

EDUCATION COMMITTEE
MONTANA STATE SENATE

January 26, 1979

Meeting of the Education Committee was called to order at 1:30 p.m. by Senator Bob Brown, Chairman, in Room 402 of the State Capitol Building.

ROLL CALL: All committee members were present for this meeting.

CONSIDERATION OF SB 189:

Chairman Brown placed SB 189 before the committee for consideration. Senator Stephens, chief sponsor of the bill, explained it to those present. The bill has to do with the contracting of audiological services for Montana schools. Presently there are six centers that cover urban areas and five that cover rural areas. Audiology is a screening process for hearing defects in children and adults. This bill amends Section 20-7-403, MC, which defines the duties of the Superintendent of Public Instruction, and requires the Superintendent to contract with local school districts or private, nonprofit agencies for the delivery of audiological services to school-age children.

The following amendment was proposed by Senator Stephens: Amend page 3, line 7, following "districts" by inserting ", cooperative or regional services", and further amending page 3, line 8, by striking "private nonprofit agencies" and inserting "those ages mandated by Montana special education law (M.A.C. 20-7-411)". (See Exhibit 1)

PROPOSERS:

The first proponent of SB 189 was Ralph Branson, Manager of Budget & Planning for OPI, who appeared and spoke at the request of Senator Stephens. On a large outlined map, he showed the areas hosted and where the Easter Seal contracts are. He told the committee that the large area hosts are backing out and that Bozeman which is the remaining one is in the process of backing out now. The problem is that this service is in danger of being lost by default.

The next proponent to speak in support of SB 189 was Darrell J. Micken, representing the Montana Easter Seal Society. He said that Montana should be very proud of its development in the field of audiological service to the schools because there are only 2 states ahead of it in this area. He gave the committee a written statement in support of SB 189. (See Exhibit #2)

Richard M. Boehmler, President of the Montana Speech & Hearing Assn., was the next proponent of SB 189 to appear before the committee. He said that the association supports the basic intent of SB 189. He gave the committee a prepared statement. (See Exhibit #3)

Mr. Boehmler also presented a statement from Charles D. Parker, M.D., Chairman of the Communication Sciences and Disorders, University of Montana. (See Exhibit #4)

The next proponent of SB 189 was Merle DeVoe of the State Department of Health and Environmental Sciences, Hearing Program, who told the committee that the bill is too restrictive as written and urged acceptance of the amendment. He said that the OPI is the best agency to control the service.

Shirley Miller of the office of Public Instruction then told the committee that school law now allows public schools to contract with private nonprofit agencies, and that it does not prevent the contracting of local agencies.

There being no more proponents present, the Chairman asked for testimony of opponents. The only opponent present was Christian Grover of Helena, who is a certified teacher of the deaf, but is not presently work at his profession. He told the committee that the bill was too restrictive and would keep private audiologists from making a living. He asked that the committee not accept the amendment as he felt it would be detrimental to private audiologists.

Senator Stephens was allowed to close on SB 189 at this time. In closing he said he had an extensive talk with Doug Rader of Great Falls who is past-president of the Montana Speech Assn., and that private audiologists are not precluded by this bill. He further told the committee that the OPI is not doing the contracting, and that it will be the district doing it.

Mr. Boehmler requested to be allowed to refute the claim of Mr. Grover that the Montana Speech Assn. was not in support of the bill. He said that the association had just found out about this bill two days ago and that he had contacted as many as possible of the members about it, and that the majority of the members supported SB 189, so he did have the power to speak as a proponent of the bill.

CONSIDERATION OF SB 194:

Senator Lensink, chief sponsor of the bill, said he had introduced it at the request of the Board of Regents. This bill amends Section 20-25-312 which pertains to parking fines in the Montana University System. The amendments will allow University Unit Presidents to fine up to \$10 for parking violations, and to use parking meters in the University system.

The first proponent of SB 194 was Spencer F. (Fred) Thomas, president of the student body at MSU. He said that the fine is more of a parking fee and they do not have the staff to write enough tickets to keep the people out of nonparking areas. They have been trying to decide what to do about the situation for 2 1/2 year and have decided to request a raise in the fines.

Randy Lund, representing ASMSU also, spoke in support of raising the fines. He said they were needed to discourage parking in

fire lanes, cross walks, red zones and several areas designated for handicapped persons. By enacting this fine, it is felt that they will correct these problems.

