

MINUTES OF THE MEETING
EDUCATION COMMITTEE
MONTANA STATE SENATE

February 17, 1977

The seventeenth 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 Bill Murray.

CONSIDERATION OF SENATE BILL No. 389: The Chairman called on Senator Larry Fasbender to present his testimony on Senate Bill No. 389.

Senator Fasbender stated that because the last legislature cut educational television programs, the people involved tried to form their own corporation to pick up the federal funds to continue the program. At the present time, it costs the state considerable money to buy computer time such as the units of the university system use. This Bill only grants enabling capabilities to the Department of Administration allowing development of new communication systems, including educational TV, satellite communications and high-speed data transfer, and also allows contracting with private organizations in this field.

Curt Wheeling, Communications Division of the Department of Administration, in support of the Bill, affirmed it would enable the Dept. to get into the new types of communications without costing the State additional money. His Division had recently completed a long-range date processing systems program and that they had been contacted by NASA relating to satellite use by Montana in the future and the potential savings by getting away from land-type systems and looking to the future for new communication systems now.

Jack Crosser, Director of the Dept. of Administration, testified in support of the Bill, principally from the financial aspect, stating that his Department is aware of the great computer transmission costs due primarily to the vast area to cover in this State.

Elizabeth L. Hurley, Corp. for Mont. Public Television & MEBC, in support of the Bill, testified that although funding for educational TV was voted down last session, interest has continued to grow and there is a definite need for an agency in the state government to handle these new communication inquiries; that several interested individuals formed a private corporation and continued educational TV at H.E.W.'s suggestion and tried to continue under the original grant, but there are provisions for a state agency to take this over as successors in interest and feels this should be done.

Joseph S. Sample, Montana Public Television and MEBC, in support of the Bill, stated that because of the large area of this State and the expense of present forms of communications, a plan should be formed for better coordination of all communications, not just educational television; the private corporation now serving the State with educational TV was incorporated by myself, Bill Birchy & Elizabeth Hurley.

The Chairman called for any further proponents.

Diane Tipton, office of the Commissioner of Higher Education, supported the Bill but suggested the following amendment:

Page 1, section 1, line 16: following: "communications."
Strike: "The" Insert: "Except for entities under jurisdiction of the board of regents of higher education, the"

There being no further proponents, opponents were called for; there being none, the closing statement was given by Senator Fasbender stating under this Bill some aspects of the universities communication requirements could be less expensive.

Questions by the Committee were called for by the Chairman.

Senator Mathers inquired about possible federal grants available under this legislation, to which Mr. Wheeling replied they were working through HEW for federal funding.

Senator Smith questioned if federal grants available for educational purposes could be funneled into an educational TV program without authorization of the legislature and suggested any possibility of the universities transferring funds should be stopped. Senator Fasbender stated he believed that was possible even without this Bill, but it would at least require the proper department to make application for such funds and that he did not feel they had any grounds to do anything about the universities at this time.

Senator McCallum asked if this was a backdoor approach to educational TV, to which Senator Fasbender replied even though ed. TV was rejected there were still funds available, but which required a state agency be involved in order to get them, which this Bill makes provision for.

In answer to Senator McCallum's inquiry regarding expenses, Mr. Sample stated the figures presented last session were totally inaccurate; that the corporation is presently covering the State and could operate now for less than \$300,000.00 per year and would contract with the State at that amount; and that there were matching federal funds available if it were set up under the State. The private corporation was willing to cooperate with the various agencies and units of higher education.

Senator Mathers questioned if future communication programs were developed that might involve the Highway Patrol if they would be under the Dept. of Administration. Mr. Crosser stated that under the current law, it might be possible, particularly if the federal government came up with something.

Senator Dunkle moved that the proposed amendments to Senate Bill 389 be adopted; motion was seconded and carried by unanimous vote.

Senator Warden then moved that Senate Bill No. 389 DO PASS AS AMENDED; this was seconded and carried unanimously.

