

MINUTES OF THE MEETING  
JOINT SUBCOMMITTEE  
ON EDUCATION APPROPRIATIONS  
MONTANA STATE  
HOUSE OF REPRESENTATIVES

February 12, 1985

Tape 48 Side B

The meeting of the Education Subcommittee was called to order by Chairman Gene Donaldson at 7:05 A.M. on Tuesday, February 12, 1985, in Room 104 of the State Capitol.

All members were present.

The purpose of the meeting was EXECUTIVE ACTION on the Community Colleges Budget, House Bill 219, and various wrap-up items.

Bill Sykes (48:B:047) of the Legislative Fiscal Analyst's office discussed state contribution to Indian education. Mr. Sykes said that in fiscal 1984 there was \$229,915 in fee waivers for Indians in the University System, and in 1985 that amount was \$237,993 (EXHIBIT 1).

NOTE: Tape jammed.

Tape 49 Side A

The state has also subsidized a portion of the Indian student enrollment at three tribal colleges as a result of the 1983 Legislature's funding enrollment levels at Dawson and Miles City that included Indian student FTE, Mr. Sykes said.

Mr. Sykes discussed the LFA's suggested options to mitigate the impact on the Miles City Community College budget (Exhibit 1). The following options represent adjustments to only the cost factor component of the formula driven budget. The unrestricted student enrollment is projected to remain at 464 FTE in each year of the 1987 biennium.

Option 1: When the formula was implemented in the 1983 biennium, Dawson received a higher cost factor than the other two colleges in order to avert a reduction in programs.

Student FTE	Additional Cost Factor	Added Cost to Unrestricted Budget	% State Support	Additional Gen'l Fund
464	X \$440	= \$204,160	X 53	= \$108,205

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The additional General Fund cost of \$108,205 would be in each year of the 1987 biennium.

Option 2: Higher enrollments presented in Option 2 on Page 3 of Miles' handout. The requested enrollment adjustment to 522 in each year of the 1987 biennium has been translated into a higher cost factor.

Student FTE	Additional Cost Factor	<u>1986</u> Added Cost to Unrestricted Budget	% State Support	Additional Gen'l Fund
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464	X \$448	= \$207,872	X 53	= \$110,172
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1987

464	X \$454	= \$210,656	X 53	= \$111,648
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Option 3: Higher enrollments presented in Option 3 of Miles City's handout of 500 FTE in fiscal 1986 and 520 FTE in fiscal 1987 translated into higher cost factors.

Student FTE	Additional Cost Factor	<u>1986</u> Added Cost to Unrestricted Budget	% State Support	Additional Gen'l Fund
-------------	------------------------	--	-----------------	-----------------------

464	X \$278	= \$128,992	X 53	= \$ 68,366
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1987

464	X \$438	= \$203,232	X 53	= \$107,713
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Option 4: Enrollment estimates presented by the Commissioner's office of 490 FTE in fiscal 1986 and 500 FTE in fiscal 1987 translated into higher cost factors.

Student FTE	Additional Cost Factor	<u>1986</u> Added Cost to Unrestricted Budget	% State Support	Additional Gen'l Fund
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464	X \$201	= \$ 93,264	X 53	= \$ 49,430
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1987

464	X \$282	= \$130,848	X 53	= \$ 69,349
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Option 5: Student enrollment at tribal colleges of 153 multiplied by the unreimbursed cost per FTE of \$296 translated into high cost factors.

Student FTE	Additional Cost Factor	Added Cost to Unrestricted Budget	% State Support	Additional Gen'l Fund
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464	X \$ 98	= \$ 45,472	X 53	= \$ 24,100
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The additional General Fund cost of 24,100 would be in each year of the 1987 biennium.

Option 6: Do not provide an adjustment.

A question and answer session followed between Mr. Sykes and members of the Subcommittee (49:A:109).

NOTE: Tape snagged.

Representative Hand moved that 475 FTE be approved for Miles City Community College.

Tape 50 Side A

Representative Moore (50:A:028) made a substitute motion that 464 FTE be approved for Miles City Community College.

There was discussion of the motions.

