, SKC, said that she is the first member of her family to earn a college degree, and she is grateful that SKC operates under the philosophy of "education for all". She urged the Committee's support of HB 16.

Sheila Stearns, Commissioner of Higher Education, and Melody Henry, President, Stone Child College (SCC), and Shelley Viall, Registrar/Admissions, SCC, provided written comments in support of HB 16.

[EXHIBIT\(eds52a04\)](#)

[EXHIBIT\(eds52a05\)](#)

[EXHIBIT\(eds52a06\)](#)

[EXHIBIT\(eds52a07\)](#)

Kathleen Weatherwax, Nonbeneficiary Student, Blackfeet Community College (BCC), said that if not for BCC, she could not afford to move to another community. In addition, the cost of attendance in minimal compared to other colleges. She spoke in support of HB 16.

Belinda Bullshoe, Student Council Representative, BCC, said that nonbeneficiary students are fortunate to attend college in her area, that tribal colleges are economically cost effective, and receiving an education at a tribal college is comparable to any university system college. She urged the support of HB 16.

Opponents' Testimony: None.

Informational Testimony: None.

{Tape: 1; Side: B; Time Counter: 25.7}

Questions from Committee Members and Responses:

SEN. STORY asked who determines which credits are acceptable at another Montana college or university. **Commissioner Stearns** said that each institution of the university system builds an articulation agreement with each tribal college to ensure that all credits are transferable to all units within the university system. **SEN. STORY** asked for clarification of the language in Section 1(8). **REP. RIPLEY** said that subsection (8) was added by the State Tribal Relations Committee because some members found it problematic to fund nonbeneficiary students attending classes that were not applicable to a vocation or degree. It addresses transferable, vocational credits only. **SEN. STORY** was unclear about the limit of financial assistance to nonbeneficiary students. He asked if the limit created the situation by which the Board of Regents has to make a decision about where the funding goes between 4-year degrees or vocational degrees. **Commissioner Stearns** said that once the statutory funds are passed through to the Board of Regents and on to the tribal colleges based upon the number of nonbeneficiary students that are documented, the Board never makes another calculation once the student transfers into units of the university system.

{Tape: 2; Side: A; Time Counter: 2.3}

SEN. BOB HAWKS, SD 33, questioned the internal accreditation process that brings about the transfer of credits. **Commissioner Stearns** said that in term of accreditation, the Board defers completely to the Northwest Commission Accreditation. Each of the tribal colleges is fully accredited, so the Board does not have to evaluate the process.

SEN. DANIEL MCGEE, SD 29, questioned HB 16's fiscal note. **REP. RIPLEY** responded that \$3,024 is currently in code and it is the amount of money that is used for all community colleges. If the appropriation is less than the maximum amount (\$3,024 per

qualified student--375), financial assistance to tribal colleges will be distributed on a prorated basis.

SEN. JEFF MANGAN, SD 12, asked about the history of the appropriation for nonbeneficiary students attending tribal colleges. **Commissioner Stearns** said that all that the statutes have ever done is appropriate a top limit which may or may not be funded by the Legislature depending on the financial circumstances of the state. When the state is in a budget crunch, the appropriation can decrease to no funding. In other years, when the state was more flush, the appropriation increased. She added that the state has not fully funded tribal colleges to the current statutory limit, and many believe that the statutory limit is too low.

SEN. GREGORY BARKUS, SD 4, asked about the enrollment ranges at the seven tribal colleges. **Commissioner Stearns** said there are 2,318 nonbeneficiary students attending tribal colleges--885 at SKC; 402 at BCC; 345 at Fort Peck Community College; 207 at Chief Dull Knife College; 265 at LBHC; 136 at Fort Belknap College; and 78 at Stone Child College. She added that nonbeneficiary student attendance is increasing every year.

Closing by Sponsor:

REP. RIPLEY said that HB 16 is a fairness and nonpartisan bill. It is good for students and the state of Montana.

