



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

September 24, 2015
Room 137, 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.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select Committees, then Interim. Once on the page for Interim Committees, scroll down to the appropriate committee. The written Minutes Log, along with the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the Exhibits is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed.

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. MARY SHEEHY MOE
SEN. MATTHEW ROSENDALE
SEN. GORDON VANCE
REP. SETH BERGLEE
REP. MOFFIE FUNK
REP. DEBRA LAMM
REP. JEAN PRICE
REP. TOM WOODS

COMMITTEE MEMBERS EXCUSED

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 1)

AGENDA (Attachment 2)

CALL TO ORDER AND ROLL CALL

00:01:08 Rep. Jones called the committee to order at 9:00 a.m. The committee secretary called roll. **(Attachment 3)**

AGENDA REVIEW - Leanne Kurtz, Research Analyst

00:02:03 Ms. Kurtz reviewed the agenda. (refer to Attachment 2)

00:03:18 Rep. Jones allowed public comment at this time as Sen. Hansen had to leave but wanted to provide public comment.

Public Comment

00:03:31 Sen. Hansen distributed a document she received anonymously and expressed her concern about funding pre-K, which was affirmatively rejected by the Legislature. Sen. Hansen asked the committee members to find out the details. **(Exhibit 1)**

SB 128 SCHOOL FUNDING COMMISSION REPORT - Pad McCracken, Research Analyst

00:11:24 Mr. McCracken provided a summary of the meeting of the School Funding Interim Commission from September 23, 2015. **(Exhibit 2)**

Committee Discussion and Questions of Mr. McCracken

00:18:26 Rep. Jones commented on Mr. McCracken's presentation.

00:18:40 Sen. Arntzen asked Mr. McCracken whether it is too late for members of ELG to provide their input, specifically, suggest topics for study to the School Funding Commission.

00:20:02 Sen. Cohenour asked Mr. McCracken about TIF districts and their relationship with school funding.

00:21:10 Sen. Cohenour asked for an update from the Revenue and Transportation with respect to TIF districts.

00:21:50 Sen. Arntzen commented on Sen. Cohenour's request.

00:22:09 Ms. Kurtz informed the committee members about the Revenue and Transportation Committee's schedule.

00:22:54 Rep. Jones made a comment about scheduling.

ADMINISTRATIVE RULE REVIEW - Laura Sankey, Staff Attorney

00:23:13 Ms. Sankey **(Exhibit 3)**

BOARD OF PUBLIC EDUCATION UPDATE - Peter Donovan, Executive Director, Board of Public Education (BPE)

00:27:26 Mr. Donovan **(Exhibit 4)**

Committee Questions of Mr. Donovan

- 00:32:15 Sen. Moe asked about BPE member Jesse Barnhart's background.
- 00:33:12 Sen. Arntzen asked about amendments to the rules (identified in Exhibit 3).
- 00:36:20 Sen. Arntzen asked about reciprocity and national accreditation.
- 00:38:25 Rep. Lamm asked whether research exists suggesting that schools get good teachers only in the event that they have gone through accreditation.
- 00:40:03 Sen. Rosendale asked about states that share the same requirements with Montana and in which the same reciprocity requirements apply.
- 00:41:52 Sen. Cohenour asked what a person would need to do if he or she comes from another state and whether the fact that he or she has licence from that state matters.
- 00:43:33 Rep. Jones said that the commissioners had talked about a labyrinth during yesterday's meeting of the School Funding Commission and asked whether members of the Board of Public Education are working on making the process of becoming a teacher more straightforward.
- 00:46:07 Rep. Jones commented that teachers from other states might look at Montana's requirements and not want to go through this process.
- 00:46:19 Rep. Woods said that states have control over their educational licenses and that this committee will not be able to resolve this issue.
- 00:46:54 Rep. Jones said that the committee members can make an effort to resolve it.
- 00:47:07 Rep. Woods noted that while this issue is not unsolvable, it is very challenging.

HJR 26 YOUTH CONCUSSION STUDY

UM Project and Survey Update - Valerie Moody, University of Montana Department of Health and Human Performance (by phone)

- 00:48:26 Mr. McCracken introduced background information about HJR 26. **(Exhibit 5)**
- 00:51:42 Sen. Arntzen noted that the presentation and discussion will begin now but that it will continue later this afternoon.
- 00:52:34 Ms. Moody updated the committee on the research she is conducting on youth concussions.