Senator Haffey (50:A:054) made a substitute motion for all motions pending. He moved that Option 4, as suggested by the LFA's office be adopted, setting the FTE at 490 for fiscal 1986 and 500 for fiscal 1987.

There was further discussion.

Senator Haffey asked if there was any element of double counting or double receiving of money. Dr. Flower, President, Miles City Community College, said there was not. He said that with the additional revenues the school was able to purchase equipment and other items that it otherwise would not have been able to purchase. Senator Haffey asked why there is a need for a phasing out, if 464 FTE is about the level where the school will be and if the additional funds were spent on equipment. Dr. Flower said not all the money was used for equipment. The equipment that was purchased, however, made possible the expansion of the data processing program, the hiring of additional staff and so forth, and this is the area where the school will have to cut programs.

Chairman Donaldson noted that an alternative would be a voted levy or more income coming from Colstrip. Representative Moore said that when the Indian colleges were starting in the 1970's, the Legislature was asked to take them over. The Legislature declined and said that the community colleges, which are supported with state General Fund monies, would have nothing whatsoever to do with the Indian community colleges because they were going to be federally funded. Somehow, over the past few years, the state-supported community colleges did get involved with the tribes, and the state colleges were given extra money. He said it's time for a cut-back.

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Senator Haffey (50:A:174) withdrew the substitute motion.

Senator Haffey made another substitute motion for all motions pending. He moved that Option 5 proposed by the LFA be adopted. This option leaves the enrollment at 464 FTE. There is an additional General Fund cost of \$24,100 for each year of the biennium.

Discussion of the substitute motion followed (50:A:215).

Representative Peck said that if a public school system had a private school in its district and engaged in support activities with the private school, picked up the ANB from that school and put it into its budget, it would get into lots of trouble. Therefore, he said he does not believe that federal schools should be subsidized with state General Fund monies. Chairman Donaldson noted that 464 FTE does not include Indian students. Senator Haffey said that 464 FTE is in the "range of reasonableness." It's at the low end, however, and the \$24,100 is a mathematical way of solving the problem, he said. Representative Peck said his concern is over the additional cost factor of \$98. The equivalent of \$24,100 in FTE above 464 can be considered the motion, Senator Haffey said.

Representative Moore asked Mr. Sykes what the present biennium projection for student enrollment is. Mr. Sykes said it is 580 for each year, and this includes the Indian FTE. Senator Haffey said if seven more FTE than 464 were used, it would be the equivalent of \$24,000 per year.

Senator Haffey (50:A:333) amended the substitute motion to specify 471 FTE for the Miles City Community College.

Senator Hammond said he thinks it's fair to go with the 471 number, and said he can see where there has been jockeying of numbers, but the problem is not entirely the fault of Miles City.

The amended substitute motion, establishing an enrollment figure of 471 for Miles City Community College, passed 6 - 1 with Representative Moore dissenting (50:A:365).

Senator Haffey (50:A:384) moved establishment of FTE for Dawson Community College at 580. The motion passed unanimously.

Representative Moore (50:A:421) moved acceptance of FTE level for Flathead Valley Community College at 850. The motion passed unanimously.

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Senator Haffey moved acceptance of current level cost per student at \$3,583 for FY 86 and \$3,633 for FY 87. The motion passed unanimously (50:A:453).

The Subcommittee next discussed the 53 percent factor (50:A:475).

Mr. Sykes said that when the formula for the community colleges was implemented it was set at that number. The 53 percent is not established in law, and the Subcommittee can use whatever percentage it deems appropriate, he said.

Senator Haffey moved acceptance of the 53 percent factor. The motion passed unanimously (50:A:593).

Chairman Donaldson noted that the 2 percent across-the-board cut has not been taken on any of the budgets and said that at this point it would be better for the Subcommittee to come back and do it.

Tape 50 Side B

Representative Hand moved that total expenditures for the community colleges be increased by \$20,000 for each college for audit costs, of which 53 percent will be picked up by the General Fund. The motion passed 6 - 0.

There was discussion of boilerplate language to be used regarding the community colleges' enrollment (50:B:057) (EXHIBIT 2).

