



Education and Local Government Interim Committee

64th Montana Legislature

SENATE MEMBERS

SHARON STEWART-PEREGOY--Vice Chair
ELSIE ARNTZEN
JILL COHENOUR
MARY SHEEHY MOE
MATTHEW ROSENDALE
GORDON VANCE

HOUSE MEMBERS

DONALD JONES--Chair
SETH BERGLEE
MOFFIE FUNK
DEBRA LAMM
JEAN PRICE
TOM WOODS

COMMITTEE STAFF

LEANNE KURTZ, Lead Staff
PAD MCCRACKEN, Research Analyst
LAURA SANKEY, Staff Attorney
KATYA GROVER, Secretary

MINUTES LOG

April 6, 2016
Room 172, Capitol Building
Helena, Montana

Please note: This document is a Minutes Log and provides a notation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video record of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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Please contact the Legislative Services Division at 406-444-3064 for more information.

COMMITTEE MEMBERS PRESENT

REP. DONALD JONES, Chair
SEN. ELSIE ARNTZEN
SEN. JILL COHENOUR
SEN. MATTHEW ROSENDALE
SEN. GORDON VANCE
REP. MOFFIE FUNK
REP. DEBRA LAMM
REP. JEAN PRICE

COMMITTEE MEMBERS EXCUSED

SEN. SHARON STEWART-PEREGOY, Vice Chair
SEN. MARY SHEEHY MOE
REP. SETH BERGLEE (arrived to the meeting at 02:10:22)
REP. TOM WOODS

STAFF PRESENT

LEANNE KURTZ, Lead Staff
PAD MCCRACKEN, Research Analyst
LAURA SANKEY, Staff Attorney
KATYA GROVER, Secretary

VISITORS' LIST (Attachment 1)

AGENDA (Attachment 2)

COMMITTEE ACTIONS

The committee

- Voted to continue with SJR 21 Study.
- Voted to conclude HJR 26 Study.

CALL TO ORDER AND ROLL CALL

00:00:01 Rep. Jones called the committee to order at 8:06 a.m. The committee secretary called roll. (Attachment 3) Sen. Moe was excused and left her proxy with Rep. Price. (Attachment 4)

AGENDA REVIEW

00:01:22 Leanne Kurtz, ELG staff

SJR 21 STUDY OF LOCAL FIRE AND EMERGENCY SERVICES

Review Work to Date, Staff Report - Leanne Kurtz, , ELG staff

00:04:20 Ms. Kurtz (Exhibit 1)

Committee Questions of Ms. Kurtz

00:20:13 Sen. Arntzen asked whether any of the issues identified in Exhibit 1 as bullet points are prioritized.

00:20:56 Ms. Kurtz continued her presentation.

00:26:15 Rep. Jones provided comments with respect to SJR 21 study.

EMS Follow-up: Community Paramedicine - North Dakota Model, Activity in Montana - Jim DeTienne, Supervisor, EMS and Trauma Systems, DPHHS (via phone)

00:27:39 Ms. Kurtz introduced Mr. DeTienne to the committee members.

00:27:55 Mr. DeTienne

Committee Questions of Mr. DeTienne

00:45:47 Ms. Kurtz asked whether DPHHS is considering proposing the legislation that Mr. DeTienne mentioned as an agency proposal.

Workers' Compensation for Volunteer Firefighters Followup
LC FIPT bill draft with changes - Leanne Kurtz, ELG staff

00:47:10 Ms. Kurtz ([Exhibit 2](#))

Montana Fire Alliance Comment - Leonard Lundby, Montana Fire Alliance and Montana Volunteer Firefighters Association

00:51:41 Mr. Lundby

00:53:27 Kevin Braun, Montana State Fund

Committee Questions of Mr. Braun

00:54:54 Sen. Vance asked Mr. Braun to explain about the current situation with respect to the Workers' Compensation for Volunteer Firefighters.

Fiscal Impact of Proposal - Cynthia Hollimon, Fiscal Analyst, Legislative Fiscal Division

00:56:40 Ms. Hollimon ([Exhibit 3](#))

Committee Questions of Ms. Hollimon

01:06:49 Rep. Jones asked to clarify the term "intended" and why it was used in the language reflected on page 2 of Exhibit 3.

Public Comment

01:09:13 John Laney, Executive Director, Miles City Chamber of Commerce

Committee Questions of Mr. Laney

01:13:10 Rep. Jones asked about EMS requirements.

Committee Discussion, Next Steps

Committee members discussed whether the committee should move forward with legislation to assist volunteer fire departments in providing workers' compensation for firefighters.

01:15:33 Sen. Cohenour

01:16:31 Rep. Jones

01:16:43 Sen. Rosendale

01:17:01 Rep. Jones

01:17:19 Sen. Rosendale

01:17:38 Sen. Vance

01:18:01 Sen. Rosendale

01:18:27 Sen. Cohenour

01:20:25 Sen. Rosendale

01:21:27 Rep. Jones

Committee Questions of Mr. Lundby

01:21:52 Sen. Cohenour asked Mr. Lundby to address the comment that Rep. Jones made, in which he noted that he hasn't seen a correlation between providing workers comp to volunteer firefighters and the number of volunteer firefighters.