Committee Questions of Ms. Moody

- 00:59:34 Rep. Lamm asked to explain the statement (refer to Exhibit 5) that parents do not realize that their children are not protected under the current laws.
- 01:00:59 Rep. Lamm asked how would appropriate organizations know that the students need to see a medical professional before returning to the field as there is no official requirement for that.
- 01:02:01 Sen. Moe expressed a concern about reliability of the study if it is conducted only in Missoula, which means that rural and isolated regions would not be taken into account.
- 01:03:41 Sen. Moe suggested that for convenience in terms of outreach, Ms. Moody could utilize the Teachers' Convention in October.
- 01:04:21 Rep. Funk said that many schools try to solicit information from parents with respect to possible concussions but that it is difficult. Sen. Funk asked whether there is any protocol in place do deal with this.

Save the Brain - Paul Coats, Kalispell Regional Medical Center

01:06:42 Mr. Coats presented information on youth concussions. ([Exhibit 6](#)), ([Exhibit 7](#))

Committee Questions of Mr. Coats

01:44:19 Sen. Rosendale asked about student-players' release to return to play after a concussion.
01:45:29 Rep. Funk asked whether school nurses could be trained to sign off on the release to play form.
01:45:43 Sen. Cohenour asked about what is done on national and federal level, including NFL, with respect to this issue.

BREAK (reconvened at 10:55 a.m.)

01:56:53 Brian Michelotti, Assistant Director, Montana High School Association, showed a video (<http://nfhslearn.com>) as further elaboration on Mr. Coats' presentation.
02:01:35 Sen. Arntzen asked whether this video can be used as a learning tool.
02:03:58 Rep. Jones commented on the video.
02:04:30 Sen. Moe asked about the level of vulnerability among adolescents, young adults and adults.
02:05:27 Rep. Jones asked Mr. McCracken to talk about the Center for Disease Control and Prevention (CDC).
02:06:32 Rep. Jones noted that this video was sponsored by the CDC.

Committee Discussion and Questions

02:06:58 Sen. Moe said that 16,000 people in Montana watched that video.
02:07:16 Mark Beckman, Executive Director, Montana High School Association, commented on Sen. Moe's remark.
02:07:42 Sen. Moe asked if parents are required to watch this video.
02:08:17 Sen. Moe noted that the parent was not mentioned in the clip.

Public Comment

02:08:41 Mr. Beckman provided public comment on parent participation in evaluating the child with respect to the sign off form.
02:09:25 Sen. Arntzen commented that the awareness about this issue should be brought not only to professionals and teachers but youth also should be educated about it.
02:10:55 Mr. Beckman commented on the concussion prevention efforts referring to Mr. Coats' presentation.
02:13:50 Bob Vogel, Montana School Boards Association (MTSBA), Montana Rural Education Association (MREA), commented on the committee's roles and responsibilities.
02:17:25 Rep. Jones concluded the discussion of HJR 26 Youth Concussion study.

OPI MONITORING - Madalyn Quinlan, Chief of Staff, OPI

Negotiated Rulemaking Committees - Madalyn Quinlan, Chief of Staff, OPI

02:17:50 Ms. Quinlan ([Exhibit 8](#))

Committee Questions of Ms. Quinlan

- 02:23:15 Sen. Moe asked about background of Ken Morrison whom Ms. Quinlan mentioned as a member of one of the committees.
- 02:24:19 Rep. Price asked whether any art educators requested to be on one of the committees mentioned in the document Ms. Quinlan distributed. (refer to Exhibit 8)
- 02:26:56 Rep. Lamm asked about the number of people who applied to be on these committees.