The boilerplate language is as follows:

"Dawson, Miles and Flathead Community Colleges are prohibited from including in student enrollment, used in calculating the unrestricted budget referred to in Section 20-15-310, MCA, student FTE from tribal community colleges or other educational centers established on tribally controlled lands."

Representative Moore (50:B:065) moved acceptance of the boilerplate language. The motion passed 6 - 0.

General discussion of the community college situation in relation to the tribal schools followed.

The Subcommittee next turned to wrap-up budget items (50:B:137).

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The first item was explained by Mr. Sykes. The Subcommittee approved a modified request of \$16,137 in each year of the 1987 biennium for a rent increase and janitorial services on the office building at 33 South Last Chance Gulch for the Office of the Commissioner of Higher Education. The modified request includes \$6,500 for janitorial services and snow removal. The current level budget includes \$5,702 in fiscal 1986 and \$5,988 in fiscal 1987 for these same services.

Senator Haffey (50:A:158) moved that the modified request for the Office of the Commissioner of Higher Education be reduced to \$9,637 for each year. The motion passed unanimously.

Mr. Sykes explained a second wrap-up item. The Commissioner of Higher Education is requesting authority to hire a facilities planner. The General Fund cost of the facilities planner, with 4 percent vacancy savings applied, is \$31,200 for each year of the biennium. Added operating expenses total \$2,200 for FY 86 and \$3,500 for FY 87.

No action on the request was taken by the Subcommittee.

The Subcommittee next turned to consideration of House Bill 219 (50:B:180).

This bill would establish an extension forester under the Cooperative Extension Service. Chairman Donaldson explained that the position would be federally funded until October of 1987. If the position is to be continued, the cost to the state will be \$51,309 for the last three-quarters of fiscal 1987, he said.

Representative Moore (50:B:205) moved that House Bill 219 be tabled. The motion passed unanimously.

Chairman Donaldson said the \$51,309 for the extension forester could be added as a modified to the budget of the Cooperative Extension Service. He also noted that the federal funding might continue for the entire biennium, and in that case, if any further action is taken on the matter, language should be included which says that the federal monies would be used to fund the forester.

Senator Haffey (50:B:225) moved that \$51,209 be included in the Cooperative Extension Service budget, as a modified, to fund an extension forester for the last three-quarters of fiscal 1987. Language is to be included which says that if federal funds are available beyond 1987, a like amount shall revert to the General Fund. The motion passed 4 - 2 with Representative Peck and Representative Moore dissenting.

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Another wrap-up item was discussed by the Subcommittee (50:B:295). Chairman Donaldson explained that the Agricultural Experiment Station closed its dairy. There has been concern from the dairy industry that travel would be necessary in association with the dairy research project. The Experiment Station indicated an additional \$417 per year will be sufficient for travel expenses, he said.

Representative Moore (50:B:320) moved that language be included in the budget of the Agricultural Experiment Station specifying that dairy research be continued and that \$417 per year be allocated specifically for out-of-state travel. The motion passed unanimously.

Mr. Sykes explained the next item (50:B:351). The Fire Services Training School expects to receive a federal grant of \$12,000 in the 1987 biennium to develop a five-year plan on fire education and training. The school also expects to receive a federal flow through grant of \$2,000 in each year of the biennium from the Department of State Lands to purchase training films and other aids. The total amount of appropriation authority requested in the 1987 biennium is \$16,000, he said.

Representative Hand (50:B:386) moved appropriation authority of \$16,000 for the Fire Services Training School as a biennial appropriation. The motion carried unanimously.

Pam Joehler of the Legislative Fiscal Analyst's office pointed out that the Fire Services Training School will be receiving \$2,000 each year of the biennium from the Department of State Lands, and the money will be used to purchase items for its library.

Representative Moore (50:B:402) moved that the General Fund be adjusted to reflect a \$2,000 reduction for each year. The motion passed unanimously.

