

MINUTES OF THE MEETING OF THE HOUSE EDUCATION COMMITTEE
February 23, 1981

The House Education Committee convened in Room 127 of the State Capitol on Monday, February 23, 1981, at 8:20 a.m. with Chairman Eudaily presiding and a quorum present. Absent were Reps. Azzara, Dussault, Donaldson, Kennerly, Meyer, Vincent and excused were Rep. Lory and Williams. (Reps. Lory and Williams left votes with the Chairman.)

Chairman Eudaily opened the meeting to an executive session on the following bills:

EXECUTIVE SESSION

HOUSE BILL 655 - Chairman Eudaily said this bill would go to the Appropriation Committee at which the amounts for transportation would be set. Rep. Hannah said this would cost about 2 1/2 million and he was unable to support it.

Rep. Yardley moved DO PASS. He said we are just changing where the money is coming from.

The motion carried with Rep. Williams and Hannah voting no, and absent the same as above, 6 absent, 2 no and 9 yes.

HOUSE BILL 727 - Chairman Eudaily said Rep. Dussault will add her amendments on the floor. Rep. Hannah said he had talked to Steve Carey concerning an amendment saying the students' recommendation will have nothing to do with the money going to pay the bonding indentures. He said he sees nothing wrong with it.

Rep. Kitselman moved to table the bill. Rep. Andreason moved a substitute motion of DO PASS. He said all it will do is that it will be in the law that they can recommend. He said it is the students' money and this just gives them the right to recommend. Rep. Kitselman said the students' protesting could severely affect the bonds. He questioned if placating the students could have a severe affect on the bonding at the universities. Chairman Eudaily pointed out that the decision of the Board of Regents is final. Rep. Andreason suggested that was chasing shadows. He said there is no grey area - absolutely clear that the students have no way to interfere with the bond indentures. It is the least we can do for our students.

Rep. Hannah said it is improper to pass laws that placate people. It would give a legal ground for a law suit as it would be on the statutes and give them legal basis. He felt it was bad business.

Rep. Kitselman was concerned about the students coming up 12 - 20 years from now whose concerns might not be the same as at present. He said they have input now on the Board.

Rep. Andreason mentioned the problem at U of M of the Board purchasing land without even talking of it with the students. He said this is

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another check although not a powerful one. Rep. Kitselman said the testimony indicated this purchase was for the benefit of the students in years to come. Rep. Andreason said these moneys are to be used for the welfare of the students and not used for campus buildings. That was not the original intent of the building fees.

Question was called and the motion carried with 3 nos (Lory, Kitselman and Hannah) and 6 absent (same as before) and 8 for the motion. The bill receives a DO PASS.

HOUSE BILL 732 - Rep. Teague moved DO PASS. The motion carried with 10 yes, 1 no (Hannah) and 6 absent (same as before).

HOUSE BILL 793 - Kitselman moved to TABLE the bill. Chairman Eudaily said there seems to be a dispute between local parties which we weren't aware of when asked to write the committee bill. The motion carried unanimously with those present. Absent the same as previously.

HOUSE BILL 808 - Rep. Andreason said he felt this problem was the reason they have a union on campus and will be one of the union's number 1 priorities and he said he would like to see the Legislature solve the problem rather than the union. He said this payroll system was forced upon them completely against their will and it is one that is very cumbersome and financially difficult. He moved DO PASS.

Rep. Anderson said one of the reasons the legislature went to the centralized system is they didn't know what was happening in the total university budget. The legislators came and tried to get some good accounting principles and there was nothing there. He said they had to run around and try to find figures. He said that is why they are in the SBAS system. He said he hoped this problem could be resolved another way especially with the University system seeking additional funding this year.

Chairman Eudaily questioned if just bringing attention to it might help the situation as much as it could be helped at this time.

Rep. Andreason said he would like to explain the situation. Ten month contract making \$15,000 a year, divide that by 10 and you get about \$1500 a month. System as it was before - expected to get that amount each month, if there is a change you estimate and make up the next month. As this system sits now people have to fill out a card similar to a time card and estimate what they will do -- in jeopardy of perjuring themselves because of the estimating portion. Puts them in an untenable position at times.

Rep. O'Hara asked if this would take it back so the state would have no control over them again. Once the salaried employees ask for this will several others also ask. Could a system be devised that will help everybody out of this mess. Answer was no. With this bill there are some real problems accomplishing that.

Rep. Hannah felt since they were on the computer it could be programmed

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to just do this without too much difficulty.

Question was called and the motion did not carry as there were 6 no (Anderson, O'Hara, Hannah, Kitselman, Lory, and Williams); Yardley abstained as he had not heard the testimony on the bill, and six absent (same as before). Four voted yes.

Rep. Hannah moved the bill be reconsidered. He felt it should be passed to the floor and he also felt the computer should be able to be programmed to do this quickly and he said he didn't like to see professional employees having to make out time cards. He moved DO PASS. Rep. Kitselman moved to TABLE. Question was called and this motion failed with Rep. Kitselman and Teague and Lory ayes, with the same absent as before. The vote was then taken on Rep. Hannah's motion to DO PASS and this motion carried with Rep. Kitselman and Williams and Lory voting no, Rep. Yardley abstaining. The same absent as before.

HOUSE JOINT RESOLUTION 37 - Rep. Kitselman moved to TABLE. He said they do have a minority program now. He said it could be a case of reverse prejudice.

Teague moved a substitute motion of DO PASS. Historically he said in a past session at the urging of Reps. Rimerez and Fabrega the name of these people was changed from Mexican-Americans to Hispanics. And he said 40% of the state's total Hispanic people live in Billings - 1/4 of his area is so composed and 1/3 of Rep. Dozier's in Billings. He said the study would answer questions as to why these people aren't going to the University System and look into their educational problems. The question was called and the motion failed with Reps. Hanson, Eudaily, Kitselman, Hannah, Lory voting no and Reps. Yardley and Williams abstaining. The same absent as before.


HOUSE JOINT RESOLUTION 31 - Rep. Teague moved DO PASS and the motion failed with Reps. Teague, Andreason, Hannah, O'Hara voting yes, Yardley and Williams abstaining. The same absent as before.

Rep. Kitselman moved to TABLE and this motion carried with Reps. Teague, Andreason, Hannah, and O'Hara voting no, Reps. Yardley and Williams abstaining and the same absent as before.

HOUSE JOINT RESOLUTION 43 - Rep. Hanson moved DO PASS. Rep. Kitselman moved a substitute motion of TABLE. Question was called and the motion failed with 6 voting no: Hanson, Andreason, O'Hara, Teague, Anderson, Williams and the same absent as before. Chairman Eudaily then called for a vote on the former motion of DO PASS. This motion carried with Rep. Hannah voting no, the same absent, and Rep. Yardley abstaining as he had not heard the testimony on the bill.

Meeting adjourned at 9:00 a.m.

Respectfully submitted,


RALPH S. EUDAILY, CHAIRMAN