Statewide Assessments - Madalyn Quinlan, Chief of Staff, OPI

02:27:37 Ms. Quinlan ([Exhibit 9](#))

Committee Questions of Ms. Quinlan

- 02:33:28 Rep. Lamm asked about a refund from the Measured Progress program outlined in Exhibit 9.
- 02:34:52 Rep. Lamm noted that Nevada is in the same situation as Montana and asked whether Montana is seeking the same kind of remedy as Nevada has or whether Montana is under contract that does not provide such remedy.
- 02:36:40 Rep. Lamm asked about a possibility of data being unreliable and, if this were the case, about the possibility of paying for a test that is not reliable.
- 02:37:49 Rep. Funk asked whether or not the Measured Progress program was used in the past.
- 02:39:21 Rep. Funk commented that there are many options allowing the program to run smoothly in the spring.
- 02:39:47 Sen. Rosendale asked whether the company providing the services with testing is able to retrieve data for the committee.
- 02:40:55 Sen. Rosendale noted that this is a system that Montana had difficulties putting together and now the company that is in charge of it demonstrates the inability to provide data. Sen. Rosendale asked whether there are provisions in the contract allowing the state to void this contract.
- 02:42:32 Sen. Rosendale said that the company that does not provide the services it is intended to provide is not affordable but cheap.
- 02:42:50 Rep. Lamm referred to reports released by Denise Juneau, Superintendent of Public Instruction, about Broadband program in Montana and asked whether the fact that some school districts did not have it had an effect on the assessment test.
- 02:43:26 This question was re-referred to Dennis Parman, Deputy Superintendent, OPI.
- 02:44:42 Rep. Lamm noted that the US Department of Education now requires the Smarter Balanced Assessment and asked whether Montana is prepared for it.
- 02:45:36 Rep. Lamm asked whether Montana had special relief this year as in the announcement that came from the Department of Education it is stated that there will be no alternative assessment.
- 02:46:05 Sen. Cohenour said that the questions about the data, which are based on students who did the test, are: (1) whether these data are going to be good and valid and (2) whether these data have been submitted for validation.
- 02:47:47 Sen. Cohenour commented that this information, with the margin of error, will be available to the OPI and the committee members.

Data Task Force - Madalyn Quinlan, Chief of Staff, OPI

02:48:41 Ms. Quinlan

Committee Questions

- 02:51:07 Rep. Arntzen asked Ms. Quinlan whether there are any repercussions with respect to the waiver of accountability.
- 02:52:37 Rep. Arntzen asked Ms. Quinlan about costs.
- 02:53:14 Rep. Lamm said that there is a cost involved and asked Ms. Quinlan who is covering that cost.
- 02:54:14 Rep. Lamm asked Ms. Quinlan about sub-segmenting the data with respect to data task force.

OPI Response to Public Comment

- 02:56:15 Sen. Moe asked to address public comment that was heard earlier.
- 02:57:12 Dennis Parman, Deputy Superintendent, OPI, addressed the public comment. **(Exhibit 10), (Exhibit 11)**

Committee Discussion and Questions

- 03:07:53 Rep. Lamm asked Mr. Parman whether he has talked to the Park County about the program for four-year-olds.
- 03:08:40 Sen. Rosendale asked Mr. Parman whether he knows how many schools and how many children are taking advantage of this program.
- 03:08:58 Sen. Rosendale requested this information for tomorrow's meeting.
- 03:09:11 Sen. Rosendale commented on the distinction between preschool and kindergarten being unclear as some districts may have kindergarten 1 and kindergarten 2. Sen. Rosendale asked Mr. Parman to clarify the difference between preschool and kindergarten.
- 03:11:24 Sen. Rosendale commented that he still did not see how Mr. Parman differentiated between preschool and kindergarten.
- 03:11:45 Sen. Cohenour provided her own example with respect to the evaluation standards of how a child is identified as being ready or not for kindergarten.
- 03:13:43 Sen. Arntzen asked Mr. Parman about funding of these programs that are running in the district that allows K-1 and K-2 and the pre-school programs.
- 03:14:44 Sen. Arntzen asked whether schools offering these pre-school programs can charge tuition.

Public Comment - none

LUNCH (reconvened at 1:30 p.m.)

SJR 10 Data Collection Audit - Will Soller, Legislative Audit Division

- 04:31:15 Mr. Soller provided a review of how the audit process is done and where the audit is in the process now.

Committee Questions of Mr. Soller

- 04:33:45 Rep. Lamm asked about the next Audit meeting and about the opportunity for public comment.