01:24:39 Sen. Cohenour asked about number one priority for the Fire Alliance.

01:26:43 Rep. Lamm asked whether all volunteer firefighters in the state are members of the Fire Alliance and how many of those who are members are employed

- elsewhere.
- 01:28:47 Sen. Rosendale asked about an average size of the fire departments that are being discussed.
- 01:31:11 Sen. Cohenour requested information regarding the use of the premium tax.
- 01:32:10 Rep. Jones re-referred this question to Ms. Hollimon.
- 01:33:57 Rep. Jones noted that it is impossible to determine whether this revenue source goes to the retirement fund at this point.
- 01:34:16 Rep. Lamm requested additional information from Ms. Hollimon regarding a recent bill helping firefighters.
- 01:34:52 Sen. Rosendale requested information about fire insurance premium tax revenue before 1997.
- 01:35:32 Ms. Hollimon addressed some of Sen. Rosendale's questions.

Motion Committee Discussion of the Motion

- 01:36:28 Rep. Jones asked for the committee members' vote on whether the committee would like to move forward with the bill as a committee.

Motion

- 01:37:22 Sen. Cohenour moved that the committee continue to work on this bill draft and schedule a discussion at the June meeting.

Discussion on the Motion

- 01:37:40 Sen. Arntzen
- 01:38:10 Sen. Cohenour
- 01:38:17 Ms. Kurtz

Vote

- 01:39:18 The motion passed on a roll call vote, 5-4, with Sen. Moe voting by proxy. Sen. Stewart-Peregoy, Rep. Woods and Rep. Berglee were excused. ([Attachment 5](#))

SJR 20 STUDY OF COUNTY ROAD EASEMENTS ON STATE TRUST LAND

Review Work to Date, Staff Report - Leanne Kurtz, , ELG staff

- 01:40:29 Ms. Kurtz provided a study update ([Exhibit 4](#)) and distributed a letter on behalf of Harold Blattie, Montana Association of Counties. ([Exhibit 5](#))

Flathead County Valuation - Amy Randall, Bureau Chief, Real Estate Management

- 01:52:03 Ms. Randall ([Exhibit 6](#))

Committee Questions of Ms. Randall

- 01:57:46 Sen. Rosendale asked about land valuation.
- 01:58:29 Sen. Rosendale asked whether a consistent 50-foot wide ROW is established on that land.
- 02:00:19 Rep. Jones asked whether the forest service gets charged for ROW. Rep. Jones also asked about reciprocal easement agreement.
- 02:02:20 Sen. Arntzen asked about the percentage of land that have easements. Sen. Arntzen also asked for additional information on whether, in the calculations of the percentage of land with easements, the counties are ranked based on the

scale from largest to the smallest.

Public Comment

02:05:28 Shantil Siaperas, Legislative Analyst, Montana Association of Counties, commented on Options and Potential Solutions section of report provided by Ms. Kurtz (see Exhibit 4).

Committee Discussion, Next Steps

Committee members discussed the next steps with regards to SJR 20 study, as well as submitted information requests to the committee staff.

02:09:05 Sen. Arntzen
02:10:08 Mark Baker, Weyerhaeuser
02:10:22 Rep. Berglee arrived.
02:12:28 Sen. Cohenour
02:14:11 Sen. Vance
02:15:50 Sen. Rosendale
02:17:16 Sen. Rosendale
02:18:34 Sen. Cohenour
02:21:05 Sen. Cohenour.
02:22:04 Rep. Jones
02:22:41 Rep. Lamm
02:23:23 Sen. Rosendale
02:24:03 Sen. Arntzen
02:24:41 Rep. Lamm
02:25:06 Ms. Kurtz
02:26:05 Rep. Price

Public Comment - none

BREAK (reconvened at 11:10 a.m.)

DISPOSAL OF COUNTY PROPERTY (TITLE 7, CHAPTER 8, PARTS 22, 23, AND 25)

Background and Proposals

Mike Harris, Parks Director, Gallatin County

02:36:22 Mr. Harris ([Exhibit 7](#))

Committee Questions of Mr. Harris

02:41:45 Rep. Jones commented on Mr. Harris' presentation.
02:42:15 Sen. Cohenour asked Mr. Harris what he would suggest with regards to the issues he has identified.

Committee Discussion, Next Steps

Committee members discussed the next steps with regards to the disposal of the county property.

