

MINUTES OF THE MEETING
EDUCATION AND CULTURAL RESOURCES COMMITTEE
MONTANA STATE SENATE

February 1, 1985

The seventh meeting of the Senate Education and Cultural Resources Committee was called to order by the Chairman, Senator Chet Blaylock, on February 1, 1985, at 1:00 P.M. in Room 402, State Capitol Building.

ROLL CALL: Roll was called and all members of the committee were present. Senator Mazurek left the meeting immediately after roll call for another hearing.

Chairman Blaylock asked Senator Pinsoneault to take the chair for the hearing on SB 175.

CONSIDERATION OF SENATE BILL 175

SENATOR CHET BLAYLOCK, District 43, sponsor of the bill, said that committee members may remember a bill last session on this subject. The consensus at that time was that the matter might have some merit but they did not like the approach. The language in SB 175 is all existing language in the law except for the stricken material. After introducing the bill and hearing some possible budget problems, he has prepared and presented to the committee an amendment to the bill (Exhibit #1). The amendment leaves the language as it is for all schools that are class one and class two districts. Larger districts, if they were to consolidate, would receive the \$300 per student for three years. Third class districts would increase to \$500 per student for 3 years. If the school districts decide to consolidate the state will help them. He feels this bill is appropriate at this time as it has been suggested that 45% of all farmers across the state of Montana are going to go broke over the next 5 years. Small communities are going to be in a very bad way and it will be hard to keep schools running. The state will stand ready to help them if they consolidate.

PROPONENTS

CHIP ERDMANN, Montana School Board Association, supports this bill. Under the prior bill there could be some real unfortunate results if small schools were forced to consolidate. He approves the amendment that was introduced by Senator Blaylock. He feels more and more of the smaller school districts will be looking at this.

TERRY MINOW, representing the Montana Federation of Teachers, urged passage of SB 175.

PHIL CAMPBELL, Montana Education Association, supports this bill.

LARRY HOLMQUIST, representing Montana School Administrators, would like to go on record in support of this bill.

There were no further proponents and no opponents to the bill.

COMMITTEE DISCUSSION

SENATOR HAFLEY said he has heard several times the statistic of 45% of the farmers across the state will be going broke in the next five years and he would like to know the source of the information.

SENATOR BLAYLOCK said there was a study after the election in November by the Secretary of Agriculture of the state of Montana. The report was in the Billings Gazette and reported statewide.

SENATOR YELLOWTAIL said the Montana Agricultural Reporting Service at MSU did a survey and published their findings.

SENATOR MCCALLUM said along the high line there would be 30 or 40 miles of transportation required if consolidation takes place. He asked if the county would pay transportation costs.

SENATOR BLAYLOCK said there is already language in the bill that addresses that.

SENATOR SMITH questions where the money will come from. All of the schools in his district are class three.

SENATOR BLAYLOCK said it is up to the school district. Two schools will go together and the state will help the receiving school. In effect all kids will be helped.

SENATOR SMITH commented it would not be a benefit with 1 1/2 hours travel time, although it would be up to the school district.

SENATOR BLAYLOCK said this consolidation will not happen unless the school districts agree to it. He called on Jo Brunner, representative of the agricultural community.

JO BRUNNER said she works for several agricultural programs. Her understanding of the 45% figure is that the farmers of Montana were asked their condition now and what it would be in five years. Forty-five percent of those polled felt they would no longer be in agriculture in five years. Two and one-half percent of the citizens of Montana are in agriculture. Five years ago the figure was 4 and 5%.

ACTION ON SENATE BILL 175

SENATOR BLAYLOCK made a motion that the amendment presented to the committee on SB 175 be adopted. The motion passed unanimously with the members present. Senator Mazurek had not returned to the meeting.

SENATOR BLAYLOCK made a further motion that SB 175 be given a DO PASS AS AMENDED. The motion passed unanimously with members present. Senator Mazurek had not returned to the meeting.

Senator Blaylock resumed the chair.