Rick Boylan, also representing the Associated Students of MSU, told the committee that there is a real problem at MSU and that the fines and fees will eventually alleviate the problems.

Jim Molloy of the Commissioner of Higher Education office, said that they support SB 194, and that it simply authorizes a raise in parking fines and is not an across-the-board raise, but the raises would have to be considered individually.

There being no more opponents present wishing to testify, the Chairman called for opponents. Bill Bronson, representing the Associated Students at the U of M, was the first to speak against SB 194. He said that all alternatives have not been considered, and called for the removal of the provision on parking meters. He said that the schedule of fines proposed would be extraordinary. He felt that a broad grant of authority may be dangerous and asked that a statement of legislative concern be included.

Senator Lensink, in closing, said that there is a very great problem in parking at MSU and that the \$1 fine is so low that it really only amounts to a parking fee.

Andy Van Tylengen of the MSU faculty testified that there is a study now concerning the parking situation at MSU. One thought is to have a parking area closer to the center of campus which would cost more than the parking areas on the outskirts of the campus. He said that maybe one small lot should be made for visitors. He said that they could raise the fines and that they are lower on campus than in Bozeman. He also said that it is practically impossible now to enforce the rules on campus with either the students or the faculty.

Garth Jacobson, president of the Associated Students at the U of M, said that they are looking into having a bus transport students in order to alleviate any parking problems in Missoula.

Senator Anderson, member of the committee, said he has taught part-time at Bozeman and that there is a definite problem there and, if it is not corrected, someone is going to get killed because of the parking conditions, and that it should be corrected.

There being no further time for this meeting and testimony having been completed, the committee adjourned at 2:45 p.m..



Senator Bob Brown, Chairman

Date 1-26-79

ROLL CALL

EDUCATION COMMITTEE

46th LEGISLATIVE SESSION - 1979

NAME	PRESENT	ABSENT	EXCUSED
Sen. Bob Brown, Chairman	✓		
Sen. Ed Smith, Vice Chairman	✓		
Sen. Jesse O'Hara	✓		
Sen. George McCallum	✓		
Sen. Elmer Severson	✓		
Sen. Mike Anderson	✓		
Sen. Chet Blaylock	✓		
Sen. Larry Fasbender	✓		
Sen. Richard Smith	✓		
Sen. Bill Thomas	✓		

Each Day Attach to Minutes.



2 of 2

EASTER SEAL SOCIETY

FOR CRIPPLED CHILDREN AND ADULTS OF MONTANA

January 26, 1979

MEMO TO: Senator Bob Brown, Chairman
Senate Education Committee

FROM: Darrell Micken, Director
Audiological Services
Montana Easter Seal Society

RE: Senate Bill # 189

POSITION: SUPPORT

STATE OFFICE

14400 CENTRAL AVE.
GREAT FALLS, MT. 59401
PHONE: 761-3680

WILLIAM N. SIRAK
EXECUTIVE DIRECTOR

JOHN E. PANNELL
ASSOCIATE DIRECTOR

TREATMENT CENTERS

12406 SIXTH AVE. N.
BILLINGS, MT. 59101
PHONE: 252-9600

X MONTANA STATE UNIV.
BOZEMAN, MT. 59717
PHONE: 994-4563

1303 WEST SILVER
BUTTE, MT. 59701
PHONE: 723-4373

112--2ND AVE. S.W.
CONRAD, MT. 59425
PHONE: 278-5840

14400 CENTRAL AVE.
GREAT FALLS, MT. 59401
PHONE: 727-3151

1 DONALDSON HALL, N.M.C.
HAVERI, MT. 59501
PHONE: 265-6151

1417 HELENA AVE.
HELENA, MT. 59601
PHONE: 442-2061

As a representative of the Montana Easter Seal Society, which provides audiological services to approximately 2/5 of the rural school age children in the state of Montana, I support SB 189 with certain modifications.

Five years of delivery of services to these children has allowed us the experience of screening and providing a complete hearing conservation program for approximately 40,000 children per year. Research and personal experience has taught us that early detection of hearing loss and intervention is absolutely vital to the educational development of our children.

The state of Montana has developed one of the most complete, comprehensive audiological service patterns in the United States. To maintain this pattern it is important to develop a centralized funding and administrative system. The depth and breadth of the present system makes funding and administrative interaction with each of Montana's school districts nearly impossible and impedes the delivery of services to children. This bill would greatly facilitate the continuation of the present program.