{Tape: 2; Side: A; Time Counter: 16.6}

HEARING ON HB 310

Opening Statement by Sponsor:

REP. BILL GLASER (R), HD 44, said that HB 310 does nothing until the education funding issue is resolved. Once resolved, it sets up the Education and Local Government Interim Committee with seven additional nonvoting members to track educationally relevant factors and technology changes into the 21st Century. It also requires that the Interim Committee report the changes to the Legislature every six year so that it can track and appropriately fund schools. **REP. GLASER** added that SB 152 contains similar language to report to the Legislature every 10 years. He said 10 years is not often enough to analyze where education is changing because 10 years is the same time period connected to the lawsuits. He offered an amendment to change the Title of HB 310 to accurately reflect seven nonvoting members be added to the Education and Local Government Interim Committee.

EXHIBIT(eds52a08)

{Tape: 2; Side: A; Time Counter: 23.1}

Proponents' Testimony:

Dave Puyear, MT Rural Education Association (MREA) asked that the Committee not underestimate the importance of HB 310. He said if Montana had a procedural effort in place to review public schools on a time schedule outlined in HB 310, the state would not be in the mess it is today. Since education is moving toward data-driven decisions, a six year review is critical and a 10 year review is too long.

Lance Melton, MT School Boards Association (MTSBA), requested that the Committee concur in HB 310 without amending the Title because the Title does not become part of the law. He said that HB 310 is consistent with SB 152, and he did not want to see it lost by making a technical amendment that would not change the impact of what the bill does in law.

Steve Meloy, MT Board of Public Education, spoke in support of HB 310. He added that the Board reviews all of its chapters of accreditation on a 5-year basis, and is currently thinking about moving its review of the professional education of preparation standards to a 7-year cycle which means that six years fall in between.

Rick Chiotti, OPI, spoke in support of HB 310.

Rod Svee, Superintendent of Schools, Billings, said that HB 310 completes the plan contained within the 1972 Constitution. The system has all of the pieces in place. HB 310 ties the final ribbon on it to ensure that there is a review of all of the activities. He said that six years is the most appropriate review time and 10 years is too long.

Opponents' Testimony: None.

Informational Testimony: None.

{Tape: 2; Side: B; Time Counter: 1.4}

Questions from Committee Members and Responses:

SEN. GILLAN said that she disagreed with **Mr. Puyear's** analysis that if legislation like HB 310 were in place years ago that the state would not be in the school funding mess that it is in. She asked what gives the proposed committee any more clout than any

former committee. **Mr. Puyear** said that as the Committee reviews the people on the proposed committee, the way it is structured, and the way that it sends the message across the state that the review is going to be done every six years, the two of them just disagree. He looks at the vehicle and mechanism set up by HB 310 as very important. **SEN. GILLAN** said during the debate on SB 152, many people raised the issue that the bill did not mention "children". As she looked at the composition of the proposed committee, she asked why there were no educators included in the group of seven. **Mr. Puyear** said that many time, the committees that have met in the past have not been met with the full cooperation, understanding, or participation from the educational community. Many times, the state is in crisis by the time those committees have met. He added that when you review the people who are on the proposed committee, they are educators. Trustees are people who are constitutionally empowered to supervise local schools, and he felt it appropriate that they be on the proposed committee.

{Tape: 2; Side: B; Time Counter: 6.6}

SEN. JESSE LASLOVICH, SD 43, asked if it would be worthwhile to have a teacher on the proposed committee since they are teaching Montana's children. **Mr. Puyear** said that he did not disagree with that analysis. He would defer to **REP. GLASER** and the Committee to do that. However, he believed that trustees were educators.

SEN. HAWKS asked about the rationale for making the additional seven member of the committee nonvoting members. **REP. GLASER** said that the committee is a legislative interim committee, and as such, it has the vote to recommend to the next session of the legislature. He felt that the additional seven should be included because they are constitutionally mentioned and should be at the table to advise the interim committee the state of the change of schools.