CONSIDERATION OF SENATE JOINT RESOLUTION 13

SENATOR DOROTHY ECK, District 40, sponsor of this resolution, said this resolution comes following a long period of need for recognition of a good system of collecting ground water data and to insure that the information will be available when needed. Two years ago it was requested that the Governor establish a task force to determine the need for ground water data. This resolution is the results of that study by the Ground Water Advisory Council. This resolution would provide for the establishment of a ground water information center at the Montana Bureau of Mines and Geology and request the Montana Board of Regents of Higher Education to provide for sustained funding of the center.

PROPONENTS

HOWARD JOHNSON, representing the Governor's office, supports this resolution. The Ground Water Advisory Council has recognized the importance of establishing a ground water information center for the state for management purposes and to help the state to utilize ground water resources. He furnished the committee with a copy of the results of the Advisory Council's findings, a booklet entitled "Issues in Ground Water Management", which is attached as Exhibit #2.

HENRY McCLERNAN, Acting Director of the Bureau of Mines and Geology, is in favor of this resolution and of providing a ground water information center for the state of Montana.

JOHN NORTH, Department of State Lands, gave testimony in support of this resolution. A copy of his testimony is attached as Exhibit #3.

KEN KELLY, Montana Water Development Association and Montana Irrigators, stated that the state has done a fairly decent job on the surface water, the reservation program and the evaluation of water rights, but has not done nearly enough on ground water. He feels it is imperative to determine, as soon as possible, where the ground water resources are.

ED BINGLER, State Geologist, Montana Tech, supports this resolution.

JO BRUNNER, Chairman, Montana Women Involved in Farm Economics, supports SJR 13. A copy of her testimony is attached as Exhibit #4.

STEVE PILCHER, Chief, Water Quality Bureau, Department of Health and Environmental Sciences, supports SJR 13. The Water Quality Bureau has a number of legal responsibilities in all aspects of state water. We would look at ourselves as contributors and users of the facilities. The center would benefit all agencies and also a number of private industries around the state.

There were no further proponents and no opponents to the bill.

COMMITTEE DISCUSSION

SENATOR SMITH asked if this is in the university budget or the Department of Natural Resources budget.

SENATOR ECK said it is in several budgets. The funding will come from a number of sources and what we are wanting is the resolution for the core of it.

SENATOR SMITH said he is very familiar with the ground water studies. He asked if this is an effort to combine all the ground water data from the Department of Health, Department of Natural Resources, or whatever, into the Bureau of Mines.

SENATOR ECK said that is the intent.

SENATOR BROWN wonders why the consolidation is at the Bureau of Mines as opposed to Helena, a more centrally located area.

SENATOR ECK said when this came up the departments were in agreement that this is where it should be. They have the hydrologists and expertise that is necessary and a good system of contacting the public. Water data stored in the other state agencies will be plugged into the Bureau of Mines.

SENATOR YELLOWTAIL said he understands that there is currently an application pending for legacy funds which proposes to establish in the Department of Natural Resources a statewide natural resource information center. He wonders if there is a duplication of information.

HENRY McCLENNAN said what you are referring to is the Natural Heritage Program and a great majority of that work is biological information. The department will interact with this system to bring the ground water information available. You could go to that system and ask for biological information and could also ask for ground water information. This would be complimentary to the system but not a duplication.

SENATOR SMITH asked if he applied for a water permit, could he get all of the information from one place.

DENNIS HEMMER said the information is retrievable out of the Bureau of Mines. It would be nice to have all of the information in one place but it is not feasible.

SENATOR BLAYLOCK asked how much money would be needed to fund the program.

SENATOR ECK said if we get everything we are asking for we will have \$350,000. One-hundred-sixty-thousand dollars of that would be general fund money.

SENATOR ECK closed by stating once this system is in place and the Heritage System is well under way, the systems will be perfectly compatible. You could tap the information you need from the phone. It is better than going out and searching through filing systems. It is a step in the right direction.

The hearing was closed on SJR 13.

SENATOR MAZUREK arrived back at the meeting at 2:10 P.M.

SENATOR REGAN left the meeting early.

