

MINUTES OF THE MEETING
EDUCATION COMMITTEE
MONTANA STATE SENATE

February 5, 1977

The twelfth 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 Frank Dunkle who was excused.

CONSIDERATION OF SENATE BILL No. 276: The Chairman called on Senator Bob Brown, District No. 10, to present his testimony on Senate Bill No. 276.

Senator Brown stated the purpose of this Bill would allow the various community colleges and vocational technical training centers to waive fees of veterans and veterans' dependents after the G. I. Bill benefits run out; that laws pertaining to the university system allowed this fee waiver and this legislation would make it possible for the other training institutions to do the same thing. The fee waiver could make a difference in whether or not these persons would attend schools.

Bill Lannon, representing the office of the Commissioner of Higher Education, Community College Coordinator, in support of the Bill, testified that it would provide eligible students with incentive to enroll in the community colleges that might not otherwise attend; that the fees contemplated waived are classified as part of the 35% portion funded by the local district, of which student assessments are a part, and this would be on a local level. He suggested some amendments to clear up discrepancies and to make sure of the particular fees being waived. This would pertain to those defendants who could show a financial need and not just everyone who qualified because of veteran preference. The proposed amendments suggested were:

Page 2, line 8, change "shall" to "may";
Page 1, line 23; page 2, line 10 and all other references to "fees and tuition", to strike the "fees and";
Page 2, lines 5 and 13; page 3, lines 9 and 10 and all other references to the "university of Montana" should be changed to read "units of the university system of Montana".

There being no further proponents, opponents were called for. None appearing, Chairman Blaylock called for the closing statement.

Senator Brown stated that the proposed amendments had been discussed and he was in agreement with them.

Chairman Blaylock opened the hearing for questions by the Committee.

There was discussion of the proposed amendments, with a question being raised regarding other fees waived besides tuition. Mr. Rick Champoux of the Flathead Valley Community College, Kalispell, Montana, responded that certain academic fees could be waived, but there was no policy particularly for Indians at present.

Senator Warden questioned the community colleges' ability to meet its 35% contribution and how many people this would affect. Mr. Champoux responded that the 35% is by State mandate and the county commissioners have authority to raise this tax support portion; that there was no way of knowing how many persons would apply for this fee waiver. Mr. Lannon added that the universities presently were granting somewhat less than 2% of the fee waivers (this figure based on total enrollment), so, the rate is fairly insignificant; that projecting this to community colleges is difficult and that the actual waivers based on need would be quite small.

Senator Fasbender asked if the Board of Regents now had the authority to ask for fee waivers; if the Board could do this without legislation, without this Bill and if it was discretionary if applied to community colleges, to which Mr. Lannon replied to all questions in the affirmative.

There being no further questions, the testimony on Senate Bill No. 276 was closed.

Senator Mathers moved that the proposed amendments to Senate Bill No. 276 be adopted; motion was seconded and carried.

After discussion regarding the language of the Bill title, Senator Mathers moved the title be amended on page 1, line 6 as follows:

To add "tuition and" before "fees" at the beginning of the line.

This motion was seconded and carried.

Senator Mathers then moved this Bill be passed as amended and the motion was seconded.

Questions were called for, with discussion to the effect that there was presently a chain of command starting with the Board of Regents through which fee waivers were presently being granted.

Roll call vote was taken on Senator Mathers' motion for a do pass as amended; this motion was defeated with Senator Mathers voting "yes" and Senator Dunkle being excused.

Senator Fasbender then moved for a do not pass on Senate Bill No. 276; this motion was seconded and on roll call vote carried, with Senator Mathers voting "no" and Senator Dunkle being excused.

CONSIDERATION OF SENATE BILL No. 300: The Chairman called on Senator Robert Watt to present his testimony on Senate Bill No. 300.

Senator Watt testified that this legislation would eliminate the county commissioners sitting as a board of school budget supervisors and let the high school board manage the high school budget. As it is presently, the final determination is in the hands of the county commissioners, but that for elementary school budgets, there is a different procedure allowing the board of trustees to have the final say. Both should be treated the same. Senator Watt then pointed out some provisions for amendment:

Page 7, line 9, to reinsert "(1) the county superintendent for a joint district" and add immediately "when all of the schools of a joint district are located in one county. When the schools of a joint district are located in more than one county, the state superintendent of public instruction shall designate the county superintendent who will supervise the schools."

Page 8, line 20, reinsert "county superintendent of the county" and add immediately "in which the school is located"

Page 8, line 21, strike "boards of trustees"

Chairman Blaylock asked for further proponents to the Bill.

Leonard Sargent, representing the Montana School Board Association, in support of Senate Bill 300, testified that their major concern was Section 75:6714 of the Codes pertaining to high school budgets being reviewed by the county board of budget supervisors and the different treatment afforded elementary school budgets. He stated that they didn't feel an elected board of trustees should be subject to being overruled by another elected board such as the commissioners on school matters; that the sentiment indicated by to him by commissioners he had talked with was they are too busy to properly review or understand the school budget and would welcome its change.