02:43:48 Rep. Jones
02:43:56 Sen. Vance

02:44:38 Sen. Cohenour
02:45:04 Ms. Kurtz

Public Comment - none

HJR 26 STUDY OF YOUTH CONCUSSION LAWS
Review Work to Date - Pad McCracken, ELG staff

02:45:39 Mr. McCracken ([Exhibit 8](#))

Bill Draft

02:52:01 Mr. McCracken

Follow-up to UM Study - Valerie Moody, University of Montana

02:54:02 Ms. Moody ([Exhibit 9](#))

Non-Sanctioned Youth Sports - Comment From Representatives

David Smith, CEO, Helena YMCA
Phil McGovern, Executive Director, Helena Youth Soccer Association
Rich Plante, Director of Coaching, Montana Youth Soccer

03:00:04 Mr. McCracken introduced this agenda item.
03:00:29 The panelists introduced themselves.
03:01:06 Mr. Smith ([Exhibit 10](#))
03:07:27 Mr. McGovern
03:10:13 Mr. Plante

Committee Questions

03:11:42 Rep. Lamm asked the panelists whether they see importance in the concussion law.
03:13:00 Rep. Lamm asked whether the liability waiver should be implemented if a bill was to move forward.
03:13:56 Rep. Jones asked panelists whether they would be willing to take the responsibility if somebody doesn't turn in the waiver form if it becomes the law.
03:15:25 Sen. Cohenour asked to clarify on the exact implication of a waiver.
03:17:37 Rep. Funk asked whether a nurse can sign the return to play form.
03:19:20 Rep. Price expressed her concern about the online form and asked to confirm that all a parent needs to do is to put a check mark on that online form.

Public Comment

03:21:25 Ms. Moody addressed some of the questions that the committee members asked during the Committee Questions session above.

Committee Discussion, Next Steps

Committee members discussed committee's next steps with regards to HJR 26 study.

03:23:20 Rep. Jones
03:24:03 Sen. Vance
03:26:18 Sen. Cohenour

03:28:11 Rep. Funk
03:30:02 Sen. Rosendale
03:32:51 Rep. Jones

Motion

03:34:06 Sen. Rosendale moved that the committee conclude the HJR 26 youth concussion study and not move forward with any committee-sponsored legislation.

Discussion on the Motion

03:34:30 Rep. Funk
03:34:49 Rep. Jones
03:35:00 Sen. Cohenour
03:35:18 Rep. Jones
03:36:00 Ms. Kurtz

Vote

03:36:17 The motion passed on a roll call vote, 7-3, with Sen. Moe voting by proxy. Sen. Stewart-Peregoy and Rep. Woods were excused. ([Attachment 6](#))

SJR 21:Committee Discussion, Next Steps - CONTINUED

03:37:27 Ms. Kurtz
03:38:06 Sen. Cohenour
03:38:23 Sen. Vance
03:38:43 Ms. Kurtz

BREAK (reconvened at 12:28 p.m.)

DIGITAL LEARNING - Rep. Jones

Bob Kurry, Executive Director, Montana Digital Academy
Ryan Schrenk, Program Manager, EdReady Montana, Montana Digital Academy
David Price, D2L
Brad Keller, Senior Solution Engineer, D2L

03:52:39 Rep. Jones introduced this agenda piece
03:53:33 Mr. Kurry ([Exhibit 11](#)) ([Exhibit 12](#))
03:57:26 Mr. Schrenk
04:07:53 Mr. Kurry
04:10:21 Mr. Schrenk

Committee Questions

04:11:49 Rep. Price asked panelists to clarify whether the program they are presenting on is being sold to school districts.
04:13:07 Rep. Jones mentioned a presentation made by Paul Anderson during one of the earlier ELG meetings and commented on positive sides of lectures being digitally recorded.

BREAK (reconvened at 12:58 p.m.)

Panel Presentation - CONTINUED

04:22:25 Mr. Price
04:25:00 Mr. Keller

Committee Questions of the Panelists

04:38:15 Sen. Arntzen asked Mr. Price about the integrity of the data.

04:39:00 Mr. Price continued his presentation.

Committee Questions

04:44:00 Rep. Jones asked Mr. Price about the platform management.
04:45:50 Sen. Arntzen asked Mr. Price to elaborate on professional development.

04:49:01 Mr. Schrenk spoke on digital learning.

Committee Questions

04:49:41 Rep. Lamm asked whether the platform that Mr. Schrenk discussed would add additional flexibility to the DigitalAcademy.

04:50:40 Mr. Kurry also addressed the discussion on digital learning.

COMMUNITY COLLEGES

Status Updates

J. Vincent Nix, Interim President, Dawson Community College
Stacy Klippenstein, President, Miles City Community College
Jane Karas, President, Flathead Valley Community College

04:54:52 Mr. Nix
05:00:36 Mr. Klippenstein
05:09:01 Ms. Karas

Committee Questions

05:18:29 Rep. Lamm asked for written notes from the panelists.
5:25:00 Sen. Rosendale commented on how far the community colleges have gone in the last few years.
05:19:59 Rep. Jones asked about dual enrollment and the fee structure that community colleges use.
05:22:15 Sen. Arntzen asked about the reversion factor.
05:23:52 Rep. Jones asked panelists to elaborate on funding issues to be taken into consideration for the next legislative session.
05:25:07 Rep. Jones asked about collaboration by colleges represented by the panelists.

