

State of Montana
46th Legislative Session

EDUCATION COMMITTEE

Minutes of Meeting

A meeting of the Education Committee of the House of Representatives was called to order at 12:30 p.m., Wednesday, January 31, 1979 in Room 5, Capitol Annex, by Chairman, Peter J. Gilligan.

The roll was taken and shows Representatives Kemmis, Oberg, Eudaily and Kvaalen excused. All other members of the committee were present.

The purpose of the meeting was to hear House Bills 103 and 408. Representative Lien, co-sponsor of HB 103, explained to the committee the need for legislation which would allow for foundation program payment eligibility to schools closed due to emergencies.

Proponents of HB 103 were:

Alve Thomas, Office of Public Instruction, Deputy Superintendent - (Mr. Thomas also addressed HB 408 at this time.) "The OPI favors the concept of HB 103 and the need for legislation to allow schools to receive foundation program payment during emergencies or disasters. ... We see the need for this type of legislation but would recommend that the Education committee review HB 103 and HB 408 and eliminate any conflicting provisions in the bills. Both would serve a definite need and we believe could be incorporated into one bill or rewritten so that they would not conflict." (See Exhibit 1 and Exhibit 2)

Wayne Buchanan, Director of Special Services, Montana Schools Boards Association, 501 N. Sanders, Helena, Mt. - Mr. Buchanan spoke in support of a compromise between HB 103 & 408. He felt the concept of this legislation will be very useful in Montana.

Philip Campbell, Montana Education Association, 1232 E. Sixth Ave., Helena, Mt. - "The MEA feels that there is a need for legislation dealing with this problem. HB 103 does not meet all the need. HB 408, as amended, would be a better law to meet the need for emergencies. (See Exhibit 3)

Robert Richards, P.O. Box 62, Lambert, Montana.
(Lambert Public Schools)- Mr. Richards stated,

(Robert Richards, Lambert Public Schools, Continued)

"We need a bill to address this problem. I would like to see a combination of the two discussed."

(See Exhibit 4)

There were no opponents to House Bill 103 present. The hearing was closed.

Chairman Gilligan asked Representative Vinger, sponsor of House Bill 408 to open the hearing on that bill. Representative Vinger passed-out amendments to the bill and explained them to the committee.

Proponents of House Bill 408 were:

Rodney Svee, Wolf Point Schools, Wolf Point, Mt. -
Mr. Svee spoke in support of HB 408; he pointed out to the committee HB 408 could have a major impact on schools since the bill would reduce the following years budget 1/180% for each required school day lost in an emergency situation that is not made-up. A combination of the bills would be more favorable to Mr. Svee, as he felt this could eliminate the problem of schools losing their funds. (See Exhibit 5)

Harry Axtman, 107 Benton, Wolf Point, Mt. (County Superintendent of Schools)- Mr. Axtman spoke in support of HB 408.

There were no opponents to HB 408 present. The hearing was closed.

The committee asked questions of the witnesses.

Representative Nordtvedt asked if in House Bill 408, there was a clause which would impose a loss of 1/180% of the following years budget for each day of school not made up. Mr. Thomas answered Rep. Nordtvedt's question, stating that the school would loose no money if they make up the first three days cancelled in an emergency, with the approval of the county superintendent.

A Sub-Committee was assigned to examine the two bills, HB 103 and HB 408, being combined into one comprehensive piece of legislation. Those assigned to the sub-committee were: Representative Uhde, Chairman, and Representatives Reichert and Kvaalen.

Representative Lory questioned the necessity of the Governor declaring an emergency in order that the schools might be eligible for foundation program payments. Representative Lien responded to the question, stating that perhaps the county superintendent or county commissioners might be the appropriate officials to determine the emergency status.

Executive Action on House Bill 264 was postponed. The Committee will meet in Room 104 of the Capitol Building on Friday, February 2, 1979 to hear House Bill 219.

The Sub-Committee on House Bill 105 will report to the committee on Friday.

The meeting adjourned at 1:10 p.m.

Respectfully submitted,



Peter J. Gilligan, Chairman

MJW