CONSIDERATION OF SENATE BILL No. 421: The Chairman called on Senator Bill Thomas to present his testimony on Senate Bill No. 421.

Senator Thomas testified this would establish a scholarship program similar to the G. I. Bill and would go to the student rather than to the institution and would involve funds from private sources; but as the Bill was not drafted properly, he advised some amendments were necessary.

Pat McKittrick, representing the Montana Independent Colleges Association, testified that the three private colleges in the State supported this Bill and suggested amendments to page 1, section 3, lines 16 and 17: following "attending", strike "an" and insert "a qualified postsecondary", and then striking the balance of line 16 and all of line 17. He further stated this Bill would help residents wanting to attend a private institution with financial aid up to \$500.00.

Dr. Bruce T. Alton, President, Rocky Mountain College, Billings, presented written testimony in support of the Bill, a copy of which is attached, and points out his three major areas of concern as: freedom of choice; access to higher education and survival of independent higher education; and presented the Committee with copies of a book entitled Endangered Service: Independent Colleges, Public Policy and the First Amendment.

Dr. Frank Kerins, representing Carroll College, endorsed Dr. Alton's testimony supporting the Bill, adding students are needing this type of help.

Bill Lannon, office of the Commissioner of Higher Education, in supporting the measure, stated their office welcomed the opportunity to serve in such a manner.

There being no further proponents, opponents were called for.

Neal Christensen, O.S.P.I., stated his concern was for financial aid going directly to students and the complicated forms and red tape in-

volved in making application, and questioned where the money for these grants was coming from.

Carrie Hahn, representing the Montana Student Lobby, also questioned where the money would come from for the aid and the administration expenses and the duplication of services already being offered by the various student financial services, if there would be a conflict with any private sector.

Mr. McKittrick asked to reply, asserting that this legislation was patterned similar to what 39 other states had; that it would help low income people to attend the college of their choice; research indicated there was no constitutional problem and that no additional expenses should be necessary as the participating schools would administer the program.

Mr. Christensen again asked where the money would come from, to which Mr. McKittrick replied that this would enable them to solicit aid from private sources; and Dr. Alton added the grants would be based on financial need so there shouldn't be any additional paper work than is ordinarily required when students seek help.

In reply to Senator Blaylock's question, Dr. Kerins stated this type of aid goes to the student directly, not to the institutions, and if in the future the legislature decides to appropriate moneys, it would be in a special-type fund and would mean additional opportunity for the young people of Montana.

The Chairman requested Mr. McKittrick to work out and submit the additional proposed amendments.

CONSIDERATION OF SENATE JOINT RESOLUTIONS No's. 32 and 33: The Chairman called on Senator Paul Boylan to present his testimony on Senate Joint Resolutions 32 and 33.

Senator Boylan stated he had arranged to have people involved come from the University at Bozeman to explain the purposes of the Resolutions.

Beau R. Bradley, M.S.U. Student Body President, testified that the student government initiated these requests, explaining that Resolution 32 addresses the need for additional physical education and athletic facilities such as hand ball and tennis courts because of increased enrollment and use at the University over-crowding the present facilities; and Resolution 33 would permit construction of an automotive repair shop which would allow students to do their own repair work on their vehicles, and that presently, there are no such facilities available. He further mentioned there had been no objection from local businesses to the proposed facilities and that time spent working on vehicles was educational as well as constructional.

Joni Wright, Public Relations, Associated Students of M.S.U., supporting the Resolutions, stated the student body had voted in favor of the two measures.

Carol Hucke, representing the Sororities of M.S.U., stated building repair shop facilities would help the women on campus who would like to do their own car maintenance and do not have the equipment or tools for this.

Edward Bumgarner, Student Senate, Married Student Housing, M.S.U., reported all the married students support SJR 33 as there is no place where they can do their own mechanic work and expense of having work done elsewhere is a real concern since they are usually on a tight budget.