Closing by Sponsor:

REP. GLASER said that HB 310 serves the purpose of protecting the work that has already been done on education. Judge Sherlock stated in part of the lawsuit's conclusion that the state should review what the Legislature has done to ensure that the education system remains right for children. Because the Education and Local Government Interim Committee is a nonpartisan committee and with the addition of all of the constitutionally mentioned people involved in the group, he felt that Montana's children would be well served.

{Tape: 2; Side: B; Time Counter: 13.5}

EXECUTIVE ACTION ON HB 83

Motion: SEN. LASLOVICH moved that HB 83 BE CONCURRED IN.

Motion/Vote: SEN. LASLOVICH moved the approval of amendment #HB008301.ace. Motion carried unanimously by voice vote. SENATORS KITZENBERG and ELLIOTT voted aye by proxy.

EXHIBIT(eds52a09)

Motion/Vote: SEN. LASLOVICH moved that HB 83 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SENATORS KITZENBERG and ELLIOTT voted aye by proxy. SEN. HAWKS will carry the bill.

{Tape: 2; Side: B; Time Counter: 17.1}

EXECUTIVE ACTION ON HB 184

Motion/Vote: SEN. LASLOVICH moved that HB 183 BE CONCURRED IN. Motion carried unanimously by voice vote. SENATORS KITZENBERG and ELLIOTT voted aye by proxy. SEN. LASLOVICH will carry the bill.

{Tape: 2; Side: B; Time Counter: 18.1}

EXECUTIVE ACTION ON HB 317

Motion: SEN. GILLAN moved that HB 317 BE CONCURRED IN.

Motion: SEN. MANGAN moved the approval of amendment #HB031701.ace.

EXHIBIT(eds52a10)

Discussion:

SEN. MANGAN said that should one particular church use its facility for school board meetings, it may preclude other people who may want to participate in the public process because of the location of the meeting. He was not trying to exclude religious people, but he did not believe that it was the intent of HB 317 to set up a movement to a religious area. However, it could happen.

SEN. BARKUS said that in the smaller communities, a church may be the center of their communities. The amendment may create a problem for those communities.

SEN. MCGEE said that the Constitution states that Congress should make no act establishing a religion nor prohibiting the free exercise thereof. He saw neither of the two clauses threatened by having a school board meeting in a church.

SEN. MANGAN said that his amendment has nothing to do with religion. He said that the Committee heard a bill about the separation of church and state (SJ 8). He can imagine a situation where three of five school board members belong to a certain faith, and they may decide to have all meetings at their particular church. He added that his amendment also allows the use of church annexes.

Motion/Vote: **SEN. MANGAN'S** motion to approve amendment #HB031701.ace carried 8 to 3 with SENATORS BARKUS, MCGEE, and STORY voting no. SEN. ELLIOTT voted aye by proxy.

Motion/Vote: **SEN. LASLOVICH** moved that HB 317 BE CONCURRED IN AS AMENDED. Motion carried 8-3 by voice vote with SENATORS BARKUS, MANGAN, MCGEE voting no. SEN. ELLIOTT voted aye by proxy. SEN. GILLAN will carry the bill.

{Tape: 3; Side: A; Time Counter: 1.8}

EXECUTIVE ACTION ON HJ 17

Motion: **SEN. GILLAN** moved that HJ 17 BE CONCURRED IN.

Motion: **SEN. MCGEE** moved a CONCEPTUAL AMENDMENT to insert a ";" after "programs" on line 14 and strike "and lack of adequate community recreational facilities;".

Discussion:

SEN. MCGEE said that when he grew up, there were no community recreational facilities, and people were in better health. Currently, there are some recreational facilities, and people are in poorer health. There is no direct correlation between a person's health and the availability of a community recreational facility.

SEN. HAWKS said that he lives in a community where ball fields, soccer fields, or other public facilities have made a huge

difference in the recreational environment. He did not find the language objectionable.

SEN. MCGEE said that the language in HJ 17 makes the statement that the apparent lack of adequate community recreational facilities is one of the causes of obesity. He did not believe that to be true.

