

MINUTES OF THE MEETING
OF THE LEGISLATIVE SUB-COMMITTEE ON APPROPRIATIONS FOR EDUCATION

April 6, 1977

8:00 A. M.

Room 132

State Capitol Building

Subject: Work Session

The meeting was called to order by Chairman Carroll South.
The following members were present:

Sen. Larry Fasbender

Rep. Ora Halvorson

Sen. Matt Himsl

Rep. Jack Moore

Rep. Oscar Kvaalen was not present.

Also present for the meeting were Judy Rippingale, Fiscal Analyst, and John Krutar, Budget Analyst.

The Committee discussed a letter of intent which they planned to write to the office of the Commissioner of Higher Education. The letter was to include the following information:

- (1) Collective bargaining;
- (2) Positions in Commissioner's Office;
 - a. Director of Management system
 - b. Financial Deputy
 - c. Auditor
 - d. Director over Financial and Collective bargaining
- (3) Not intention of legislature to pay rent and utilities of commissioners.
- (4) Leave room for Board of Public Education.
- (5) It is the intent of the legislature that any funds in capital remain in capital accounts.

The Committee discussed the law school claims. Rep. Moore said that the legislature has now provided the money for the school and he thought they should have the responsibility of planning how it will be spent. He didn't think that there should be anything in the letter of intent governing the law school. He said that the law school wants to be considered the fourth branch so they should make this decision. It was also decided to remain silent as far as the law school salaries are concerned.

Chairman South asked about the amount of \$300,000 for the purchase of library books. Sen. Fasbender said that amount is built into the base in the capital account and therefore had already been set aside for this particular use.

There was a discussion regarding the MACCY organization and what consideration this committee should make regarding this organization that appears to have been given to this committee during a meeting of the Full House Appropriations. It had not been included in the business of the committee prior to this and this committee has not heard any testimony regarding the MACCY organization. No decision was made at this time.

There was discussion regarding the Fire Training School which has previously been included in Vocational Education but which is now under the Board of Education. It was decided to wait to see how this is handled by the Senate.

Chairman South told the Committee that he had talked to Fred de Money, President, TECH, regarding the enrollment increases at TECH during the first semester. During that period of time the enrollment had been 954 and now it is 991. The cost to the general fund for 1978 is \$28,519 and around 5% higher for 1979. Chairman South said that if the Committee should desire to increase these amounts, it would have to be taken care of by the Senate action later. There was discussion regarding the other university units and the enrollment changes they are experiencing. There is a slight decline at EMC, WMC, and NMC.

There was discussion regarding the legality of letters of intent. John La Favor who was in the meeting also said that he felt that a letter of intent is not legal.

Instead of any legislative intent being written in the form of a letter, it should be put in the form of a bill. Chairman South had said that he thought something should be put in the letter of intent regarding the transfer of money and allowing the units to do this. It was at this time that La Favor said any intentions should be written into a bill. He said that the way the bill read at that time was that the University units could not transfer funds between units or between line items. Chairman South said that if this item were included in the bill, it would have to be specified between the six units only based on enrollment. The fiscal analyst led in a discussion regarding the position of Academic Dean at WMC which is a full-time position. The LFA said that the unit received \$33,000 more because of enrollment which she felt was more than adequate for salaries.

There was discussion regarding the Regional Centers. There are about 66 employees who are special education teachers and evaluation people who previously were under the local school districts. After there were problems within the system with tenure, the staff of the regional centers was included in under the Office of Superintendent of Public Instruction. This was done without the permission of the legislative committee. Chairman South said that it would be his recommendation to keep the appropriations in for the Regional Service Centers but write in language that would take the employees

out of the Superintendent's office. They would no longer be considered to be state employees. However, this would put in a category alone, the 66 employees who would no longer be state employees. Neither would they be under the jurisdiction of the local school districts.

Rep. Moore questioned this and said that he wondered if this is the way in which the Committee wanted to handle this group of people. He wondered if action should not be taken that would put the regional centers back under the jurisdiction of the school system. However, others in committee pointed out that it would be not within the power of the legislation to compel the school districts to include the regional centers.