CONSIDERATION OF HOUSE BILL 99

Committee members were presented with an amendment proposed by Senator Regan and prepared by Lee Heiman. (Exhibit #5)

SENATOR MAZUREK asked if Representative Bradley was consulted concerning the amendments. He feels this amendment will eliminate the distinction between engineer technologist and engineer.

SENATOR HAFHEY suggested we wait for action on the bill until Senator Regan and Representative Bradley can be available for questions.

Senate Education and
Cultural Resources Committee
February 1, 1985
Page Six

CONSIDERATION OF SENATE BILL 168

SENATOR HAFHEY furnished committee members with an amendment to this bill (Exhibit #6). He stated the amendment has to do with an effective date and allows for a transition period.

After some discussion from committee members it was suggested that this amendment and bill be brought before the committee at an executive session on Monday. Committee members were in agreement.

ADJOURNMENT: There being no further business, the meeting adjourned at 2:35 P.M.



Senator Chet Blaylock, Chairman

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ROLL CALL

SENATE EDUCATION AND CULTURAL RESOURCES COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 2-1-85

NAME	PRESENT	ABSENT	EXCUSED
SENATOR PINSONEAULT	✓		
SENATOR BROWN	✓		
SENATOR REGAN	✓		
SENATOR SMITH	✓		
SENATOR HAFLEY	✓		
SENATOR YELLOWTAIL	✓		
SENATOR MAZUREK	✓		
SENATOR FARRELL	✓		
SENATOR McCALLUM	✓		
SENATOR BLAYLOCK, CHAIRMAN	✓		

C-2-1-85

Education & Cultural Resources

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with agent)

NAME: Chip EDMANN DATE: 2/1/85

ADDRESS: Helena

PHONE: 442-2180

REPRESENTING WHOM? MT School Bond Association

APPEARING ON WHICH PROPOSAL: SB 175

DO YOU: SUPPORT? X AMEND? OPPOSE?
w/ Amendment

COMMENTS:

- MSBA supports this legislation
- this offers a valuable incentive for districts to consolidate
- even with the bonus, after several years this proposal will save money for both the state and the district, & taxpayers.
- in the near future, the economic difficulties of our agricultural community will make the burden on the rural property taxpayers even greater. This bill will work to reduce that burden by exercising economies of scale. The earlier small districts consolidate, the better off everyone will be (in some areas)

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

(This sheet to be used by those testifying on a bill.)

NAME: John F. North DATE: 2/1/85

ADDRESS: Dept. of State Lands, Capitol Station, Helena

PHONE: 444-2074

REPRESENTING WHOM? Dept. of State Lands

APPEARING ON WHICH PROPOSAL: SJR 13

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Amendments to SB 175

Exhibit 1
Submitted by Senator Blaylock
February 1, 1985

1. Title, line 5.

Following: "FOR"

Insert: "THIRD CLASS"

2. Page 2, line 1.

Following: "payment"

Insert: "for first and second class school districts"

Strike: "\$500"

Insert: "\$300"