Chairman Donaldson (50:B:415) next explained that the Subcommittee approved a current level budget of \$107,955 in fiscal 1986 and \$105,015 in fiscal 1987 for the State Council on Vocational Education. The Council was recently notified by the U.S. Department of Education that additional vocational education funds of \$8,395 for 1986 and \$11,335 for 1987 have been allocated to the state. The Council requests appropriation authority for the additional federal funds, he said.

Representative Moore (50:B:455) made a motion that the State Council on Vocational Education be given appropriation authority for the additional federal funds of \$8,395 in FY 86 and \$11,335 in FY 87. The motion passed unanimously.

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The Subcommittee next discussed boilerplate language for the Office of Public Instruction. The proposed language, as discussed by Ms. Joehler, is as follows:

"The appropriations for Gifted and Talented and Secondary Vocational Education are for the biennium."

"Special Education funds in Item 1 are for Foundation and Permissive support of the maximum-budget-without-a-vote for Special Education."

"Special Education contingency funds in Item 2 are for emergencies that arise in Special Education programs at local districts. A district's presenting to the Superintendent of Public Instruction a child-study team report and an individual education plan for each child relating to this unforeseen expense, a current testing of program, case loads, and related costs. The contingency appropriation is for the biennium and the specific amounts may be transferred between fiscal years."

"Notwithstanding other provisions of the law, the Superintendent may not approve a maximum-budget-without-a-vote for Special Education which, in the aggregate, exceeds \$57,924,710 in the 1987 biennium."

A discussion of the language followed.

Senator Haffey asked if this is the same as the language included in the 1983 bill. Ms. Joehler said that it is.

Senator Haffey moved acceptance of the boilerplate language (as shown above). The motion passed unanimously.

Senator Jacobson initiated a discussion of the boilerplate language that was adopted earlier regarding community college enrollment.

Senator Jacobson made a motion that the boilerplate language regarding community college enrollment be amended to read: "Dawson, Miles and Flathead Community College are prohibited from including in student enrollment, used in calculating the unrestricted budget referred to it Section 20-15-310, MCA, student FTE not approved under Board of Regents Policy 220.1."



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The next item was explained by Mr. Sykes (50:B:507). Regarding the Vocational Education Program of the Office of Public Instruction, he said he made a mistake in adding back to current level, as a result of increased vo-ed funds, a half-time position as a full FTE. The current level FTE should be 15.40 FTE in each year of the 1987 biennium, instead of the 15.90 FTE approved by the Subcommittee. The remaining FTE deleted as a result of the decrease in federal funds and approved as a modified request by the Subcommittee would increase from 4.25 to 4.75 FTE in each year of the biennium, he said.

Senator Haffey (50:B:527) moved that the correction of 15.40 FTE for the Vocational Education Program be approved. The motion passed unanimously.

Representative Peck (50:B:541) asked what had happened to the request by the Office of Public Instruction for an Indian Coordinator. Mr. Sykes said that the 1983 Legislature budgeted 1.5 FTE for the Indian Coordinator position. At that time some General Fund support was requested and OPI was allowed to use \$20,000 of General Fund from the existing budget for the Indian Coordinator. Approximately \$13,700 was used in fiscal 1984. The budget already provides for 1.5 FTE for the Indian Coordinator.

Senator Hammond said that the Office of Public Instruction was mandated by the Board of Public Education to accredit one-fifth of the state schools each year by visitation. Ms. Joehler said that the request is for \$98,000 for 1 FTE.

Senator Hammond (50:B:590) moved that \$98,000 for the biennium be included in the budget of the Office of Public Instruction for accreditation of schools and teachers (as mandated by the Board of Public Education). (This is a modified request.) The motion passed 6 - 1 with Representative Moore dissenting.

Mr. Sykes (50:B:640) pointed out that the Subcommittee might want to consider putting language into the appropriations bill which would require OPI to revert General Fund if more indirect costs are recovered than appropriated. The language would read, "The amount of indirect costs in excess of \$445,666 in fiscal 1986 and \$443,768 in fiscal 1987 that are recovered shall cause a like reversion of General Fund."

Representative Moore (50:B:654) moved that the language (as shown above) be adopted. The motion passed unanimously.

NOTE: Due to recorder malfunction, there will be no more tape references.