CAREER AND TECHNICAL EDUCATION

Background and Implementation of HB 86 (2013)

T.J. Eyer, Division Administrator, Career and Technical Education, OPI
Lisa Parker, State Director, Business Professionals of America
Jim Rose, Director, Montana FFA Association
Nicole Wanago, State Director, Montana FCCLA
Martha Robertson, Montana HOSA
Craig Todd, Montana TSA
Dwight Freeman, Co-State Advisor, Montana TSA

05:30:25 Mr. Eyer
05:34:28 Ms. Parker ([Exhibit 13](#))
05:39:56 Mr. Rose ([Exhibit 14](#))
05:47:36 Ms. Wanago ([Exhibit 15](#))
05:54:50 Ms. Robertson
06:00:20 Mr. Todd ([Exhibit 16](#))
06:02:36 Mr. Freeman
06:05:26 Mr. Eyer provided concluding remarks.

Update on Use of HB 356 (2015) Appropriation for Enhancing CTE - Patricia Hubbard, Chief Financial Officer, Billings Public Schools

06:06:06 Ms. Hubbard ([Exhibit 17](#))

Committee Questions

06:12:14 Sen. Arntzen referred to a study done in collaboration with the Chamber of Commerce and asked Ms. Hubbard to elaborate on the direction that the committee needs to go in.

ProStart Program - Brad Griffin, Montana Restaurant Association

06:13:45 Mr. Griffin ([Exhibit 18](#))

06:25:33 Sen. Arntzen commented about CTE.

Montana Auto Tech - Alan Ault, President

06:26:57 Mr. Ault ([Exhibit 19](#)) ([Exhibit 20](#))

BREAK (reconvened at 3:33 p.m.)

06:55:53 Jeremy Anderson, Education Commission of the States

Committee Questions

06:57:37 Sen. Arntzen asked about a possibility of establishing a portal so the committee members would be able to receive news from ECS on a daily or weekly basis.

DUAL ENROLLMENT

Eligibility, Instructor Requirements, Enrollment Numbers, Opportunities for Rural Students, Big Sky Pathways - Tyler Trevor, Deputy Commissioner for Planning and Analysis, Office of the Commissioner of Higher Education

06:59:47 Mr. Trevor ([Exhibit 21](#))

Committee Questions

07:05:32 Sen. Rosendale asked about home schooled students and whether they come from concentrated or disbursed areas.

07:06:01 Amy Williams, Dual Credit and Big Sky Pathways Program Manager, Office of the Commissioner of Higher Education, addressed Sen. Rosendale's question.

07:06:50 Rep. Jones asked about a class on welding with respect to the career technical education.

07:09:07 Mr. Trevor and Ms. Williams continued the presentation.

Committee Questions

07:20:08 Rep. Funk asked whether what Mr. Trevor and Ms. Williams have been discussing is available to every high school.

07:21:33 Rep. Price asked a question on Sen. Moe's behalf about the concurrent enrollment model and tuition rate.

07:25:23 Rep. Jones made a comment on regents being very proactive.

07:26:08 Mr. Trevor addressed Rep. Jones' comment.

Public Comment - none

PUBLIC COMMENT ON ANY MATTER WITHIN ELG'S SUBJECT-AREA JURISDICTION

07:27:03 Ed Bartlett, representing Montana community colleges, advised the committee that the community colleges expressed their willingness to answer committee's questions, as well as discussed the issue of public intoxication that the city of Billings and the Billings Chamber of Commerce are concerned with.

07:34:43 Rep. Jones addressed Sen. Arntzen's request for receiving updates and news from the Education Commission of the States from their website: www.ecs.org

07:35:13 Sen. Arntzen elaborated on the above.

Committee Discussion on Disposal of County Property - Committee's Next Steps

Ms. Kurtz advised the committee members that Harold Blattie made a request that the committee authorizes her to produce a bill draft. Committee members provided their feedback.

07:35:46 Ms. Kurtz

07:36:38 Rep. Funk

07:37:11 Sen. Cohenour

07:37:44 Ms. Kurtz
07:38:44 Sen. Vance asked about next ELG meeting.

RECESS

07:39:13 With no further business before the committee, Sen. Jones announced recess at 5:05 p.m.

April 7, 2016
Room 172, Capitol Building
Helena, Montana

COMMITTEE MEMBERS PRESENT

REP. DONALD JONES, Chair
SEN. ELSIE ARNTZEN
SEN. JILL COHENOUR
SEN. MATTHEW ROSENDALE
SEN. GORDON VANCE
REP. SETH BERGLEE
REP. MOFFIE FUNK
REP. DEBRA LAMM
REP. JEAN PRICE

COMMITTEE MEMBERS EXCUSED

SEN. MARY SHEEHY MOE
REP. TOM WOODS
SEN. SHARON STEWART-PEREGOY, Vice Chair

STAFF PRESENT

LEANNE KURTZ, Lead Staff
PAD MCCRACKEN, Research Analyst
LAURA SANKEY, Staff Attorney
KATYA GROVER, Secretary

VISITORS' LIST ([Attachment 7](#))

AGENDA ([Attachment 8](#))

COMMITTEE ACTIONS

None.