Gary Waylander, Student Senate, M.S.U., testified the entire student body voted in favor of SJR 32.

Mary Pat Day, Associated Students, M.S.U., representing the Residence Halls, concurred in supporting SJR 33.

Kevin Kephart, representing the Interfraternity Council of M.S.U., stated the student fraternities are in favor of the measures.

Senator Boylan suggested the students explain the financial aspect of these projects.

Beau Bradley explained the construction costs would come from reserve funds accumulated, student fees from increased enrollment and student building fees. M.S.U. will stand all costs of equipment, operation and pay the persons working there.

Mr. A. A. vanTeylingen, President, M.S.U., testified that as the students voted in favor of these measures, building funds were available and the projects do fill a need, his office supported this legislation.

Bill Lannon, representing the Commissioner of Higher Education, stated their office had considered the measures and found them acceptable.

Chairman Blaylock then asked for any opponents, there being none, the hearing was opened for questions by the Committee.

In answer to Senator Warden's question regarding the lack of parking lots, Mr. vanTeylingen stated due to more pressing needs, parking facilities have not been constructed and fees would have to be charged and students object to too many expenses.

Senator Blaylock inquired if the shop would provide tools and have a person on hand responsible for running the facilities, to which Mr. Bradley replied affirmatively and stated there were about 7,300 regis-

tered vehicles on campus. He also stated the voter turn out was about 20% which is normal because of the various types of students comprised in the Associated Student Body, but of those, 3 to 1 were in favor.

Senator Blaylock then asked how much this would increase student fees, to which Mr. Bradley stated they hoped to finance all costs from existing money.

Senator Smith commented it was unusual that any group came to the legislature just asking permission to build without asking for the money too.

Senator Fasbender inquired about the University's bonded indebtedness and if these existing funds had been allocated in advance or what would have been done. Mr. vanTeylingen replied that the students had approached them with these projects and they felt that since these were funds of the students, they should have some say in how they were spent; but otherwise, they might have bought back some bonds.

Senator Warden moved that Senate Joint Resolutions 32 and 33 BE ADOPTED; this was seconded and carried unanimously.

FURTHER CONSIDERATION OF SENATE BILL No. 68: Senator Blaylock, reporting for the Subcommittee appointed on SB 68, stated amendments had been worked out changing the board membership from 6 classroom teachers to 3 elementary and 3 high school, left out the lay member and replace with another school board member, designating one from a first class and one from a 3rd class district, and striking section 18 entirely.

Senator Thomas moved the proposed amendments be adopted; motion was seconded and carried unanimously.

Further discussion was had relating to the composition of the proposed board and teacher qualification criteria.

Senator Thomas made a motion that Senate Bill 68 DO PASS AS AMENDED; this motion was seconded and, on roll call vote, carried by majority vote, with Senators Smith and Murray voting "no" and Senator McCallum abstaining.

Senator Fasbender requested that the Committee let Senate Bill No. 62 die. He also asked that Senate Bill No. 389 not be reported out of Committee pending checking on further amendments.

ADJOURNMENT:

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. 17, 1977

DATE February 17, 1977

COMMITTEE ON EDUCATION

SENATE BILL NO. 364, 389 &

421 and S. J. R. 32 & 33.

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppose
Carol Pitts	Mont. Independent Bankers		
Mike Hanson	Montana Student Lobby		
Carrie Hahn	Montana Student Lobby	364	421
Carol Huckle	Montana State Univer. Sororities		
Diane Tipton	Commission of Higher Educ.	389	
Beau R. Bradley	Associated Students of MSU	SJR 32	
Joni Wright	Associated Students of MSU	SJR 33	
Edward Bumgarner	ASMSU Married Student Housing	SJR 32	
Gary Waylander	ASMSU Student Senate	SJR 33	
Mary Pat Day	A.S.M.S.U. Residence Hall	SJR 32	
Tom Fehlert	INTER FRATERNITY COUNCIL OF M.S.U.	SJR 33	
Mark Wheeling	Dept. of Admin, Comm. Div.	SB 389	
Jack Creussen	Dept. of Admin	SB 389	
Elizabeth L. Hurley	Corp. for Mont. Public Television & MEBC	SB 389	
Joseph S. Sampas	" " "	SB 389	
John Cudly	MT Bankers Assn		

NAME: A. A. van Teijlingen DATE: 2-17-77

ADDRESS: 302 So. Wilson, Bozeman, Mt.