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Senator Haffey suggested that action be withheld until the next meeting. Senator Hammond said he needed to know more about the amendment.

Senator Jacobson withdrew the amendment.

The meeting adjourned at 9:00 A.M.



Gene Donaldson, Chairman

DAILY ROLL CALL

## EDUCATION SUB COMMITTEE

49th LEGISLATIVE SESSION -- 1985

February 12, 1985

Date \_\_\_\_\_

[illegible]

Education Sub COMMITTEE

DATE Feb. 12, 1985

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

February 12, 1985

TO: Representative Gene Donaldson  
Chairman, Education Subcommittee

FROM: Bill Sykes *Bill*  
Assistant Analyst

SUBJECT: State Contribution to Indian Education in the State, Options to Mitigate Impact on Mile's Budget from Loss of Indian FTE, and Wrap-up Budget Items.

State Contribution to Indian Education

Pursuant to Section 20-25-505, MCA, units of the Montana university system must provide fee waivers to Indian students provided the following conditions are met: (1) be of one-fourth Indian blood or more; (2) be a bona fide resident of the state for at least one year prior to enrollment in the Montana university system; (3) completed a four-year course in an accredited high school or federal Indian school; and (4) show financial need and evidence of studious and industrious habits.

State statute and the Board of Regent's policy on fee waivers for Indian students pertains only to units of the Montana university system and not the community colleges. The fee waiver consists of a waiver of tuition and certain fees at units of the university system. According to the commissioner's office, Indian students are required to pay building and parking fees. The following table presents actual fee waivers for fiscal 1984 and projected waivers for fiscal 1985.

Table 1  
University System Indian Fee Waivers  
Fiscal 1984 and 1985

----- Fiscal 1984 -----		----- Fiscal 1985 -----	
Number of Waivers	Dollar Amount	Number of Waivers	Dollar Amount
432.40	\$229,915	406.84	\$237,993

Source: Operating Budgets 1984-1985, Montana University System, June 11, 1984, Board of Regents Item 43-008-R0684, Schedule 4.

The state has also subsidized a portion of the Indian student enrollment at three tribal colleges as a result of the 1983 legislature funding enrollment levels at Dawson and Miles City that included Indian student FTE. Table 2 presents actual fiscal 1984 student enrollment for Dawson at the Fort Peck tribal college and student enrollment for Miles at Dull Knife, Fort Peck, and Little Bighorn community colleges. The table also indicates the appropriated cost factor per FTE, actual unreimbursed cost of Indian student enrollment at the three tribal colleges, and the cost to the general fund from including Indian student FTE in unrestricted enrollment. The fiscal 1984 cost to the general fund from including Indian student FTE in unrestricted enrollment was \$294,296. It should be noted, the 1983 legislature did not intentionally fund enrollment at the three tribal colleges as enrollment reports detailed only the total unrestricted student FTE for the community colleges. Additionally, the student FTE should have been reported as restricted because the tribal centers were not approved under Board of Regents Policy 220.1.

Table 2  
Indian Student FTE and Cost for Dawson and Miles Community College  
Fiscal 1984

<u>College</u>	<u>Student FTE</u>	<u>Actual Unreimbursed Cost</u>	<u>Appropriated Cost Factor</u>	<u>Difference- Actual to Appropriated</u>
Dawson				
Fort Peck	<u>51.0</u>	<u>\$600</u>	<u>\$3,325</u>	<u>\$2,725</u>
Appropriated General Fund Share 51 FTE X \$3,325 X 53% =				<u>\$89,875</u>
Miles				
Fort Peck	11.5	\$106	\$3,325	\$3,219
Dull Knife	49.1	312	3,325	3,013
Little Bighorn	<u>91.9</u>	<u>312</u>	<u>3,325</u>	<u>3,013</u>
Total	<u>152.5</u>	<u>\$296</u> <sup>1</sup>	<u>\$3,325</u>	<u>\$3,029</u>
Appropriated General Fund Share 116 FTE X \$3,325 X 53% =				<u>\$204,421</u> <sup>2</sup>

<sup>1</sup>Total unreimbursed costs for student enrollment at three tribal colleges divided by student FTE (\$45,202 - 152.5 = \$296).