- 04:35:00 Rep. Lamm asked about a meeting with the Audit team or person in charge of auditing this program.
- 04:35:24 Rep. Jones asked about the scope of the auditing the SJR 10 Data Collection program.
- 04:36:10 Rep. Jones asked whether each individual organization or entity that has access to OPI will be audited.

ESEA REAUTHORIZATION - Lee Posey, Federal Affairs Counsel, National Conference of State Legislatures

- 04:37:02 Rep. Jones opened the video conference presentation.
- 04:37:40 Rep. McCracken talked to the committee members about the video chat meeting and distributed materials on Ms. Posey's behalf. ([Exhibit 12](#))
- 04:39:30 Rep. Jones welcomed Ms. Posey.
- 04:39:45 Ms. Posey made a presentation about ESEA reauthorization.

Committee Questions of Ms. Posey

- 05:02:27 Rep. Lamm asked whether Montana currently has a one-year waiver for the teachers' accountability.
- 05:03:12 Rep. Lamm commented about the requirement of teacher evaluation.
- 05:03:52 Sen. Arntzen asked about portability of the title funds.
- 05:05:02 Sen. Arntzen commented about Congress and the conference committee process with respect to ESEA reauthorization.
- 05:07:17 Sen. Moe asked what would happen if ESEA is not reauthorized.
- 05:09:26 Sen. Moe asked how much of the state education budget is paid for by the Federal funding.
- 05:10:46 Rep. Lamm asked about reauthorization of the No Child Left Behind bill as it should have expired.
- 05:12:18 Rep. Jones asked if anybody from the audience had a question to Ms. Posey.
- 05:12:45 Sen. Arntzen asked about a committee member sign up for receiving updates on reauthorization.

MUS MONITORING

Research Initiative Update and Funded Projects - Project Researchers

- 05:13:27 Clayton Christian, Commissioner of Higher Education, provided introductory comments.
- 05:19:40 Joseph Shaw, Director, Optical Technology Center, Montana State University ([Exhibit 13: Montana Optics and Photonics Companies: 1980 – 2015](#))
Note: Exhibit 13 is a Power Point presentation and can be viewed at 05:19:40 in the video recording of the meeting.
- 05:27:18 Chuck Leonard, Director, Neural Injury Center, University of Montana
- 05:29:10 Tom Rau, Post-Doctoral Fellow, Department of Biomedical and Pharmaceutical Science, University of Montana

- 05:34:15 Barry Jacobsen, Professor, College of Agriculture, Montana State University
(Exhibit 14), **(Exhibit 15: *Increasing Profitability by Improving Efficiency of Montana's Farm and Ranch Lands*)**
Note: Exhibit 15 is a Power Point presentation and can be viewed at 05:34:15 in the video recording of the meeting.
- 05:40:42 Chris Palmer, Department of Chemistry and Biochemistry, University of Montana
(Exhibit 16: *Development and Commercialization of Autonomous Chemical and Biological Instrumentation for Water Quality Monitoring*)
Note: Exhibit 16 is a Power Point presentation and can be viewed at 05:40:42 in the video recording of the meeting.

Committee Questions

- 05:47:27 Rep. Jones asked Mr. Palmer whether he believes that he will be able to get an SPRI grant.
- 05:48:12 Janelle Booth, Research Director, Montana University System
(Exhibit 17)

Committee Questions and Discussion

- 05:50:01 Sen. Rosendale asked Mr. Rau about identifying blood biomarkers regarding concussions.
- 05:51:12 Sen. Rosendale asked Mr. Palmer about conducting experiments with salinity in the future, as well as about creating efficient devices for working on this issue.
- 05:53:00 Sen. Moe said that the policy maybe ahead of science and asked Mr. Rau to clarify the difference between the terms 'concussion' and 'traumatic brain injury'.
- 05:56:02 Sen. Moe asked to confirm that animals get concussions and asked to elaborate on animal concussions.
- 05:58:33 Sen. Moe asked whether there are any women researchers and asked for some statistics with regards to women researchers.
- 05:59:14 Sen. Moe asked Mr. Christian about funding sustainability.
- 06:01:18 Sen. Moe asked about students' involvement in these projects.
- 06:02:46 Sen. Moe asked about what is done on the college level to protect the athletes form concussions.
- 06:04:20 Rep. Woods addressed Sen. Moe's concerns about women researchers.
- 06:05:03 Rep. Jones asked Mr. Rau about his involvement in the project involving diagnosing concussions.
- 06:08:31 Rep. Woods made a comment about Rep. Jones' question.
- 06:08:44 Rep. Jones asked about the timeframe for the patent and, in general, for the protocol being in place.
- 06:09:44 Rep. Jones concluded the discussion on the research initiative update and funded projects.
- 06:10:08 Mr. Christian also made concluding remarks.