I would recommend an amendment, however, which would delete (line 5) all of "with local school districts or private non-profit agencies". This clause severely reduces the possibilities of contracting with state, federal and private agencies which may be able to provide the most appropriate services.

I would further encourage the development of statewide guidelines which would assist OPI in the continued direction of this service program.



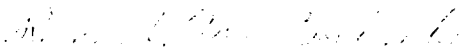
MONTANA SPEECH AND HEARING ASSOCIATION

January 26, 1979

Senate Education Committee
State of Montana

Re: 1979 Senate Bill #189

The Montana Speech & Hearing Association supports Senate Bill #189 providing for the funding of audiological services through the Office of Public Instruction. It appears to us that the current funding pattern is fragmented and inefficiently administered. Senate Bill #189 should provide for a more efficient administrative system and thus provide a savings in administrative costs. The "paper work" associated with special education services has significantly increased during the last five years. We support any steps which increase the efficiency of the system without reducing services. This Bill appears to provide such a step.


Richard M. Boehmler, Ph.D.
President
Montana Speech & Hearing Association

RMB:ms



University of Montana
Missoula, Montana 59812

January 26, 1979

Senator Bob Brown
Chairman
Senate Education Committee
State of Montana
Helena, Montana 59601

Dear Sir:

It is our understanding that Senate Bill #189 is a proposal to allow the Office of Public Instruction to contract audiological services to school age children.

The faculty of the University of Montana Department of Communication Sciences & Disorders is supportive of the general principle behind this act. We are, however, in opposition to specific wording of this bill. It is our understanding that the wording would allow contractual arrangements to be developed only between the Office of Public Instruction and private nonprofit agencies. This we feel would restrict the opportunity for O.P.I. to most effectively deliver services to all areas of the state. This university, the School for the Deaf & Blind, Department of Health & Environmental Sciences, and Boulder River School & Hospital, as examples, have active audiological programs that well might be the agency of choice in providing services to a particular segment of the state's school children. It seems to this faculty that it would be to everyone's advantage if the language of the act were modified to allow any nonprofit agency to enter into contractual arrangements with the Office of Public Instruction for the purposes of delivering audiological services to the state's school age population.

Sincerely,

Charles D. Parker, Ph.D.
Chairman

CDP:ms

NAME: Richard Boelmler DATE: 4/26/77

ADDRESS: University of Montana, Missoula

PHONE: 293-4131

REPRESENTING WHOM? Montana Speech and Hearing Ass.

APPEARING ON WHICH PROPOSAL: SB 129

DO YOU: SUPPORT? _____ AMEND? OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Darrell J. Micken DATE: 1-26-79

ADDRESS: 911 S. Church Bozeman, Mt. 59715

PHONE: # 587-8517

REPRESENTING WHOM? Mt. Pastor Seal Society

APPEARING ON WHICH PROPOSAL: SB-189

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: att. bill (hand out)

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: MERLE DeVoe DATE: 1/26/79

ADDRESS: 417 RAYMOND

PHONE: 442-7343

REPRESENTING WHOM? St Dept of Health + Educa^o - Hearing Program

APPEARING ON WHICH PROPOSAL: SB189

DO YOU: SUPPORT? X AMEND? OPPOSE? _____

COMMENTS: Bill is to restrictive as written

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Spena F. Thomas DATE: 1-26-77

ADDRESS: 1321 S. Fifth

PHONE: 586-2260

REPRESENTING WHOM? ASMSU

APPEARING ON WHICH PROPOSAL: S.B. 194

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Christian Greer DATE: 1/25/79

ADDRESS: 297 13th

PHONE: 442-3859

REPRESENTING WHOM? Self

APPEARING ON WHICH PROPOSAL: SB 189

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: Very Restrictive

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Randy Lund DATE: 1-26-79

ADDRESS: 1215 S. Willson Bozeman

PHONE: 994-2933

REPRESENTING WHOM? ASMSU

APPEARING ON WHICH PROPOSAL: SB 194

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Rick Boylan DATE: 1-26-79

ADDRESS: 200 East 5th Helena

PHONE: 442-3152

REPRESENTING WHOM? ASSOCIATED STUDENTS OF MONTANA STATE UNIV.