CALL TO ORDER AND ROLL CALL

00:00:01 Rep. Jones called the committee to order at 8:18 a.m. The committee secretary called roll. ([Attachment 9](#)) Sen. Moe, Sen. Stewart-Peregoy, and Rep. Woods were excused and left their proxies with Rep. Price, Sen. Cohenour, and Rep. Funk respectively. Sen. Vance was present for most of the meeting but left his proxy with Sen. Rosendale. ([Attachment 10](#))

CHARTER SCHOOLS: LIBBY/TROY AND BOZEMAN SCHOOLS

Applications Under ARM 10.55.604, Reasons for Applying, Process to Date

Rob Watson, Superintendent, Bozeman School District
Craig Barringer, Superintendent, Libby K-12 Schools
Kaide Dodson, Curriculum Director, Libby K-12 Schools

00:01:05 Leanne Kurtz, Lead Research Analyst, brought members' attention to the two documents associated with this agenda item. **(Exhibit 22) (Exhibit 23)**

00:01:43 Mr. Watson

00:08:05 Mr. Barringer **(Exhibit 24)** In his presentation, Mr. Barringer also used the PowerPoint presentation, a copy of which Ms. Kurtz provided to the committee members as Exhibit 23.

00:14:48 Ms. Dodson

00:19:52 Mr. Barringer concluded the presentation.

Committee Questions

00:20:33 Sen. Rosendale asked Mr. Barringer whether the program at his school, in addition to the vocational classes, also incorporates basic business or finance classes so that if graduates want to advance their career to start their own business they have the necessary knowledge.

00:23:25 Rep. Lamm asked Mr. Barringer whether the charter program and traditional program are located on the same campus and whether credits are transferable between the two programs.

00:24:49 Rep. Lamm asked Mr. Watson how the program at his school differs from some of the alternative programs that already exist. Rep. Lamm also requested a copy of application for the program.

00:26:55 Sen. Cohenour asked Mr. Watson about teachers' feedback.

00:28:11 Sen. Cohenour asked Mr. Watson to confirm that these programs are under the purview of the School Boards.

00:29:19 Rep. Price asked Mr. Barringer whether students in those programs have the same requirements as students in traditional programs.

00:32:30 Rep. Jones asked Mr. Barringer to clarify the definition of a *charter program* as opposed to a *charter school*.

00:33:52 Rep. Lamm asked Mr. Watson whether the program in his school is considered a separate school.

00:35:28 Rep. Lamm asked Mr. Watson whether the funding model is the same as at a traditional school.

00:35:43 Rep. Jones asked about eligibility of a school, in case it obtains a separate number, for the basic entitlement.

00:36:04 Dennis Parman, Deputy Superintendent, OPI, addressed Rep. Jones' question. In his answer, he referred to Exhibit 22.

00:37:57 Rep. Price asked Mr. Barringer about accreditation standards and teacher certification.

00:39:23 Sen. Arntzen asked the panelists to provide their input with respect to negative and positive sides for other schools who might want to initiate the same programs.

00:42:07 Sen. Arntzen asked whether programs represented by the panelists have applied for variances.

00:43:05 Rep. Jones asked Mr. Watson about the number of students enrolled in these programs who are identified as gifted and talented.

00:45:27 Rep. Jones asked Mr. Barringer to elaborate on the students enrolled in his program furthering their education at colleges.

OPI Comment on Process - Dennis Parman, Deputy Superintendent, OPI

00:46:32 In his report, Mr. Parman referred commissioners' attention to point 11 on page 2 of Exhibit 22.

Committee Questions

00:49:08 Sen. Cohenour asked Mr. Parman to elaborate on and confirm that as long as standards are met, the approval is essentially guaranteed.

00:50:00 Rep. Lamm said that it seems that what has been implemented is a program rather than a school.

00:50:43 Rep. Lamm asked Mr. Parman to clarify the definition of a charter.

00:52:27 Sen. Cohenour asked whether there is a necessity to seek the designation of a charter.

00:52:43 Mr. Watson addressed Sen. Cohenour's question.

00:54:01 Sen. Rosendale asked Mr. Watson about the report with respect to accreditation standards.

00:54:40 Sen. Rosendale asked whether the program fulfills the requirements that otherwise would be requested of the program and its students in order to complete the graduation requirements.

00:55:06 Rep. Jones asked Mr. Watson whether the expectations were that the charter would provide a lot more flexibility and would serve the program significantly better.

00:56:27 Rep. Jones talked about variances and that, in his opinion, these programs should have a lot more flexibility than they have right now and asked Mr. Watson to elaborate on it.

00:58:08 Rep. Jones commented about the continuous need of charters to request variances.

00:59:16 Rep. Berglee asked Mr. Watson about parental involvement.

01:00:51 Rep. Lamm asked Mr. Watson about outreach with regards to advertising his program.

01:01:30 Sen. Cohenour asked Mr. Watson to elaborate more on the application process and evaluation process.

01:03:08 Rep. Jones commented about disruptive innovation and concluded the question-answer session.

Public Comment

01:03:56 Kirk Miller, Executive Director, School Administrators of Montana, provided background information about variances to standards.

