

MINUTES OF THE MEETING
EDUCATION COMMITTEE
MONTANA STATE SENATE

February 1, 1977

The tenth meeting of the Senate Education Committee was called to order by Senator Chet Blaylock, Chairman, on the above date, in Room 402 of the State Capitol Building at 11:00 o'clock A. M.

ROLL CALL: All members were present with the exception of Senator Larry Fasbender who was excused.

CONSIDERATION OF SENATE BILL No. 144: Chairman called upon Senator Robert Watt to present his testimony on Senate Bill No. 144.

In explaining the purpose of this Bill, Senator Watt stated that school districts that do have a superintendent to take care of making application for federal funds available for school programs usually have no problems, but some small districts don't have their own superintendent and simply don't have anyone having time or knowledge to go through the red tape of making application for federal grants and money available is not enough to make it worthwhile. These are 3rd class, small districts, and the county superintendent supervising these districts could consolidate applications for these grants and disburse funds to the small schools. This method of combining districts would overcome the disadvantage of their size and increase their entitlement to funds. The Bill also allows for safeguards on disbursement as funds would be deposited with the county treasurer; but main purpose is to allow combining for federal grant applications.

The Chairman called for any further proponents.

Lauralee Wright, former County Superintendent of Lincoln County, in support of the Bill, explained how small schools did not have expertise to write federal grant applications and allowing the county superintendent to apply for several districts jointly would help small districts obtain needed equipment and supplies. The federal regulations on grant applications prohibited county commissioners from signing as not recognized as the proper legal entity.

The Chair asked for further proponents; there being none, opponents were called for.

Gregg L. McCurdy, representing the Montana Association of Counties, in opposition to the Bill, referred to section 1, page 1, regarding allowing county superintendents to request money for school districts in counties where there is no superintendent, he felt there was a better way of wording it. As presently written, from the county perspective, commissioners are not involved in disbursement, only providing technical

assistance in applying for such funds. If county superintendents respectively were to handle funds obtained, it would leave the county open to federal compliance suits. Objection to a fund not subject to normal control of the county was also made.

Chairman Blaylock asked for any further opponents; there being none, a closing statement was called for.

Senator Watt affirmed the deposit of funds to the county treasurer is the way larger districts now handle them as there would be an accounting of their disbursement and further explained the feasibility of combining districts for application of needed funds.

Questions by the Committee were called for.

Senator Mathers questioned the grants being awarded for specific purposes so that funds were not intermingled with other county funds, to which Senator Watt replied in the affirmative.

Senators McCallum and Smith questioned the deposit of funds to the account of the particular district and meeting requirements for grants. Ms. Wright explained that this pertained only to small grants and all money is put back into the schools, the superintendent including this as part of her administrative duties and that the local board of trustees have to sign in each district so they would know what the district's entitlement would be.

There being no further questions, the hearing on Senate Bill No. 144 was closed.

CONSIDERATION OF SENATE JOINT RESOLUTION No. 11: The Chairman called on Senator Bill Mathers to present his testimony on Senate Joint Resolution No. 11.

Senator Mathers stated the Resolution directed the Priorities Committee to look into rewriting laws relating to community colleges in the State as there are referrals all through the statutes to community colleges when the laws were revised in 1971 and moved from under the direction of the State Superintendent of Public Instruction to the Board of Regents, which creates funding problems. The Legislative council suggested consolidation of these laws.

The Chair asked for further proponents.

Bill Lannon, Commissioner of Higher Education's office, testified in support of the Resolution that it would be advantageous to community colleges in their administration to have a separate chapter of the statutes relating to them as they must comply with the various election laws, bidding procedures, etc., rather than as presently scattered throughout Title 75.

Senator Matt Himsl, Kalispell District No. 9, testified in support of the Resolution, saying that people in the community colleges have been working on the problem to bring the rules into better organized form.

The Chair asked for any further proponents; there being none, he asked for opponents. No opponents appearing, questions were called for.

Senator Blaylock commented he had a bad experience with Senate Bill 17 as it pertained to community colleges and found several references throughout the entire Montana law about them, and questioned if it should stay in certain portions such as those pertaining to taxing authority.