PHONE: 587-4867 (home) 994-2097 (Office)

REPRESENTING WHOM? President, Montana State University

APPEARING ON WHICH PROPOSAL: 5JR 32 & 5JR 33

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

COMMENTS: In as much as the students have voted to expend student building fee funds to construct the projects to which this legislation addresses itself and since these projects fill a need and since the students have agreed to provide funds to operate the Auto Repair Center, the President of MSU supports this legislation.

NAME: Edward Bumgarner DATE: 2/17/77
ADDRESS: 506 Nelson Story, Bozeman, MT 59715
PHONE: 587 - 3603
REPRESENTING WHOM? ASMSO Married Student Housing
APPEARING ON WHICH PROPOSAL: SJR 32 + 33

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

COMMENTS: SJR - 33 - As of Now we have
No facilities to work on our automobile,
no tools to use and we are on
tight budgets so we can not afford to
pay someone to do the work for us.

SJR - 32 - We as of now do not
have enough facilities to handle the amount
of students that want to and are playing
these sports. They are over loaded at all times
and we just need more room.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: John Decker DATE: 2/17/71

ADDRESS: 1111 N. Broad St. Philadelphia, PA

PHONE: 215 429-1771

REPRESENTING WHOM? ASSOCIATED STUDENTS OF PHILADELPHIA

APPEARING ON WHICH PROPOSAL: SPR 32 + 33

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

COMMENTS: IN THE LAST STUDENT ELECTION THE STUDENTS
EXPOSED AN OBSCENIC MAGAZINE NAMED FROZEN.
FROZEN IS OWNED BY CONN. TO STUDIO IN BOSTON. OF
THE STUDENTS HAD TO WORK.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: KEVIN KEPHART DATE: 12.17.1988

ADDRESS: 418 W GARFIELD BOULEVARD, 1410, 521-1111

PHONE: 557-4251

REPRESENTING WHOM? INTERFRATERNAL COUNCIL OF M.S.C.

APPEARING ON WHICH PROPOSAL: EN 552 32, 33

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

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: _____

Many Pat Day DATE: 2/17/77

DATE :

ADDRESS: 618 Rockie Hall Montana State University

PHONE: 994-9008

REPRESENTING WHOM? Montana State University
Associated Students

APPEARING ON WHICH PROPOSAL: Senate Joint Resolution 32 & 33

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

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Gary M Waylander DATE: 2/12/22

ADDRESS: 1710 Greek Way Bozeman, MT

PHONE: 587-3171

REPRESENTING WHOM? Associated Students Montana State University

APPEARING ON WHICH PROPOSAL: SJR 32 & SJR 33

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

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Carol Huckle DATE: 2-17-77

ADDRESS: Quad F Delta Gamma

PHONE: 587-4228

REPRESENTING WHOM? MSU - sororities

APPEARING ON WHICH PROPOSAL: SJR 32, SJR 33

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

COMMENTS: SJR 32 - Existing facilities are over-crowded.

SJR - 33 - Facilities are a common need. It's impractical for individuals to purchase tools because of expense and temporary residencey.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Pat McKittrick DATE: 2-17-77

DATE: 2-17-77

ADDRESS: 315 Davidson Bldg

PHONE: 727-4041

REPRESENTING WHOM? Mt. Independent College Assoc.

APPEARING ON WHICH PROPOSAL: S.B 421

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS : _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: _____

BRUCE T ALTON

DATE: FEB 17, 77

ADDRESS :

3010 RUGBY DR, BILLINGS

PHONE: :

259-3429

REPRESENTING WHOM?