Chad Smith, representing the Montana School Boards Association, testified in support of Senate Bill 300 that the portion of the Bill pertaining to the commissioners sitting as a budget board agreed that normally it would be wise to have an elected board review budgets prepared by appointed administrative agencies; but in this case, there is overlap of jurisdiction of elected officials. He also questioned the reasoning of duplication of the budget process and pointed out that tax payers were protected by the provision on page 11, line 18, stating public hearings to be held.

Bob Laumeyer, Boulder, Montana, in support of the Bill, testified that the voting tax payers of the school districts in most cases have already approved the budget by exercising their right to vote.

There being no further proponents, the Chairman asked for opponents.

Dale Skaalure, President of the Montana Association of Counties and Chairman of the Choteau County Commissioners, in opposition to the Bill, testified that as 64% of their tax dollar is spent on schools, there is an inter-relationship between taxes and school budgets and he felt that county commissioners should have the right to look after this spending; that he didn't see where it has hurt the school budgeting process.

The Chair asked for any further opponents.

Gregg L. McCurdy, representing the Montana Association of Counties, in opposition to the Bill, stated it would remove entirely the commissioners and replace them with a board of trustees, eliminating the opportunity to review or have control over the total county expenditures; that the elementary budget can be changed by the commissioners and perhaps they should be placed in the same position as the high school budget. He also felt school boards represent special interests but commissioners represent the total local government. Another objection would be that the county superintendents would be eliminated as a member of the county board of school budget supervisors.

There being no further opponents, the Chairman asked for a closing statement.

Senator Watt stated that there is on page 10 of the proposed Bill a provision for public notices of budget meetings, and that the county superintendent is in on all county school problems, especially the budgeting, and is well advised of the proceedings; and that there is nothing that changes the commissioners' authority to set levies, it merely simplifies duties in which they may not be qualified to act.

Questions were called for.

Senators Smith and McCallum expressed concern that county commissioners were elected to look after county expenses, and this would take them off the hook, to which Senator Watt replied that he was advised the commissioners felt the board of trustees for the schools should be more responsible for the school budget, but commissioners still have some control as they set all the tax levies.

Senator Warden asked if the county superintendent set the budget now and submitted it to the commissioners; Mr. Sargent responded that was the way the elementary districts were handled, but high schools were treated differently.

Senator Fasbender proposed an amendment as follows:

Page 14, line 21, changing "the" to "each" and on line 22, changing "the" to "a".

Senator Mathers moved to adopt the proposed amendments.

Senator Fasbender mentioned that the wording on page 8, starting on line 19, was awkward and should be cleared up.

After discussion, the Chairman stated that the correct wording of the proposed amendments to Senate Bill No. 300 would be worked out by the Committee's attorney.

Senator Mathers withdrew his motion, and the Chairman stated the matter would be tabled to allow the attorney time to work out the amendments.

CONSIDERATION OF SENATE BILL No. 256: Chairman asked the Committee if it desired to take action on Senate Bill No. 256.

Senator Mathers moved that Senate Bill No. 256 do not pass.

The Chairman asked if there was any discussion; Senator Smith called for the question.

The motion made by Senator Mathers was seconded and carried by majority vote, with Senators Fasbender and Warden voting "no" and Senator Dunkle being excused.

CONSIDERATION OF SENATE BILL No. 243: Action on Senate Bill No. 243 was asked.

Senator McCallum moved that Senate Bill 243 do pass and the motion was seconded.

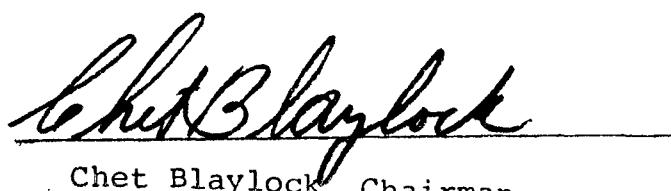
The Chairman asked for any discussion; there being none, question was called. Chairman Blaylock stated he was extending the voting privilege to those Committee members not present at this time.

On roll call vote, the do pass motion by Senator McCallum carried by majority vote, with Senators Blaylock, Fasbender, Thomas and Warden voting "no",

Chairman Blaylock announced that the bills hung up in this Committee were the fault of the Committee members asking continuance.

ADJOURN:

There being no further business, the meeting was adjourned at 12:35 P.M.