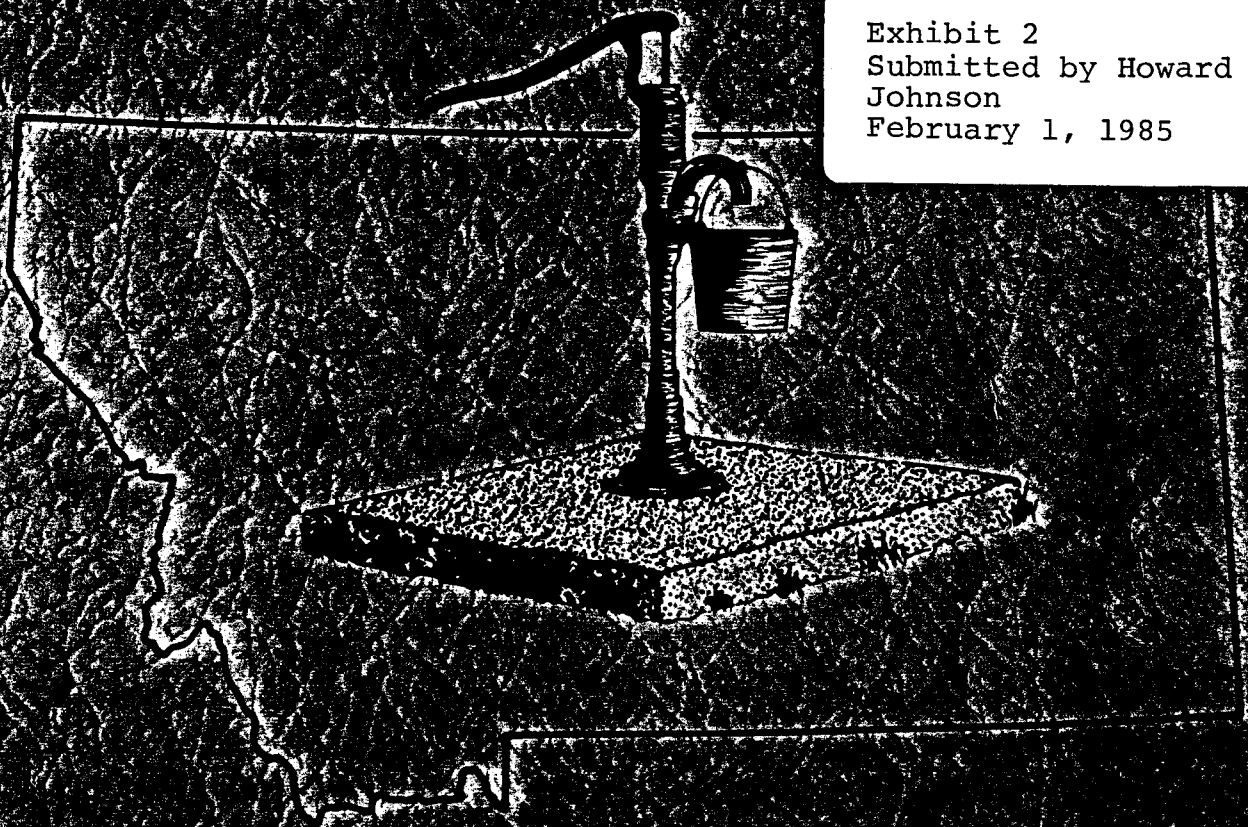
3. Page 2, line 3.

Following: "fund."

Insert: "General bonus payment" for third class school districts shall be \$500 per eligible pupil per year for a period of 3 years and will be deposited in the enlarged district's general fund."

ISSUES IN GROUND WATER MANAGEMENT

Exhibit 2
Submitted by Howard
Johnson
February 1, 1985



AN EVALUATION OF MONTANA'S
GROUND WATER POLICIES AND PROGRAMS

The Governor's Ground Water Advisory Council
January, 1985

TESTIMONY ON SENATE JOINT RESOLUTION 13

DEPARTMENT OF STATE LANDS

SENATE EDUCATION COMMITTEE

February 1, 1985

The Department of State Lands supports Senate Joint Resolution 13 for the development of a centralized Groundwater Information Center at the Montana Bureau of Mines and Geology.

At the present time, much of the groundwater data already collected in Montana is not accessible to potential users because of inadequate data management and organization. For example, over the past ten years, the Department, through its coal and hard rock mine permitting process, has received large amounts of groundwater data that could be incorporated into this data base thereby making the groundwater information already collected of value to other interested parties.

The converse is also true. Miners must develop site-specific groundwater data to prepare permit applications. The Department must develop and consider groundwater data to assess site-specific and regional groundwater impacts in analyzing permit applications. Were the Groundwater Information Center fully operational, the preparation and processing of many permit applications would precede more economically and more rapidly.

WIFE Women Involved in Farm Economics

NAME Jo Brunner COMMITTEE Senate Ed.

ADDRESS 1496 Kodiak Rd. Helena DATE February 1, 1985

REPRESENTING W.I.F.E. BILL NO. SJR 13

SUPPORT X OPPOSE AMEND

Mr. Chairman, members of the committee, for the record my name is Jo Brunner and I am representing the Montana Women Involved in Farm Economics organization.

Mr. Chairman, W.I.F.E. supports SJR13 to establish and fund a ground water information center.