Committee Questions

01:08:12 Rep. Jones asked Mr. Miller whether a charter school, as opposed to a charter program, was the original intent.

01:10:51 Rep. Jones expressed his opinion that a charter school would not need to apply for the variances whereas a charter program does as traditional school rules apply.

01:13:54 Sen. Cohenour asked Mr. Barringer to follow up on the fact that these schools have made a choice about the direction they want to go.

Further Public Comment

01:15:52 Sen. Kristin Hansen expressed her agreement with Mr. Miller about the distinction between a *charter program* and *charter school*. Sen. Hansen also expressed her agreement with Sen. Cohenour about it being a local decision of whether to have a charter school or a charter program.

Committee Questions of Peter Donovan, Executive Director, Board of Public Education

01:16:59 Sen. Arntzen asked what the next step should be in the process of operating a charter school or program.

01:18:09 Sen. Arntzen asked whether, with regards to amendments, the entire project is looked at as a whole or whether there are things that could be removed from there or added to it.

01:20:43 Sen. Arntzen asked what the typical amount of variances requested from other schools is.

BREAK (reconvened at 9:45 a.m.)

MUS RESEARCH INITIATIVE PROJECTSa program and school.

Introduction - Tyler Trevor, Deputy Commissioner of Higher Education

01:30:40 Mr. Trevor

One Medicine

Jvanka Voyich, Researcher

Mark Quinn, Researcher

Mark Jutila, Researcher

01:31:52 Ms. Voyich (**Exhibit 25**: *One Medicine: Reducing the Impacts of Disease on Animal and Human Health in Montana*)
Exhibit 25 is a Power Point presentation and can be viewed at this point in the video recording of the meeting.

Committee Questions

01:42:47 Rep. Jones asked whether the 1.5 million dollars is assigned for the biennium, as well as asked about funds for the program in general.

01:43:56 In addition to Ms. Voyich answering Rep. Jones' question, Mr. Quinn also addressed this question.

01:46:11 Mr. Jutila also addressed Rep. Jones' question.

01:47:20 Ms. Kurtz brought the committee's attention to the project abstract that Ms. Voyich presented and that was distributed earlier. (**Exhibit 26**)

Energy Technology - Lee Spangler, Researcher

01:47:35 Mr. Spangler (**Exhibit 27**:Energy Technology) (**Exhibit 28**)
Exhibit 27 is a Power Point presentation and can be viewed at this point in the video recording of the meeting.

Mental Health - Matt Byerly, Researcher

02:01:00 Mr. Byerly ([Exhibit 29: Mental Health](#)) ([Exhibit 30](#))
Exhibit 29 is a Power Point presentation and can be viewed at this point in the video recording of the meeting.

Committee Questions of Mr. Byerly

02:16:10 Rep. Lamm asked to identify the 11 schools in Montana that will be piloting this program.

02:17:35 Rep. Lamm asked about the selection process of cities participating in this project.

02:18:55 Sen. Cohenour asked whether Mr. Byerly's team is working with the tribal mental health professionals within each of the tribes with respect to cultural adaptation.

02:19:36 Sen. Cohenour asked about the number of the tribal facilities and whether they are affiliated with the tribal mental health programs within each one of the tribes.

02:20:48 Sen. Rosendale asked whether the nationwide numbers from death by overdose are analyzed into numbers indicating accidental overdose vs. intentional overdose.

02:21:24 Sen. Rosendale asked for the demographics showing a higher likelihood of suicide.

02:22:45 With respect to the information request above, Sen. Rosendale noted that Montana has one of the highest veteran populations in the country.

K-12 TRANSPORTATION AUDIT

Audit Recommendations - Pad McCracken, Research Analyst

02:25:47 Mr. McCracken ([Exhibit 31](#)) ([Exhibit 32](#))

Committee Questions of Mr. McCracken

02:41:55 Rep. Funk asked about the seat belt requirements and about seat capacity on larger buses.

02:43:48 Sen. Cohenour asked whether there is any study done with respect to whether there are any differential costs between large schools and small rural schools, and if there are, then how it is going to affect larger schools vs. smaller schools.

02:46:07 Sen. Arntzen asked whether any differentiation between the uses of buses has been determined: bringing students to school vs. using a bus for extracurricular activities.

02:47:03 Rep. Jones commented on the point of having larger buses to be utilized for activities such as sports.

02:47:47 Rep. Funk asked if there is a cap on the permissive levy.

Public Comment

02:49:30 Bob Story, Montana Taxpayers' Association

02:55:15 Janelle Mickelson, School Division Administration, OPI

Committee Questions of Mr. McCracken

02:57:29 Rep. Jones asked Mr. McCracken whether the reimbursement numbers reflected on page 2 of Exhibit 32 get escalated at all.

Committee Discussion, Next Steps

Committee members discussed the next steps with regards to K-12 Transportation Audit, as well as provided information requests to the committee staff.