Financial Literacy Program

- 06:11:00 Ron Muffick, Director for Student Affairs, MUS **(Exhibit 18)**

ACT and Compass Testing and Course Placement Protocol

06:17:29 Tyler Trevor, Deputy Commissioner, Office of the Commissioner of Higher Education

Committee Questions of Mr. Trevor

06:20:39 Sen. Moe said that on most campuses an ACT score will place a student in a college-required class and asked whether campus can be used by those students who either did not take ACT or who took it but scored too low. Sen. Moe asked what problem is being fixed by this.

06:22:27 Sen. Moe asked about the Compass program.

06:23:11 Sen. Moe asked about math requirements with respect to the ability to graduate from high school.

HJR 26 YOUTH CONCUSSION STUDY (continued) - Milica McDowell, Co-Founder and Chief Medical Officer, 4C Sports Injury Analytics

06:24:48 Sen. Arntzen made a comment about Ms. McDowell's presentation.

06:25:44 Ms. McDowell (**Exhibit 19: 4C Play On. 4C Sports Injury Analytics**)
Note: Exhibit 19 is a Power Point presentation and can be viewed at 06:25:44 in the video recording of the meeting.

Committee Questions of Ms. McDowell

06:34:51 Sen. Cohenour asked about unwillingness of student players to participate.

06:35:51 Sen. Moe asked to define RTP and asked Ms. McDowell to elaborate on her work.

06:37:27 Sen. Moe asked Ms. McDowell to confirm whether or not she may be able to objectively detect the injury.

Committee Discussion of the Next Meeting Date

06:39:02 Committee members and staff members discussed rescheduling the next meeting.

Public Comment - none

06:46:42 Ms. Kurtz provided committee members with information about the SJR 20 study for the next day's meeting. (**Exhibit 20**)

06:48:34 Sen. Cohenour said that fire contractors spoke to her wishing to participate in the section of tomorrow's meeting which is attributed to SJR 21 Local Fire and Emergency Services study, but it being a busy fire season, they are unable to do so. However, they will be able to participate in the next meeting.

06:49:37 Rep. Lamm made a comment regarding materials in advance.

06:50:55 With no further business before the committee, Rep. Jones announced recess at 3:50 p.m.

September 25, 2015
Room 137, Capitol Building
Helena, Montana

COMMITTEE MEMBERS PRESENT

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

COMMITTEE MEMBERS EXCUSED

SEN. SHARON STEWART-PEREGOY, Vice Chair
SEN. JILL COHENOUR
REP. TOM WOODS

STAFF PRESENT

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

VISITORS' LIST ([Attachment 4](#))

CALL TO ORDER AND ROLL CALL

00:00:01 Rep. Jones called the committee to order at 8:00 a.m. The secretary called roll.
([Attachment 5](#))

Committee Discussion of Sen. Rosendale's Request from the Previous Day about Pre-Kindergarten

00:01:19 Mr. McCracken said that Mr. Parman advised in an email that he could not get the requested information right away but is working on getting it.
00:02:26 Rep. Jones restated the reasons as to why Mr. Parman was not able to provide requested information today.
00:02:38 Sen. Moe said that when a district sends the numbers, those numbers are not parsed by age.

Committee Discussion of Scheduling the Next Meeting

00:04:01 Rep. Jones asked Mr. McCracken to confirm that the School Funding Commission does not have a set date yet.
00:04:39 Rep. Jones asked the committee members to verify their availability for the next meeting.