<sup>2</sup>The 116 FTE represents the difference between the appropriated unrestricted FTE of 580 and the actual fiscal 1984 enrollment of 464 which did not include student FTE from the three tribal colleges.

#### Options to Mitigate Impact on Miles Budget

The following options represent adjustments to only the cost factor component of the formula driven budget. The unrestricted student enrollment is projected at 464 FTE in each year of the 1987 biennium.

Option 1: When the formula was implemented in the 1983 biennium, Dawson received a higher cost factor than the other two colleges in order to avert a reduction in programs.

<u>Student FTE</u>		<u>Additional Cost Factor</u>		<u>Added Cost to Unrestricted Budget</u>		<u>% State Support</u>		<u>Additional General Fund</u>
<u>464</u>	X	<u>\$440</u>	=	<u>\$204,160</u>	X	<u>53</u>	=	<u>\$108,205</u>

The additional general fund cost of \$108,205 would be in each year of the 1987 biennium.

Option 2: Higher enrollments presented in option 2 on page 3 of Mile's handout. The requested enrollment adjustment to 522 in each year of the 1987 biennium has been translated into a higher cost factor.

----- 1986 -----								
<u>Student FTE</u>		<u>Additional Cost Factor</u>		<u>Added Cost to Unrestricted Budget</u>		<u>% State Support</u>		<u>Additional General Fund</u>
<u>464</u>	X	<u>\$448</u>	=	<u>\$207,872</u>	X	<u>53</u>	=	<u>\$110,172</u>

----- 1987 -----								
<u>464</u>	X	<u>\$454</u>	=	<u>\$210,656</u>	X	<u>53</u>	=	<u>\$111,648</u>

Option 3: Higher enrollments presented in option 3 on page 3 of Miles handout of 500 FTE in fiscal 1986 and 520 FTE in fiscal 1987 translated into higher cost factors.

----- 1986 -----								
<u>Student FTE</u>		<u>Additional Cost Factor</u>		<u>Added Cost to Unrestricted Budget</u>		<u>% State Support</u>		<u>Additional General Fund</u>
<u>464</u>	X	<u>\$278</u>	=	<u>\$128,992</u>	X	<u>53</u>	=	<u>\$68,366</u>

----- 1987 -----								
<u>464</u>	X	<u>\$438</u>	=	<u>\$203,232</u>	X	<u>53</u>	=	<u>\$107,713</u>



Option 4: Enrollment estimates presented by the commissioner's office of 490 FTE in fiscal 1986 and 500 FTE in fiscal 1987 translated into higher cost factors.

----- 1986 -----						
<u>Student FTE</u>		<u>Additional Cost Factor</u>		<u>Added Cost to Unrestricted Budget</u>	<u>% State Support</u>	<u>Additional General Fund</u>
<u>464</u>	X	<u>\$201</u>	=	<u>\$93,264</u>	X <u>53</u>	= <u>\$49,430</u>
----- 1987 -----						
<u>464</u>	X	<u>\$282</u>	=	<u>\$130,848</u>	X <u>53</u>	= <u>\$69,349</u>

Option 5: Student enrollment at tribal colleges of 153 multiplied by the unreimbursed cost per FTE of \$296 translated into high cost factors.

<u>Student FTE</u>		<u>Additional Cost Factor</u>		<u>Added Cost to Unrestricted Budget</u>	<u>% State Support</u>	<u>Additional General Fund</u>
<u>464</u>	X	<u>\$98</u>	=	<u>\$45,472</u>	X <u>53</u>	= <u>\$24,100</u>

The additional general fund cost of \$24,100 would be in each year of the 1987 biennium.

Option 6: Do not provide an adjustment.

#### Wrap-up Budget Items to Consider

Commissioner's Office--The subcommittee approved a modified request of \$16,137 in each year of the 1987 biennium for a rent increase and janitorial services on the office building at 33 South Last Chance Gulch. The modified request includes \$6,500 for janitorial services and snow removal. The current level budget includes \$5,702 in fiscal 1986 and \$5,988 in fiscal 1987 for these same services. The subcommittee may want to consider

reducing the modified request to \$9,637 in each year as janitorial and snow removal services are already provided for in the current level budget.