MONTANA INDEPENDENT COLLEGE ASSN, ROCKY MT. COLLE.

APPEARING ON WHICH PROPOSAL:

SB 421

DO YOU:

SUPPORT?

500

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Diane Tipton DATE: 2/17/77

ADDRESS: 33 S. Last Chance Gulch

PHONE: 449-3024

REPRESENTING WHOM? Commissioners of Higher Educ

APPEARING ON WHICH PROPOSAL: ~~HB~~ SB 389

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

COMMENTS: an amendment will be submitted to SB 389 recognizing the board of regents of higher education as exempt from the department of administration powers and duties as described in the bill.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: CURT WHEELING DATE: 2-17-76

DATE: 2-17-76

ADDRESS: Communications Division
Box 195 Capitol Station, Helena

PHONE: 449-2486

REPRESENTING WHOM? Dept. of Administration

APPEARING ON WHICH PROPOSAL: 5b 389

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

COMMENTS : _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Taylor Grossen DATE: 2-17-77

ADDRESS: MITCHEN BLDG.

PHONE: _____

REPRESENTING WHOM? Dept. of Admin.

APPEARING ON WHICH PROPOSAL: SB 389

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: _____

Elizabeth L. Hurley DATE: 2/17/77

ADDRESS: Box 271 Livingston 59047

PHONE: 222-3551

REPRESENTING WHOM? Corporation for Montana Public Television
+ Mt. Educ. Broadcasting Commission

APPEARING ON WHICH PROPOSAL: SB 389

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

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Joseph S. Schubert DATE: 2/17/76

DATE: 2-17-76

ADDRESS: 606 HIGHFIELD PARK DRIVE BILLINGS MT 59102

PHONE: 252-5611

CONVERSATION FOR MONTANA PUBLIC TELEVISION

REPRESENTING WHOM? MONTRÉAL MUSICAL THEATRE, INC., CREATING CONSCIOUSNESS

APPEARING ON WHICH PROPOSAL: 5B 389

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS : _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: FRANK KERINS DATE: 17 Feb 77

ADDRESS: 710 Madison Ave Helena

PHONE: 442-3677

REPRESENTING WHOM? CARROLL College

APPEARING ON WHICH PROPOSAL: SB 421

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

COMMENTS: _____

NAME: Bill Lannay DATE: 2-17

DATE: 2-17

ADDRESS: 33 S. Last Chance Gal

PHONE: 449 - 3024

REPRESENTING WHOM? Commissioner of Higher Education

APPEARING ON WHICH PROPOSAL: SB 421 55R32 55R33

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS:

NAME: NEAL CHRISTENSEN DATE: 2-17-77

ADDRESS: 1624 CANNON FT 27

PHONE: 449-2080

REPRESENTING WHOM? OFFICE OF PUBLIC INSTRUCTION

APPEARING ON WHICH PROPOSAL: SB 421

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

COMMENTS: Noted & know the intent of the
bill & am undecided. I have some
strong convictions in this area - Plaintiff
Friendly Fed.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

STANDING COMMITTEE REPORT

February 17, 1977

MR. President.....

We, your committee on **EDUCATION**

having had under consideration **SENATE JOINT RESOLUTION** Bill No. **32**

Respectfully report as follows: That **SENATE JOINT RESOLUTION** Bill No. **32**

Introduced Bill,

NO PAGES

BE ADOPTED

BM

Chet Blaylock

SENATE COMMITTEE EDUCATIONDate February 17, 1977 Sen. J. Resolut. No. 32 Time _____

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

Jennie Lind
SecretaryChet Blaylock
Chairman

Motion: Senator Margaret Warden moved that Senate Joint Resolution No. 32 BE ADOPTED; this motion was seconded and carried by majority vote; Senator Murray being absent.