SB 410 IMPLEMENTATION - Ken Bailey, Office of Public Instruction, and Lee Baerlocher, Department of Revenue

- 00:04:56 Mr. McCracken introduced Mr. Bailey and Mr. Baerlocher to the committee.
00:06:33 Mr. Bailey reported on SB 410 Implementation. [\(Exhibit 21\)](#)
00:13:53 Mr. Baerlocher, Department of Revenue, continued the presentation.
[\(Exhibit 22\)](#)

Committee Questions

- 00:23:12 Sen. Moe asked whether the information that was presented is open to the public.
00:24:17 Sen. Moe asked to confirm that the public would not have access to the list of donor names.
00:24:30 Sen. Moe asked about security issues and the department's liability in the event of hacking.
00:25:27 Sen. Moe asked whether it is safe to use a credit card on the website.

Public Comment - none

SJR 21 LOCAL FIRE AND EMERGENCY SERVICES STUDY

Local Resources and Contracted Resources:

Study Review, ELG's Study Focus Areas, Overview of Assistance Available to Local Entities - Leanne Kurtz, Research Analyst

- 00:26:31 Ms. Kurtz reminded committee members of the key points they wanted to discuss with regards to SJR 21 since the last meeting. [\(Exhibit 23\)](#)

2015 Wildland Fire Season Summary and Northern Rockies Coordinating Group - Ted Mead, Fire and Aviation Bureau Chief, DNRC, and Bruce Suenram, Deputy Chief

- 00:40:44 Mr. Mead talked about NRCG's mission, roles, and responsibilities. Mr. Mead also discussed 2015 season statistics. [\(Exhibit 24\)](#)
00:44:30 Mr. Suenram talked about incident dispatch and mobilization.
00:55:32 Mr. Mead discussed "closest available resources" concept.

Committee Questions of Mr. Mead

- 01:09:57 Rep. Lamm asked about identifying the source of fire: man-made vs. lightning.
01:11:03 Rep. Lamm asked for statistics with regards to man-made fires.
01:11:46 Rep. Lamm asked whether there is a correlation between long fire season and the lack of responsible timber harvest.

2015 Wildland Fire Season Review, Impact on Communities and Local Resources; Structure and Role of Local Agencies- Rich Cowger, Chief, Columbus Fire and Rescue, Montana Fire Chiefs' Association

- 01:13:03 Mr. Cowger

Committee Questions

- 01:26:56 Sen. Moe asked about physical fitness requirements with respect to volunteer firefighters.
- 01:29:04 Rep. Lamm asked to name the federal organization that Mr. Cowger mentioned.

BREAK (reconvened at 9:40 a.m.)

Contracted Resources: Perspective on 2015 Season, Services Provided

- 01:39:09 Richard Grady, Grady Bunch, LLC, spoke about the standards, physical fitness test, and training. **(Exhibit 25)**
- 01:49:05 Troy Kurth, Rocky Mountain Fire Company, spoke about private contracting and his company. Mr. Kurth expressed his support in the policy which allows utilizing the local government in local fire attacks. **(Exhibit 26)**
- 02:06:59 Steve Gist, Gist Enterprises, spoke about his company. Mr. Gist expressed his concern about contracted resources not being utilized. **(Exhibit 27)**

Committee Questions

- 02:17:09 Rep. Lamm asked about criteria set for contractors' equipment and contractors' priorities.
- 02:21:05 Rep. Lamm asked to clarify about the word "they", whether it refers to the State, Federal Government, or some other entity.
- 02:21:31 Rep. Lamm asked about taking local resources to other states and whether doing this leaves the local area under-resourced.

Public Comment

- 02:24:27 Harold Blattie, Executive Director, Montana Association of Counties (MACo) spoke in support of taking care of volunteer firefighters.

Workers' Compensation for Volunteer Firefighters: 2011-2012 Economic Affairs Working Group Efforts, Conclusions - Leanne Kurtz, Research Analyst

- 02:26:27 Ms. Kurtz **(Exhibit 28)**

MT Fire Alliance Report, Proposal - Leonard Lundby, Chief, Manchester Volunteer Fire Department and Representative of MT Fire Alliance

- 02:29:01 Mr. Lundby **(Exhibit 29)**

Committee Questions

- 02:37:33 Sen. Rosendale asked about funds that are currently being used.
- 02:38:08 Sen. Arntzen asked to clarify the word "approximately" with respect to counting volunteer firefighters.
- 02:40:52 Sen. Rosendale asked about liability that the fire department could be exposed to.
- 02:44:25 Rep. Berglee asked about statistics with respect to the injury rate among volunteer firefighters.
- 02:46:05 Rep. Lamm asked about lawsuits that could be prevented.

