

EDUCATION COMMITTEE

January 12, 1977

The committee was called to order at 3:30 p.m., with all members present.

House Bill 66 was discussed. Rep. Bertelsen, sponsor of the bill, explained the bill by reading the attached sheet. He said that Dan Mizner, Executive Director of the Montana League of Cities and Towns supports the bill, as does the Montana Association of Fire Chiefs.

Proponents who testified in favor of the bill were Jim Maclin, Larry C. Key, Dave Fisher, Art Korn, Al Sampson, Bill Ball, Gordon Warner and William Penttila. Their testimony is attached.

In answer to questions, Terry Cohea said that under 82A, the reorganization Act, the Board of Public Education has the right to appoint advisory councils which serve at their pleasure. The Supreme Court decision regarding vocational education dealt with administrative powers of the State Board of Education, not the Board of Public Education's ability to be an administrative agency. Rep. Gunderson said that executive reorganization covers this problem of advisory councils.

There being no further questions, the witnesses were excused and the committee went into executive session.

Rep. Barrett moved that House Bill 56 DO PASS. As a substitute motion, Rep. Lory moved that it DO NOT PASS. In answer to a question, Terry said that she spoke to Dr. Irving Daton in the Commissioner of Higher Education's Office. He said it will be a year before the role and scope study of the university units is done. Rep. Lory said that Eastern Montana College is not a university. Rep. Kessler disagreed. The Chairperson read the fiscal note, attached. After more discussion, the substitute motion was voted on and passed, 10 yes and 4 no, (Kvaalen excused),

Rep. Hand moved that House Bill 59 DO PASS. Rep. Lund moved to amend the bill by striking the last sentence on page 2 and insert "Compensation shall be set by the legislative council." The motion to amend passed unanimously. Rep. Barrett then moved to amend the title, line 5, and page 2, line 1 by striking "shall" and inserting "may." He said he does not see the change in the title as a substantive change in the bill. Others disagreed. After some discussion, Rep. Gunderson made a substitute motion that House Bill 59 DO NOT PASS. Rep. Lund made a substitute motion to pass the bill for the day. Rep. Lund's motion passed on a voice vote. It was decided that Ms. Weber and Rep. Marks would be requested to appear to answer questions on this bill.

Rep. Gunderson moved that House Bill 66 DO PASS. Committee members questioned the constitutionality of the Board being able to appoint an advisory council. The Vocational Education Advisory Council is appointed to comply with federal laws. In answer to a question,

Dr. Larry Key said that this is an increase of approximately 400% in their budget over last year's appropriation. The motion passed 14 yes, 1 no.

Rep. Marks and Ms. Weber appeared before the committee and answered questions relative to House Bill 59. Rep. Lory moved to reconsider the bill. The motion passed unanimously. After long discussion, the witnesses were excused. Rep. Hand moved that House Bill 59 DO PASS AS AMENDED. He was reminded that the amendments were automatically stricken by the previous motion to pass the bill for the day. Rep. Lund made a substitute motion that House Bill 59 be referred to a subcommittee for further study and amendment. The substitute motion was passed unanimously and the Chairperson appointed Reps. Estenson, Barrett and Hand to work on the bill, assisted by Terry Cohea. The subcommittee was directed to report Monday, January 17.

Rep. Kessler moved that House Bill 69 DO PASS. Rep. Gudnerson distributed informational material about the bill (attached). There was some discussion about the effect of Senate Bill 62, which would take powers away from the Superintendent of Public Instruction and assign them to the Board of Public Education. Dr. Key explained the organization chart (attached) and said there would be approximately a 2.9% increase in cost by addition of an executive officer and an industrial arts consultant. Don Garrity explained that the Supreme Court decision said that administrative duties cannot be assigned to the State Board of Education. Only the Board of Regents and the Board of Public Education (which make up the State Board of Education) can handle the administration of education.

Rep. Barrett made a substitute motion that House Bill 69 DO NOT PASS. The substitute motion passed 8 yes, 7 no.

There being no further business, the meeting adjourned at 5:45 p.m.

ANN MARY DUSSAULT, Chairperson



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 Helena, Montana 59601

To Legislators involved in decision making about Vocational Education:

May I call your attention to one facet of the Vocational Education governance/
 administration debate that has produced more correspondence than any other?
 That matter is voc-ed in secondary schools.

Most of the letters concerning secondary vocational education, similar in text,
 note the transmittal of copies to Gordon Warner of the OSPI staff. The number of
 letters and their reference to Mr. Warner lead one to believe that the information
 was sent at the request of the OSPI staff member, and perhaps he suggested the text
 also. Much more impressive to Board members would have been letters informing
 us of specific problems of the school's voc-ed offerings, possible difficulties
 the schools might have with a changeover, and how conditions could be improved.
 Allusions to the facts that "things are not perfect in voc-ed, but they are improving"
 might lead one to suspect that "things are not as we wish, but at least we know
 where we are with the present structure."

What I hope to tell those secondary school people on behalf of the Board of Public
 Education is the following testimony to the House Education Committee hearing
 in the Senate Chamber on Monday of this week:

Secondary schools qualify for funding through program just as do Vo-
 Tech Centers. There should be no apprehension that secondary education
 will be treated differently from post-secondary vo-tech education administered
 by a qualified Vocational Education executive officer responsible solely
 to the Board of Public Education.

Secondary education programs could, indeed, fare better than they have in
 the past because of more and better professional attention and consultation
 under the proposed structure.

In the belief that this statement might allay concerns you have about secondary
 vocational education, I am submitting this letter. If you have specific questions
 please refer them to me or to Larry Key at 1218 - Sixth Ave., 449-2797.

Sincerely yours,

Harriett Meloy, Chairwoman
 Board of Public Education