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

STANDING COMMITTEE REPORT

February 17, 1977

MR. President,

We, your committee on EDUCATION,

having had under consideration SENATE JOINT RESOLUTION Bill No 33,

Respectfully report as follows: That SENATE JOINT RESOLUTION Bill No 33,

Introduced Bill,

BE ADOPTED

BOZEMAN

SENATE COMMITTEE EDUCATIONDate February 17, 1977 SEN. J. RESOLUT. No. 33 Time

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

Jennie Lind
SecretaryChet Blaylock
Chairman

Motion: Senator Margaret Warden moved that Senate Joint Resolution No. 33 BE ADOPTED; this motion was seconded and carried by majority vote; Senator William Murray being absent.

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

STANDING COMMITTEE REPORT

February 17, 1977
Journal

MR. President.....

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

having had under consideration **SENATE**..... Bill No. 389,.....

Respectfully report as follows: That..... **SENATE**..... Bill No. 389,.....

Introduced Bill, be amended as follows:

1. Amend page 1, section 1, line 16.

Following: "communications."

Strike: "The"

Insert: "Except for entities under the jurisdiction of the board of regents of higher education, the"

~~DO PASS~~

AND AS SO AMENDED, DO PASS

SENATE COMMITTEE EDUCATIONDate February 17, 1977 SENATE Bill No. 389 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
SecretaryChet Blaylock
Chairman

Motion: Senator Margaret Warden moved that Senate Bill No. 389
DO PASS AS AMENDED; the motion was seconded and carried
by unanimous vote.

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

STANDING COMMITTEE REPORT

.....February 17..... 19 77.....

MR.**President**.....

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

having had under consideration**SENATE**..... Bill No. **68**.....

Respectfully report as follows: That.....**SENATE**..... Bill No. **68**.....

Introduced Bill, be amended as follows:

1. Amend page 2, section 2, line 13.

Following: "(a)"

Strike: "six"

Insert: "three elementary"

2. Amend page 2, section 2, line 14.

Following: line 13

Insert: "(b) three high school classroom teachers;"

Renumber: All subsequent subsections

3. Amend page 2, section 2, line 15.

Following: "(c)"

Strike: "one lay member"

Insert: "one member of a local school board from a class 1 district"

ROKASS

Page 2
Senate Bill 68

February 17, 1977

4. Amend page 2, section 2, line 16.

Following: "board"

Insert: "from a class 2 or 3 district"

5. Amend page 3, section 3, line 8.

Following: "75-6001.1(l)(a)"

Strike: "or"

Insert: ","

Following: "(l)(b),"

Insert: "or (l)(c),"

6. Amend page 17, section 18, line 21.

Following: line 20

Strike: Section 18 in its entirety

Renumber: All subsequent sections

AND AS SO AMENDED, DO PASS



Chet Blaylock, Chairman

SENATE COMMITTEE EDUCATION

16

Date Feb 17 January 25, 1977 Senate Bill No. 68 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
SecretaryChet Blaylock
Chairman

Motion: Senator Bill Thomas moved that Senate Bill No. 68 DO
PASS AS AMENDED; this motion was seconded and carried by
majority vote, with Senator Ed Smith and Senator William
Murray voting "no" and Senator George McCallum abstaining.
 (include enough information on motion--put with yellow copy of committee report.)

Testimony of Dr. Bruce T. Alton
President, Rocky Mountain College
in support of Senate Bill 421
Senate Education Committee
February 17, 1977

Mr. Chairman and Members of the Senate Education Committee.

My name is Bruce T. Alton, and I serve as President of Rocky Mountain College in Billings. I likewise am President of the Montana Independent College Association, an organization of the three independent colleges of Montana - Carroll College, the College of Great Falls, and Rocky Mountain College.

I have come today to speak in favor of the passage of Senate Bill 421 as amended, the amendment to include independent colleges of this state in the allocation of state scholarship funds should the bill in question be passed and funded.