Public Comment on SJR 21

02:47:38 Nancy Butler, Montana State Fund, spoke about Workers' Compensation for Volunteer Firefighters.

SJR 20 COUNTY ROW STUDY

Review legal history (MonTrust, 77-1-130) - Laura Sankey, Staff Attorney

02:50:46 Ms. Sankey ([Exhibit 30](#))

Structure of the Common School Trust - Nick Brown, Fiscal Analyst, LFD

03:01:02 Ms. Kurtz ([Exhibit 31](#))

03:01:23 Mr. Brown

Panel Presentation: Counties' Experiences in Securing Historic ROW - County Commissioners

03:06:13 Rep. Jones announced beginning of the panel discussion.

03:07:16 Carl Seilstad, Fergus County ([Exhibit 32](#))

Note: Exhibit 32 is an oversized map. It is available in the Legislative Services Division's office upon request.

03:10:48 Gary McDonald, Roosevelt County

03:15:18 Ms. Kutz brought the chart from the DNRC to the attention of the committee members. ([Exhibit 33](#))

03:16:45 Don Seifert, Gallatin County

03:18:38 Donna Young, Powell County

03:21:39 Gary Krueger, Flathead County

03:25:47 Harold Blattie, Executive Director, Montana Association of Counties (MACo), spoke on behalf of Mike McGinley, Beaverhead County, and Dave Schulz, Madison County, who could not attend this meeting.

Committee Questions

03:31:47 Sen. Rosendale asked Mr. Blattie if he knew of any arguments about establishing and contributing the value to the state's property before the court before the counties were forced to make these decisions.

03:32:58 Shawn Thomas, Administrator, DNRC, Trust Land Management Division, commented on the above.

03:34:03 Sen. Rosendale asked Mr. Thomas about utilities acquiring easements and about selling the same easement that had been sold several times.

DNRC Trust Lands Management report - Shawn Thomas, Administrator, Trust Land Management Division, DNRC

03:35:33 Mr. Thomas commented on the panel presentation and introduced the DNRC Trust Land Management report to the committee members.

03:37:07 Sen. Rosendale asked Mr. Thomas how much revenue is due to the DNRC per the program and how many residents will be affected.

03:39:16 Rep. Jones said that DNRC should have figured this information out.

03:40:48 Sen. Vance asked Mr. Krueger to respond to the information that was just presented by Mr. Thomas.

Public Comment

The following individuals provided public comment on County Road ROW study.

- 03:43:10 Rose Lockwood, Dogtown resident (**Exhibit 34**)
03:56:53 Gregory Robertson, Chief of Public Works, Missoula County
04:02:30 Mark Baker, Attorney, Plum Ckreek Timber Company
04:04:44 Rep. Jones proposed to get a staff legal opinion on the Lassen case from Arizona, which includes the following points: (1) whether the value of the right of way is the same as the value of fee title; and (2) an analysis of the Lassen case and its implications for Montana. With no objections, Rep. Jones directed committee staff to get the information outlined above.

Committee Discussion of Information Request from OPI

- 04:05:40 Sen. Rosendale expressed his frustration with OPI about his belief that the agency is withholding requested information from the committee members.
04:07:10 Sen. Moe responded to Sen. Rosendale's comment.
04:08:09 Sen. Rosendale replied to Sen. Moe's comment.

Other Discussion

- 04:08:42 Rep. Jones said to Ms. Lockwood that the committee will proceed with the issue she commented on. Rep. Jones with no objections announced that the next meeting date is January 14-15, 2016.
04:09:44 Sen. Arntzen reminded the committee members that if they would like to receive updates regarding information presented earlier by Ms. Posey, that they check with the committee staff.
04:10:27 Rep. Price asked about the date for the next meeting that the committee members had previously decided on.

ADJOURNMENT

- 04:11:12 With no further business before the committee, Rep. Jones adjourned the meeting at 12:12 p.m.