APPEARING ON WHICH PROPOSAL: SB 194

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Jim Molloy DATE: 1/26/79

ADDRESS: 33 South Last Chance Gulch

PHONE: 449-3024

REPRESENTING WHOM? Commissioner of Higher Education

APPEARING ON WHICH PROPOSAL: S.B. 194

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Bill Bronson DATE: 1/26/79

ADDRESS: 2480 E. Broadway, Helena

PHONE: 442-4986

REPRESENTING WHOM? Associated Students, UM

APPEARING ON WHICH PROPOSAL: SB194

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

COMMENTS: ① All alternatives not considered

② Removal of provision on parking meters

③ Schedule of fines proposed would be extraordinary

④ Broad grant of authority may be dangerous

⑤ Statement of leg. concern should be included.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Mike D. Allen DATE: _____

ADDRESS: 1830 Florence

PHONE: 442-0036

REPRESENTING WHOM? NSUM

APPEARING ON WHICH PROPOSAL: SB 194

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Garth Jackson DATE: _____

ADDRESS: 228 Eddy

PHONE: 721-3884

REPRESENTING WHOM? Self-ASUM President

APPEARING ON WHICH PROPOSAL: SB 194

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

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

ADDITIONAL REMARKS SUBMITTED REGARDING SB 194.

Mr. Chairman, members of the Committee: For the record, my name is Bill Bronson, I reside at 2480 E. Broadway in Helena, and I am a registered lobbyist for the Associated Students of the University of Montana (ASUM.)

During last Friday's (1/26) hearing on SB 194, it was readily conceded by my association that Montana State University has a problem with parking facilities. However, ASUM continues to believe that SB 194 is an unfortunate solution. Although a student will probably not commit more than one traffic violation when the fine approaches \$10.00, this still does not address the fact that the problem at MSU appears to be the indirect result of poor parking-facility planning years ago. We hope that in the future, MSU and the other units of the university system will investigate in advance the consequences of parking-facility planning.

Rather than pursue this controversy further, ASUM makes only one request of this committee: If and when you give SB 194 a Do Pass recommendation, we would request that the committee make it clear in the record that it is the committee's hope that the establishment of new parking fine schedules be established only after consultation with affected student body, and only with the intent of correcting a temporary parking dilemma, not with the intent of raising unnecessary revenues.

While the above request may seem trivial, it would help to quell many of the legitimate fears of my association. Your endorsement of this request could one day provide a strong argument for a student body facing the implementation of an unjust and unnecessary fines schedule. Your endorsement would lend further stability to the principle of meaningful student participation in the decisions which directly affect their lives (and pocketbooks!)

In conclusion, I submit that the death of students from a parking-related

incident is indeed a cruel tragedy. The fact that students could also be faced with an unfair and unnecessary fines structure is also a tragedy, even if it is less critical in impact.

Thank you for considering this request. I am available for questioning by the Committee at any time.

Bill Bronson

Bill Bronson,
Associated Students of the University
of Montana

DATE 1/26/79

COMMITTEE ON EDUCATION

BILL NO. SB 194
SB 189

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Opp
Richard Smith			
Edna Shuby			
Dorothy Cahers			
Donna M. Pitts			
Debbie Shane Christensen	UM student		
Delpha McKinney	UM student		
Merle DeVos	ST Dept of Health + En Sci	189	<input checked="" type="checkbox"/>
Jayne Sutter			
A. Tompkinson	Cardiologist (wife)		
Helen Bulowski	Easter Seal Society		
Joy Johnson	Easter Seal Society		
Danell McKinley	Mt. Parker Seal Society	189	<input checked="" type="checkbox"/>
Richard Boehmle	Mountain Speech and Hearing Ass.	189	
Frank Boyett	UM Student		
Ralph Branson	OPT at request of Sen. Stephens		
Shirley Miller	OPD at request of Sen. Stephens		
MAX WEISS	ASUM		
Ken Lee	ASUM		
Long A. Chuback	Bus. Mgr. of ASUM		
Randy Hund	ASMSU - Business Manager	194	<input checked="" type="checkbox"/>
RICK BOYLAND	ASSOCIATED STUDENTS OF MONTANA STATE UNIVERSITY	194	<input checked="" type="checkbox"/>
Spencer F. Thomas	" "		<input checked="" type="checkbox"/>
William M. Thompson	Montana Mining Association		
Debbie Davis			

(Please leave prepared statement with Secretary)