02:57:51 Sen. Cohenour
02:59:54 Sen. Rosendale
03:00:50 Rep. Price
03:01:32 Rep. Jones
03:02:44 Sen. Vance
03:03:47 Sen. Arntzen
03:04:39 Ms. Kurtz

ADMINISTRATIVE RULE REVIEW

03:05:15 Laura Sankey, ELG Staff Attorney ([Exhibit 33](#))

OFFICE OF PUBLIC INSTRUCTION

Arts Content Standards, Health Enhancement Content Standards - Madalyn Quinlan, Chief of Staff, OPI

03:08:25 Ms. Kurtz ([Exhibit 34](#)) ([Exhibit 35](#)) ([Exhibit 36](#)) ([Exhibit 37](#))

03:17:11 Ms. Quinlan ([Exhibit 38](#)) ([Exhibit 39](#)) ([Exhibit 40](#)) ([Exhibit 41](#): *Arts Content Standards, Health Enhancement Content Standards*)
Exhibit 41 is a Power Point presentation and can be viewed at this point in the video recording of the meeting.

Committee Questions

03:23:38 Rep. Lamm asked whether the data that Ms. Quinlan was using in her PowerPoint presentation could be provided to the committee on paper or could be accessed through the OPI website.

03:24:51 Karin Billings, Administrator, Health Enhancement Division, OPI, provided additional info on the subject discussed.

03:33:59 Ms. Quinlan continued her presentation.

Panel Presentation

Some of the members of the Negotiated Rulemaking Committee (formed as required in section 20-7-101 to develop standards of accreditation) provided their insights on the process.

03:53:15 Jeff Gray, Trustee, Great Falls Public Schools
03:55:21 Megan Chilson, Chair, UM-Western Human Health & Performance Department
03:56:48 Katie Loveland, Parent, Helena

03:58:07 Ms. Quinlan

Committee Questions

03:58:13 Rep. Lamm asked about the model curriculum.

- 03:59:51 Sen. Cohenour noted that it is the purview of the ELG committee to decide whether the curriculum represents a substantial cost or not and asked whether the committee needs to make a motion now.
- 04:00:32 Ms. Quinlan also addressed Sen. Cohenour's question.
- 04:01:58 Rep. Lamm asked the panelists whether the curriculum has been presented to the Board of Public Education.
- 04:02:29 Rep. Lamm asked, given that the standards do not need to be adopted until July, 2017, whether the Board would independently make a decision other than the one being discussed.
- 04:03:12 Sen. Arntzen asked what has been done to help the outliers identified in the process.
- 04:06:13 Sen. Arntzen asked about the source of the funds.
- 04:09:02 Sen. Arntzen expressed her concern that the smaller schools did not have a voice in the process and asked the panelists to confirm that smaller, rural schools did have a voice.
- 04:10:05 Rep. Jones noted that the committee needs to make a motion after public comment.

LUNCH (reconvened at 1:01 p.m.)

Arts Content Standards, Health Enhancement Content Standards - CONTINUED

- 04:44:17 Ms. Quinlan introduced Jael Prezaeu, Administrator, Content Standards and Instruction Division, OPI.
- 04:44:55 Ms. Prezaeu
- 04:53:20 Ms. Quinlan continued her presentation.

Economic Impact Statements for Standards

- 04:54:17 Ms. Quinlan
- 05:01:16 Ms. Prezaeu read Melanie Charlson's testimony. Ms. Charlson was a member of the Negotiated Rulemaking Committee but could not attend the ELG meeting.

Committee Questions

- 05:03:47 Rep. Lamm asked whether all schools currently offer some form of art classes.
- 05:04:45 Rep. Lamm asked to clarify on the term *gap*.
- 05:05:28 Rep. Price asked Ms. Quinlan whether the subheadings in Exhibits 38 through 40 are new parts of the curriculum or the same is in the previous curriculum.
- 05:07:03 Sen. Arntzen asked what the reason is for a \$ 22,000 increase for the implementation of both standards.
- 05:07:44 Sen. Arntzen asked about partnering with the Montana Arts Council.

Oil and Gas Revenue Allocation Negotiated Rulemaking

- 05:09:28 In her presentation, Ms. Quinlan referred to a map on page 5 of Exhibit 37.
- 05:21:11 Sen. Cohenour requested a copy of the rules. Ms. Quinlan distributed a copy. **(Exhibit 42)**

05:24:25 Dan Farr, District Superintendent, Sidney Public School (via phone)
05:25:54 Renee Rasmussen, Superintendent, Bainville Public Schools (via phone)
05:26:24 Keith Campbell, District Superintendent, Miles City Public Schools (via phone)
05:31:35 Ms. Rasmussen

05:35:33 Ms. Quinlan advised the committee that no executive action is required and that this presentation is part of the negotiated rulemaking process.

Student Assistance Update

05:36:56 Ms. Quinlan

Committee Questions of Ms. Quinlan

05:39:26 Rep. Lamm asked about the number of students taking the test.

05:39:43 Rep. Lamm asked about the time frame for the GEAR UP grant.