Mr. Lannon stated the difficulty with Senate Bill 17 if it deleted all reference to community colleges would have put them out on a limb as the county treasurer deposits all funds and then pulls them out for use by the institutions. It would be advantageous to state explicitly the governing regulations as community college personnel now must have complete knowledge of the full contents of Title 75. If separated, people could be more cognizant of their relationship with this entity.

Senator Dunkle commented this would be strictly to pull the necessary pieces of law together regarding community colleges from Title 75, and not a study to eliminate this type of institution; Senator Smith also supported the need in a large state for educational facilities in out-lying areas.

Nothing would be taken away from these colleges, Senator Mathers contended; that discrepancies were left when the laws were rewritten in 1971 and should be recodified.

Comment by Senator Blaylock was that when community colleges first began, they said they wouldn't be bothering the State, would stay at a local level; if we rewrite a whole new section of the law on this now, along with special education and votechnical education, no one should say anything to the legislature about reducing taxes when they keep asking for more help and programs.

Senator Mathers moved for a do pass on this Resolution; the motion was seconded and carried by unanimous vote of all members present. Senator Dunkle being excused.

CONSIDERATION OF SENATE BILL No. 144: The Chairman called for discussion of the Bill.

Senator Dunkle commented that since every district has a school board even if they don't have a superintendent, perhaps something could be written in about the school board getting in on this, and Senator Mathers agreed.

Senators McCallum and Smith expressed concern about the superintendent disbursing the funds, with Senators Blaylock and Dunkle stating the

school boards must sign the application also and would have that means of control and that as for spending the funds, we would have to rely on the expertise of the county superintendent.

Discussion of the best language of amendments was carried on.

Senator Mathers made a motion to amend Senate Bill 144 as follows:

1. Amend page 1, section 1, line 13.

Following: "may"

Insert: "with the advice and consent of the appropriate school boards"

2. Amend page 1, section 1, line 25 and line 1 on page 2.

Following: "moneys"

Strike: "by the district or districts to the extent necessary to insure that any such guidelines are followed"

Insert: "with the approval of the appropriate school boards"

The motion was seconded and carried on unanimous vote of all members present; Senator Dunkle being excused.

Senator Mathers then moves the Bill be passed as amended, which was seconded and carried by unanimous vote of all members present.

CONSIDERATION OF SENATE BILL No. 88: The Chairman called for discussion of the Bill.

Senator Thomas moved Senate Bill No. 88 do not pass; this motion was seconded.

Questions were called for.

Senator Smith commented that it would take the county budgeting powers from the county commissioners and give it to the county superintendent, with tax payers wondering if the school administrators were running the school or the teachers.

Upon voting the question, it carried unanimously that Senate Bill 88 do not pass.

CONSIDERATION OF SENATE BILL No. 68: Discussion of the Bill was called for.

Senator Mathers, referring to page 2 of the Bill, asked about change in the membership of the proposed board; Senator Blaylock replied he would withdraw his support if it were changed, citing the composition of the livestock board and various other interest boards as examples, with resulting discussion of various interest groups comprising administrative boards.

Senator Mathers expressed his concern about the problems regarding section 28 of the Bill; Senator Blaylock stated he would yield to taking

out all of section 18.

Senator Dunkle questioned the board membership regarding school administrators, about taking out all other people and leaving the teacher licensure board, letting the administrators get their certificates as the presently do. Senator Blaylock commented as to who would then make recommendations - just the school administrators, reverting back to the same problem; Senator Murray concurred.

Senator Smith expressed concern regarding not wanting teachers running the schools, to which Senator Blaylock replied there was no provision for taking the hiring or firing power away from school boards.

Senator Mathers questioned section 19 regarding the policy to be set by the state superintendent, what policy was referred to, relating to the license of teachers or other policy. Senator Blaylock stated that was a good point, that the language should be sharpened and defined, and tabled Senate Bill 68 for further action at a later time.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:25 P.M.

A handwritten signature in cursive script, reading "Chet Blaylock", written over a horizontal line.

Chet Blaylock, Chairman

EDUCATION COMMITTEE

Date Feb. 1, 1977

[illegible]

DATE FEBRUARY 1, 1977

COMMITTEE ON EDUCATION

SENATEBILL NO. 144

SENATE JOINT RESOLUTION NO. 11

VISITOR'S REGISTER

[illegible]

NAME: Robert D. Watt DATE: 2-1-77

ADDRESS: Mesa.