Through the preceeding interim I attended several of the committee meetings where this need was discussed and consequently W.I.F.E. is of the opinion that such centralization of information will be beneficial, not only in lessening duplication in a great many areas of research but will greatly improve communication between the various systems and institutions involved in ground water research and programs. Thank you.

AMEND HOUSE BILL 99

1. Title, line 7.

Following: "ENGINEER-IN-TRAINING"

Insert: "AND AS A PROFESSIONAL ENGINEER"

2. Title, line 8.

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS 37-67-306 AND"

3. Page 2.

Following: line 9

Insert: "Section 2. Section 37-67-306, MCA, is amended to read:

37-67-306. Qualifications of applicant for registration as professional engineer. The following is considered minimum evidence satisfactory to the board that the applicant is qualified for registration as a professional engineer:

(1) A graduate of an engineering or engineering technology curriculum of 4 years or more approved by the board as being of satisfactory standing, with a specific record of an additional 4 years or more of progressive experience on engineering projects of a grade and character which indicate to the board that the applicant may be competent to practice engineering, shall be admitted to an 8-hour written examination in the fundamentals of engineering and an 8-hour written examination in the principles and practices of engineering. Upon passing such examinations, the applicant shall be granted a certificate of registration to practice engineering in this state provided he is otherwise qualified.

(2) A graduate of ~~an engineering or a related~~ science curriculum of 4 years or more, other than ~~the ones approved by the board as being of~~ satisfactory standing engineering or engineering technology, with a specific record of 8 years or more of progressive experience on engineering projects of a grade and character which indicate to the board that the applicant may be competent to practice engineering, may be admitted to an 8-hour written examination in the fundamentals of engineering and an 8-hour written examination in the principles and practices of engineering. Upon passing such examinations, the applicant shall be granted a certificate of registration to practice engineering in this state provided he is otherwise qualified.

(3) A graduate of an engineering or related science curriculum of 4 years or more with a specific record of 20 years or more of progressive experience on engineering projects, of which at least 10 years have been in charge of important engineering

projects, of a grade and character which indicate to the board that the applicant may be competent to practice engineering shall be admitted to an 8-hour written examination in the principles and practices of engineering. Upon passing such examination, the applicant shall be granted a certificate of registration to practice engineering in this state provided he is otherwise qualified.

(4) Engineering teaching in a college or university offering an approved engineering curriculum of 4 years or more may be considered as engineering experience in these requirements provided research, product development, or consulting has been a concurrent activity."

Renumber: subsequent sections

HB99.022

PC5

Amendments to SB 168

1. Page 2.

Following: line 14

Insert: "Section 2. Transition. The amendment to 20-3-201 made by this act is effective in each county in which, prior to the effective date of this act, the office of county superintendent of schools had been consolidated with another office upon:

(1) the beginning of the next term of office after the effective date of this act of the county officer with which the office of the county superintendent of schools has been consolidated; or

(2) if a contract was entered into under the provisions of 20-3-201, as it read prior to its amendment by this act, and the contract extends into the next term of the officer set forth in subsection (1), then upon the expiration of such contract."

STANDING COMMITTEE REPORT

February 1, 1935

MR. PRESIDENT

We, your committee on EDUCATION AND CULTURAL RESOURCES

having had under consideration SENATE BILL No. 175

first reading copy (white)
color

INCREASE THE BONUS PAYMENT PER PUPIL FOR SCHOOLS THAT CONSOLIDATE

Respectfully report as follows: That SENATE BILL No. 175

be amended as follows:

1. Title, line 5.

Following: "FOR"

Insert: "THIRD CLASS"

2. Page 2, line 1.

Following: "payment"

Insert: "for first and second class school districts"

Strike: "\$500"

Insert: "\$300"

3. Page 2, line 3.

Following: "fund."

Insert: "General bonus payment" for third class school districts shall be \$500 per eligible pupil per year for a period of 3 years and will be deposited in the enlarged district's general fund."

AND AS AMENDED

DO PASS

~~DO NOT PASS~~
~~XXXXXXXX~~

CHET BLAYLOCK,

Chairman.