The legislation that is proposed by Senate Bill 421 is not unique. Currently thirty-eight states offer some type of grant or scholarship programs for students attending independent colleges. When one considers that not all fifty states have independent colleges within their geographic boundaries, for example Wyoming, the fact is further reinforced that the very large majority of the respective states sponsor such programs. Those states contiguous to Montana providing such financial assistance are North Dakota, South Dakota, Idaho, Washington, and Oregon. This legislation is likewise similar to that found within recommendations 51 - 52 of the Montana Commission on Postsecondary Education completed in December of 1974.

My major concern for support of this legislation is three-fold: (1) Freedom of choice, (2) access to higher education, and (3) the survival of independent higher education.

It would appear to me that there is both historical and strong support for an argument supporting freedom of choice. I would note that the history of our country has strong foundations in independent higher education - the fact that between the

Testimony of Bruce T. Alton
February 17, 1977
Page Two

founding of Harvard College in 1636, an independent college established only a brief while after the landing of the Pilgrim fathers at Plymouth Rock, and the passage of the Morrill Act in 1862, some 225 years after the founding of Harvard, this nation knew little else than independent, not state-supported, higher education. While concerned with the separation of church and state, our founding fathers were likewise strongly influenced by the Christian ideals of these early colleges, and those which followed, and did in fact support them with public funds.

But more recently the precedent for freedom of choice in higher education has been established by every program of federal assistance of which I am aware. As a military veteran myself, I had the advantage of the GI Bill, and was able to use this funding to attend the college of my choice, independent or state-supported. Other programs of student financial assistance - the Basic Opportunity Grant, Supplemental Education Opportunity Grants, Federally Insured Student Loans, etc. - all provide a freedom of choice for the college student to utilize such funds at the institution of their choice. The Education Amendments of 1976 as they relate to one of the most rapidly increasing programs of federal/state assistance - the State Student Incentive Grant - likewise cite its applicability to both independent and state-supported higher education.

The Constitutional question is one that must be considered. However, it is my opinion that *Roemer versus Maryland*, heard by the United States Supreme Court in June of this past year, and *Americans United versus Rogers*, heard by the Missouri Supreme Court in July, have set rather strong precedent for independent institutional support. While I realize that your reading load is horrendous, I am presenting several copies of a book entitled Endangered Service: Independent Colleges, Public Policy and the First Amendment, which I believe that you will find to be

one of the most complete compilations of issues and judicial decisions available on this topic.

While I would argue strongly against direct assistance to independent education from the state, I would argue with equal strength for the youth of our state having freedom of choice in their college or university selection.

My second concern is that of access to higher education. The fact remains that a large number of youth are unable to attend college, or find resources severely drained, for fiscal reasons. The program that is proposed by Senate Bill 421 is based on the need of such persons. The very large majority of financial assistance in the North Dakota program cited earlier is directed toward those of lower income. In the four years that the program has been in existence, 82% of the monies have been awarded to students whose families, by needs analysis, were able to provide only \$100 or less for their children to pursue postsecondary education. It is for students such as this that my colleagues and I support this legislation.

There is perhaps a final point that must be considered by this Committee. It is my belief that the independent sector of higher education has made a significant contribution to this state, both culturally and financially. My own institution this year has saved Montana taxpayers over \$400,000 by educating Montana students who might otherwise attend units of the state system if we did not exist (289 Montana students x \$1400 education-only average cost within the Montana University System). Combined, the three independent colleges of the state have saved Montana nearly \$2.8 million in this year alone by educating Montana youth (1992 Montana students x \$1400)

But the alternative remains possible that independent higher education will cease to exist unless there can be some assurance - such as that provided by Senate Bill 421 - that independent colleges might remain competitive within the student

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market place. It would seem to me that the costs of a scholarship program as that proposed would be rather minimal when compared with that of educating Montana students from our collective enrollments should independent colleges no longer function.

Therefore, for reasons of freedom of choice, access to higher education, and perpetuation of the independent college ideal, I would encourage your support of this legislation.

Thank you.