Public Comment

05:41:21 Barb Good, Member of the Music Writing Team for the National Core Arts Standards, spoke in support of the arts education. In her presentation, she referred to the following weblinks:

http://www.theguardian.com/teacher-network/zurich-school-competition/teach-arts-michael-rosen-education-worthwhile-students?CMP=share_btn_tw
<https://bigskyartsed.wordpress.com/tag/montana-public-schools/>

05:51:11 Sen. Cohenour thanked all presenters associated with this discussion.

Committee Discussion

Motion

05:52:49 Sen. Sen. Rosendale moved that the committee does not support the rules that were brought before the committee for health and physical education content standards and arts content standards and the fiscal impact that would be created by the same.

Discussion on the Motion

05:54:30 Sen. Cohenour
05:55:19 Ms. Kurtz
05:56:15 Ms. Sankey, Staff Attorney
05:58:39 Sen. Rosendale
05:59:30 Ms. Sankey
06:00:16 Rep. Lamm
06:01:21 Sen. Arntzen
06:02:11 Ms. Kurtz
06:02:24 Ms. Sankey
06:03:29 Sen. Arntzen
06:04:36 Sen. Moe (via phone)
06:06:16 Sen. Cohenour
06:07:21 Rep. Jones
06:07:36 Sen. Rosendale

Withdrawal of the Motion

06:07:51 Sen. Rosendale withdrew the original motion; he agreed to segregate the motion into two separate motions.

Motion

06:08:05 Sen. Rosendale moved that the committee does not support the fiscal impact that these rule changes make.

Discussion on the Motion

06:08:22 Sen. Arntzen
06:09:18 Rep. Jones
06:09:25 Rep. Lamm
06:09:55 Ms. Billings
06:10:15 Rep. Lamm
06:10:41 Ms. Billings
06:11:27 Ms. Sankey
06:12:15 Rep. Funk
06:13:11 Rep. Jones
06:13:26 Rep. Funk
06:13:48 Rep. Price
06:16:13 Rep. Jones
06:17:07 Rep. Lamm
06:17:31 Ms. Billings
06:19:00 Sen. Cohenour
06:19:58 Sen. Rosendale
06:21:28 Sen. Arntzen
06:24:43 Rep. Funk
06:26:43 Rep. Jones

BREAK (reconvened at 2:53 p.m.)

Withdrawal of the Motion

06:35:23 With no objections from the committee, Sen. Rosendale withdrew his motion.

06:35:34 Sen. Moe commented on Sen. Rosendale's motion.

Motion

06:36:54 Sen. Cohenour moved that the committee should support the economic impact statements from the Office of Public Instruction that conclude that the cost to the school districts of implementing the standards is insubstantial.

Discussion on the Motion

06:37:17 Rep. Lamm

Substitute Motion

06:37:22 Sen. Arntzen made a substitute motion to delay action on the economic impact statements from the Office of Public Instruction that conclude that the cost to the school districts of implementing the standards is insubstantial.

Vote

06:37:55 The substitute motion failed on a roll call vote, 6-6, with Sen. Stewart-Peregoy, Sen. Vance, and Rep. Woods voting by proxy. ([Attachment 11](#))

Discussion on the Original Motion

06:38:56 Ms. Kurtz
06:39:20 Sen. Cohenour
06:39:39 Ms. Sankey

Withdrawal of the Motion

06:40:09 With no objections from the committee, Sen. Cohenour withdrew her motion.

Motion

06:40:12 Sen. Cohenour moved that the committee accept the economic impact statement for the revision of health and physical education content standards.

Discussion on the Motion

06:40:31 Rep. Berglee
06:41:08 Rep. Funk
06:41:28 Rep. Berglee
06:42:18 Ms. Kurtz

Vote

06:42:35 The motion failed on a roll call vote, 6-6, with Sen. Moe, Sen. Stewart-Peregoy, Sen. Vance, and Rep. Woods voting by proxy. ([Attachment 12](#))

Motion

06:43:12 Sen. Cohenour moved that the committee accept that the economic impact statement for the revision of arts content standards.

Discussion on the Motion

06:43:49 Sen. Arntzen

Vote

06:45:14 The motion failed on a roll call vote, 6-6, with Sen. Moe, Sen. Stewart-Peregoy, Sen. Vance, and Rep. Woods voting by proxy. ([Attachment 13](#))

06:46:05 Sen. Moe expressed her concern about the subject and asked whether the committee is going to revisit this issue in June. Sen. Moe also expressed her hope that those committee members who voted 'no' on the last motion, will be asking for the fiscal note during the June meeting.

06:47:33 Sen. Arntzen addressed Sen. Moe's comment.

PUBLIC COMMENT ON ANY MATTER WITHIN ELG'S SUBJECT AREA JURISDICTION

- none

JUNE MEETING PREVIEW

- 06:48:25 Ms. Kurtz reminded the committee members of the June meeting date.
- 06:50:07 Rep. Funk asked about what needs to be done regarding the K-12 transportation study during the remaining meetings.
- 06:51:11 In addressing Rep. Funk's question, Rep. Jones reminded the committee that due to time constraints, the committee will not be proposing a bill draft.

ADJOURNMENT

- 06:51:27 With no further business before the committee, Rep. Jones adjourned the meeting at 3:09 p.m.

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