PHONE: Area No 442-4024

REPRESENTING WHOM? Constituents & Co. Supt

APPEARING ON WHICH PROPOSAL: SB 144

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: A good bill

NAME: Samuel Wright DATE: 1 Feb 77

ADDRESS: 3PI

PHONE: 2024

REPRESENTING WHOM? Former Co. Sup'l. Lincoln Co., lobby

APPEARING ON WHICH PROPOSAL: SB 144

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: Will submit written testimony
in addition to oral testimony

See next. Hines for (not written)

NAME GREGG L. McCURDY

Bill No. 1061

ADDRESS BOX 234, AVON, MT. 59713

Date 2-1-77

WHOM DO YOU REPRESENT? MONTANA ASSOCIATION OF COUNTIES

SUPPORT _____

OPPOSE ☒

AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

COMMENTS:

COMMENTS: _____

STANDING COMMITTEE REPORT

February 1 19 77

MR. President

We, your committee on EDUCATION

having had under consideration SENATE JOINT RESOLUTION, BJR No. 11

Respectfully report as follows: That SENATE JOINT RESOLUTION, BJR No. 11,

Introduced Bill,

DO PASS



Chairman.

SENATE COMMITTEE EDUCATION

Date Feb. 1, 1977 SENATE JOINT RESOLUTION No. 11 Time

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman	✓	
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle	✓	
Senator Paul Boylan	✓	
Senator Larry Fasbender		
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Senator Bill Mathers moved for a do pass on Senate
Joint Resolution No. 11; this motion was seconded and
carried by unanimous vote of all members present.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

February 1 1977

MR. President

We, your committee on EDUCATION

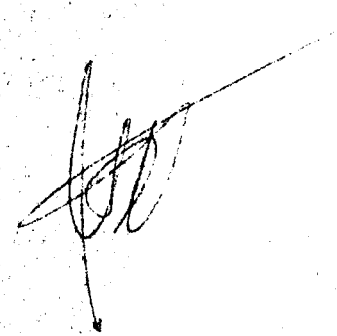
having had under consideration SENATE Bill No. 88

Respectfully report as follows: That SENATE Bill No. 88

Introduced Bill,

~~DO PASS~~

DO NOT PASS



SENATE COMMITTEE EDUCATION

Date Feb. 1 January 20, 1977 Senate Bill No. 88 Time

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman	✓	
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle	✓	
Senator Paul Boylan	✓	
Senator Larry Fasbender <i>ex</i>		
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Senator Bill Thomas moved that Senate Bill No. 88
do not pass; motion was seconded and carried by
unanimous vote of all members present.

(include enough information on motion—put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

February 1, 1977

MR. President.....

We, your committee on.....**EDUCATION**.....

having had under consideration**SENATE**.. Bill No. **144**.....

Respectfully report as follows: That.....**SENATE**.. Bill No. **144**,.....

Introduced Bill, be amended as follows:

1. Amend page 1, section 1, line 13.

Following: "may"

Insert: "with the advice and consent of the appropriate school boards"

2. Amend page 1, section 1, line 25 and line 1 on page 2.

Following: "moneys"

Strike: "by the district or districts to the extent necessary to insure that any such guidelines are followed"

Following: "moneys"

Insert: "with the approval of the appropriate school boards"

~~DO PASS~~

AND AS SO AMENDED, DO PASS

SENATE COMMITTEE EDUCATION

Date February 1, 1977 Senate Bill No. 144 Time

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman	✓	
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle	✓	
Senator Paul Boylan	✓	
Senator Larry Fasbender	<i>E. f.</i>	
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind

Secretary

Chet Blaylock

Chairman

Senator Bill Mathers moved that Senate Bill No. 144 be amended, which was seconded and unanimously carried, as follows: 1. Amend page

Motion: 1, section 1, line 13. Following: "may" Insert: "with the advice and consent of the appropriate school boards" 2. Amend page 1, section 1, line 25 and line 1 on page 2. Following: "moneys" Strike: "by the district or districts to the extent necessary to insure that any such guidelines are followed" Following: "moneys" Insert: "with the approval of the appropriate school boards"

Senator Mathers then moved this Bill do pass as amended; it was seconded and carried by unanimous vote of all members present.

(include enough information on motion--put with yellow copy of committee report.)