Motion/Vote: **SEN. MCGEE'S CONCEPTUAL AMENDMENT** carried 10 to 1 by voice vote with **SEN. HAWKS** voting no. **SEN. ELLIOTT** voted aye by proxy.

Motion: **SEN. GILLAN** moved that HJ 17 BE CONCURRED IN AS AMENDED.

Discussion:

SEN. STORY said that the state has standards that tell schools how much physical education is required. Schools are telling the state that they do not have enough time or facilities to do the things that are required of them. Now, the Committee is looking to schools to encourage more programs that they have to figure out how to fit in the day. He was opposed to HJ 17.

SEN. GILLAN said that HJ 17 asks only encouragement to the Board of Public to provide greater opportunities which does not necessarily have to be programs. She added that there are also people who believe that school facilities are underutilized and gymnasiums, for example, should be kept open in the evening for nonsupervised recreational activities. HJ 17 sends the message that the state should use its facilities in the best way possible.

SEN. RYAN said that No Child Left Behind and Indian Education For All both include requirements for schools. Now, the Legislature is going to tell them to fit more health enhancements and physical education into the mix. In addition, when he taught in Outlook, the gymnasium was always open until the insurance company said, no, not without supervision. Although he would like to see school do more in this area, he felt that it was not where school pressures lie. He opposed HJ 17.

SEN. LASLOVICH questioned how many resolutions the Legislature has voted on that it did not think were necessary. HJ 17 only asks that the Board consider additional health enhancements, it does not mandate. He added that 5.3 million children are overweight or obese and regardless of what the Legislature does, it must come from within. It is a serious enough issue that the Legislature can address while children are in school.

SEN. MANGAN said the Legislature has cut funding for education, including physical education. Things are not the same when children were encouraged to take extracurricular activities and schools picked up the cost. Now, children are not encouraged because of liability issues, and their parents must go elsewhere to find activities for their children on their own. He supported HJ 17.

Motion/Vote: **SEN. GILLAN'S** motion that HJ 17 BE CONCURRED IN AS AMENDED carried on an 6 to 5 voice vote with **SENATORS MCGEE, RYAN, BARKUS, ELLIOTT,** and **STORY** voting no. **SEN. ELLIOTT** voted nay by proxy. **SEN. LASLOVICH** will carry the resolution.

{Tape: 3; Side: A; Time Counter: 20.0}

EXECUTIVE ACTION ON HB 623

Discussion:

SEN. STORY said that HB 623 was introduced by **REP. MACLAREN** at the behest of one constituent. It creates a problem in requiring the County Transportation Committee to let one board dictate what they are going to do. That is not the way the process should work.

SEN. GILLAN said that **REP. MACLAREN** asked her to be an advocate for HB 623. She said that the Stevensville District Trustees asked him to bring it forward because it was afraid of being sued to provide transportation to legal residents over dirt roads and subdivisions that are not well maintained. Because of the proliferation of subdivisions in Ravalli County, HB 623 addresses not only the current situation but what may happen in the future.

SEN. HAWKS asked if **SEN. STORY'S** objection would fall by the wayside if the Legislature gave trustees the authority for transportation routes on any roads. **SEN. STORY** his objection is that transportation, in general, is provided by a countywide mill levy assessed to everyone. There is also a countywide transportation committee that has to approve all bus routes to provide justification for one district to not load up a big expense on all other county taxpayers to run buses. If a district does not want to run a bus on a specific road, the county transportation committee will not make them do it. The transportation committee wants someone to take it off the hook as to why it will run buses in one place and not in another.

Motion: **SEN. STORY** moved that HB 623 BE TABLED. Motion carried on a 10 to 1 voice vote with **SEN. GILLAN** voting nay. **SEN. ELLIOTT** voted aye by proxy.

ADJOURNMENT

Adjournment: 5:45 P.M.

SEN. DON RYAN, Chairman

LOIS O'CONNOR, Secretary

DR/lo

Additional Exhibits:

EXHIBIT ([eds52aad0.PDF](#))