The commissioner is also requesting authority to hire a facilities planner. This modified request was not discussed by the subcommittee during executive action. The general fund cost of the facilities planner with 4 percent vacancy savings applied is \$31,200 in each year of the 1987 biennium. Added operating expenses total \$2,200 in fiscal 1986 and \$3,500 in fiscal 1987.

Cooperative Extension Service--House Bill 219 that would provide general fund support for an extension forester was not discussed by the subcommittee during executive action. The cost estimated by the extension service for funding the specialist position for three-quarters of fiscal 1987 is \$51,309 which consists of the following:

Personal Services	\$21,235
Operations	22,074
Equipment (vehicle)	<u>8,000</u>
Total	<u>\$51,309</u>

Agricultural Experiment Station--The subcommittee included in current level, 2.59 FTE associated with the dairy research project which is scheduled to be terminated in fiscal 1985. There was concern expressed at the budget hearing that not enough money is provided to allow for increased out-of-state travel. The increased travel would allow the research scientist to meet with other states that have established dairy research programs (primarily Utah). The experiment station indicated an additional \$417 per year would be sufficient.

Fire Services Training School--The school expects to receive a federal grant of \$12,000 in the 1987 biennium to develop a 5-year plan on fire

education and training. Additionally, the school expects to receive a federal flow through grant of \$2,000 in each year of the 1987 biennium from the Department of State Lands to purchase training films and other aids. The total amount of appropriation authority requested in the 1987 biennium is \$16,000. The subcommittee may want to consider a biennial appropriation.

State Council on Vocational Education--The subcommittee approved a current level budget of \$107,955 in fiscal 1986 and \$105,015 in fiscal 1987. The council has recently been notified by the U.S. Department of Education that additional vocational education funds of \$8,395 in fiscal 1986 and \$11,335 in fiscal 1987 has been allocated to Montana. The council requests appropriation authority for the additional federal funds.

Office of Public Instruction--In the Vocational Education Program, I made a mistake in adding back to current level as a result of increased vo-ed funds a half-time position as a full FTE. The current level FTE should be 15.40 FTE in each year of the 1987 biennium instead of the 15.90 FTE approved by the subcommittee. The remaining FTE deleted as a result of the decrease in federal funds and approved as a modified request by the subcommittee would increase from 4.25 to 4.75 FTE in each year of the 1987 biennium. Neither current level personal services nor the modified request for funding the 4.75 FTE (\$153,014 in fiscal 1986 and \$153,416 in fiscal 1987) are affected by my mistake.

The subcommittee may want to consider putting language into the appropriations bill which would require OPI to revert general fund if more indirect costs are recovered than appropriated. The language would read "The amount of indirect costs in excess of \$445,666 in fiscal 1986 and \$443,768 in fiscal 1987 that are recovered shall cause a like reversion of general fund."

Proposed Boilerplate Language--Community Colleges

"Dawson, Miles and Flathead Community College are prohibited from including in student enrollment, used in calculating the unrestricted budget referred to in Section 20-15-310, MCA, student FTE<sub>A</sub> from tribal community colleges or other educational centers established on tribally controlled lands."

## Boilerplate Language Proposed For OPI--1985 Session

The appropriations for gifted and talented and secondary vocational education are for the biennium.

Special Education funds in item 1 are for foundation and permissive support of the maximum-budget-without-a-vote for special education.

Special Education contingency funds in item 2 are for emergencies that arise in special education programs at local districts. A district's Board of Trustees may apply for an allocation from these funds by presenting to the Superintendent of Public Instruction a child-study team report and an individual education plan for each child relating to this unforeseen expenses, a current testing of program, case loads, and related costs. The contingency appropriation is for the biennium and the specific amounts may be transferred between fiscal years.

Notwithstanding other provisions of law, the superintendent may not approve a maximum-budget-without-a-vote for special education which, in the aggregate, exceeds \$57,924,710 in the 1987 biennium.