Chet Blaylock, Chairman

ROLL CALL

EDUCATION COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date Feb. 5, 1977

DATE FEBRUARY 5, 1977

COMMITTEE ON EDUCATION

SENATE BILL NO. 276, 300

and SENATE BILL NO. 304

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppose
Leonard Lagent	MSBA	300	
Donald E. Levesque	DSPT		
Bill Lassau	Office of Comm of H.E.		
Michael McCurley	MT. ASSN. OF COUNTIES	300	
Mike Schalure	Chair Chittenden City Zoning PRES, MT. ASSN. OF COUNTIES	300	
Tom H. Smith	MEA Legislative Committee		
Lee Donnelly	MEA Legislative Co		
Roger D. McElroy	MEA Legislative Comm.	300	
Mike Auger	F.U.C.C. Kyle		
Robert D. Watt	Commitments	300	
Bob Launey	Self	300	
Jeff Smith		300	
P.M. Launey	Self		
Mike	Self		
Wayne Mello	self		

NAME: BS 11 Lassan DATE: 2-5-77

ADDRESS: 335. Last Chance Gulch

PHONE: 449-3022

REPRESENTING WHOM? Office of Comm of HE

APPEARING ON WHICH PROPOSAL: SB 276

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

COMMENTS: _____

NAME: Sen. Robert J. Wath DATE: 2-5-77

ADDRESS: Mesa

PHONE: Helena 442-4024

REPRESENTING WHOM? Constituents

APPEARING ON WHICH PROPOSAL: S.B. 300

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

COMMENTS: _____

NAME: Leonard Sargent DATE: 2/5/77

ADDRESS: 501 N. Sanders Helena

PHONE: 442-2180

REPRESENTING WHOM? Mont. School Board Assn.

APPEARING ON WHICH PROPOSAL: **515 300**

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: *Comments from the author, editor, or publisher, such as a note of thanks, a foreword, or a postscript.*

NAME: Bob Radack DATE: 2/5/77

ADDRESS: Big Sandy, MT

PHONE: 336-2299

REPRESENTING WHOM? Choteau City Council

APPEARING ON WHICH PROPOSAL: SB 300

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE?

COMMENTS:

feel this is a part of the intergovernmental process
utilization & distribution of taxation (about 64% of Tax in MT)

for the state

for the state (as well)

Do not feel that this hinders the state budget

for the state

there is great possibility of consolidation

for the state another road of fiscal

NAME: Gregg L. McCurdy DATE: 2-5-77

ADDRESS: Avon, Montana

PHONE: 492-6666

REPRESENTING WHOM? Montana Association of Realtors

APPEARING ON WHICH PROPOSAL: SB300

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE?

COMMENTS: Re: Verbal remarks.

STANDING COMMITTEE REPORT

February 5, 1977

MR. President

We, your committee on EDUCATION

having had under consideration Senate Bill No. 276

Respectfully report as follows: That SENATE Bill No. 276,

Introduced Bill,

DO NOT PASS

~~DO PASS~~



SENATE COMMITTEE EDUCATIONDate February 5, 1977 SENATE Bill No. 276 Time 11:00 a.m.

(1)

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
SecretaryChet Blaylock
Chairman

Motion: Motion was made by Senator Bill Mathers that Senate Bill No. 275 do pass as amended; motion was seconded and defeated with all Senators voting "no" except Senator Mathers who voted "yes". Sen. Dunkle being excused.

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

SENATE COMMITTEE ON EDUCATION

2)

Date February 5, 1977 SENATE Bill No. 276 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	Ed.	
Senator Paul Boylan	✓	
Senator Larry Fasbender	✓	
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Senator Larry Fasbender moved that Senate Bill No. 276 do not pass; this motion was seconded and carried, with Senator Mathers voting no. Sen. Dunkle being excused.

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

STANDING COMMITTEE REPORT

February 5, 1977

MR. President

EDUCATION

We, your committee on

having had under consideration

SENATE Bill No. 243

Respectfully report as follows: That

SENATE Bill No. 243

Introduced Bill,

DO PASS



Chet Slaylock

Chairman

SENATE COMMITTEE EDUCATIONDate February 3, 1977 SENATE Bill No. 243 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 George McCallum moved that Senate Bill No. 243
DO PASS; motion was seconded and carried on a vote of 6 to
4, Senators Blaylock, Fasbender, Thomas and Warden voting "no".

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

STANDING COMMITTEE REPORT

February 5 1977

MR. President.....

We, your committee on EDUCATION

having had under consideration SENATE Bill No. 256

Respectfully report as follows: That SENATE Bill No. 256

Introduced Bill,

DO NOT PASS

DO NOT PASS

Chet Bigbylock, Chairman.

Senate COMMITTEE EDUCATION

Feb. 5
Date February 3, 1977 SENATE Bill No. 256 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	<i>Ex</i>	
Senator Paul Boylan	✓	
Senator Larry Fasbender		✓
Senator Bill Thomas	✓	
Senator Margaret Warden		✓

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Motion was made by Senator Bill Mathers that Senate
Bill No. 256 do not pass; motion was seconded and carried,
with Senators Fasbender and Warden voting "no" and Senator
Dunkle being excused.

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