Sen. Fasbender pointed out that there is no money to pay these people as state employees and it will be unnecessary for the legislature to take action in where these people will be. Since there is no state money to pay them if the school systems want the services of these people, they will have to include them in their local school districts. Until July, 1976, they were school district employees and they will have to go back under the districts or they will lose them. Whatever their problems of tenure were, they will have to work them out.

A motion was made by Sen. Fasbender that the bill be amended in the Senate to reflect the following language: That the appropriations of the Regional Service Centers shall be used by the Superintendent of Public Instruction to contract with local school districts for the services of special education teachers--that no employees of the state shall be compensated from the appropriations of the Senate.

All voted aye. None opposed. Motion carried.

Senator Fasbender led in discussion regarding the Indian Teacher Training Program at Eastern Montana College. It was decided that no action would be taken by the Committee at this time.

Chairman South led in discussion regarding the federal funding that is being used by the five Vocational-Technical Centers throughout the state. He said that he and Judy Rippingale, Fiscal Analyst, had not agreed on something regarding federal funding and that was that Judy Rippingale said that Gordon Warner said the federal funds would not increase but South said that he thinks they will. The fiscal analyst said that there is money set aside for handicapped and disadvantaged programs and she explained where her figures were different than those of Mr. Warner. He had shown no carry-over money but only the expenditures. She said that she assumed that they will have carry-over money.

There was discussion regarding the Community Colleges and how the financing will have to be changed in the future years. They discussed

the treatment of the community colleges and Chairman South said that he felt they had been treated quite fairly and, perhaps, even more fairly than the committee had treated the university units. He said that at least the community colleges can fall back on the local mill levies and, perhaps, other local funding if they need additional financing but the universities do not have this option. If they need supplemental financing, there are no local mill levies to fall back on. The same limits have not been put on the community colleges that have been put on the university units.

There was discussion regarding a portion of the bill (page 35 of the blue form) in which the language reads, "8.1 million per year federal revenue sharing shall be used to offset permissive levy deficiency".

John La Favor read a portion of the bill which included this language. The committee discussed the wording of the portion they read and agreed that it was as they wanted it.

Sen. Fasbender said that he would be distributing copies of bills in the long-range building program and amendments to those bills. He asked that the committee spend some time in studying these copies which he would give them.

There was discussion regarding physical problems encountered on college campuses by those who are handicapped or confined to a wheelchair. Some types of doorways, hallways, sidewalks, etc., make it difficult for those who are physically handicapped, those who are not able to function in a normal manner or who might need special attention in getting around the campus. The discussion brought out that there were many doorways too narrow for wheelchairs to go through and not enough space in classrooms, hallways, etc., for these students and any aids they might need to use such as wheelchairs, walkers, crutches, etc., Also, some older types of entry ways may need ramps, etc.,

Chairman South again brought up the discussion of the transferring of money between the university units. It was discussed that something might be entered into the wording of the bill whereby money could be transferred. Sen. Fasbender said that he thought the committee should give authority to move money according to needs based on student-faculty ratio. Something on this order with appropriate language should be put into the bill, he said. John La Favor said that there is nothing in the bill to allow the units to transfer money from one unit to another right now.


Other problems of the university units were discussed. The future of the 19:1 student-faculty ratio was discussed. Sen. Himsel said that he wondered about enrollment figures used. He said that it seemed to him that enrollment figures might be quite easily manipulated.

After discussion, it was agreed to write some language into the bill which would give authority to transfer money between the university units as needed and according to the student-faculty ratio at each level.

The meeting was adjourned at 10:30 A. M.


A handwritten signature in cursive script, appearing to read "Carroll V. South", is written over a horizontal line.

CARROLL V. SOUTH, CHAIRMAN


A handwritten signature in cursive script, appearing to read "Betsy Clark", is written over a horizontal line.

Betsy Clark, Secretary