

MINUTES OF THE MEETING
EDUCATION AND CULTURAL RESOURCES SUBCOMMITTEE
50TH LEGISLATIVE SESSION
HOUSE OF REPRESENTATIVES

The first meeting of the Education and Cultural Resources Subcommittee was called to order by Chairman Ralph Eudaily on January 23, 1987, at 1:00 p.m. in Room 312-D of the State Capitol.

ROLL CALL: All members were present.

CONSIDERATION OF HOUSE BILL NO. 39:

CHAIRMAN EUDAILY requested Andrea Merrill, legislative council staff member to review the difference between HB # 18 that was introduced in the 1985 legislative session and HB # 39 that REP. DONALDSON introduced this session.

ANDI MERRILL stated 1) In HB # 18 the vo techs were to be governed by a sub board allocated to the regents, and that in HB # 39 there is no sub board. She said the interim study committee decided that a direct line of control would be more popular. 2) The "centers" names were changed to "institutions" in HB # 18 but that subject never came up during the interim study. 2) One of the major changes in this bill was in the section on employee benefits and rights; she noted in HB # 18 the employees remained district employees for one school year and in HB # 39, in section 5 the employees would remain with the school district for two years before a transition to a state employees under the regents. 4) Section 3 of the new bill creates local advisory boards to be appointed by school trustees. This was suggested because schools will have an interest in facilities and employess. 5) Section 18 increases mandatory county mills from 1½ to 3 counties with vo tech. HB # 18 had a 2 mill statewide levy. 6) Both bills allowed the regents or (sub-board in HB # 18) to take over the duties as of July 1 of the year of the session, with only the employees remaining under local control.

CHAIRMAN EUDAILY said in discussing the two bills with REP. DONALDSON, the sponsor of HB # 39 he felt the bills were very similar but the two sections that needed the most attention by the subcommittee would be section 5, concernint the transtition period for employees, and section 18, which has to do with how to fund the vo tech schools.

CHAIRMAN EUDAILY then opened the meeting for discussion or statements from the committee before he opened the floor for suggestions from other interested persons.

REP. WILLIAMS stated in the testimony at the hearing there

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was no serious objection by the employees with what had been proposed in the bill of the transfer of the employees in a two year period.

In response to a question from CHAIRMAN EUDAILY, Carroll Krause stated employees should have the right to continue employment during the period they negotiate a new contract. He handed out two minor changes, see EXHIBIT # 1, that would clarify the committee's intent.

CHAIRMAN EUDAILY asked Mr. Krause if the employees benefits could be negotiated out of the contracts after the two year period. Mr. Krause replied that would not be possible.

REP. WILLIAMS moved to accept the amendment submitted by Mr. Krause on page 5, line 12, after the word "impaired" insert the following "during the period July 1, 1987 to June 30, 1989." The question was called, the motion CARRIED unanimously.

REP. WILLIAMS stated there was a proposed amendment specifying the sole agency in handling of the funds for the secondary vocational education program, as amending section 2. He said that is a point that has to be seriously considered - is the sole agency under the board of regents now? Mr. Krause explained that he thinks that language is important to make sure that secondary vocational technical education is protected. That it requires all money that comes from the federal government to be designated and transferred to the office of public instruction.

REP. SWYSGOOD inquired if the purpose was to protect the funding and the funding source for the secondary vocational technical education even though the regents are the sole agency which took it out of the OPI hands before, who was in charge of the secondary vocational education. Mr. Krause replied that he agreed. REP. WILLIAMS informed the Chairman the REP. DONALDSON had approved the amendment. REP. SWYSGOOD asked if the amendment just addressed the federal funding, or if it included the state funding. GENE CHRISTIAANSON, OPI, responded that the state funds would remain in the OPI office and would be directed from the OPI office.

REP. WILLIAMS moved a clarification amendment on the secondary vo-ed funding. The question was called, the motion CARRIED unanimously.

A question and answer period followed regarding changing the one year transition period for employees to two years.

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It was the concensus of the committee that the two year period was more agreeable.

REP. GLASER expressed his concern that the legislature retain control rather than having the board of regents have the absolute authority over vo-tech education. He proposed an amendment on page 1, line 20 and 21 where it says "the board of regents has general and supervisory control over Vo-Technical education and shall" to be changed to read "the board of regents has a delegated general administrative authority and has delegated supervisory control over the vo-technical center education and shall".

In response to a question by REP. SWYSGOOD, Andi Merrill, legislative staff member stated under the constitutional language, when the legislature delegates by law something to the board of regents they can undelegate it at any time they choose. A lengthy discussion followed regarding REP. GLASER'S concern of the loss of legislative power to the board of regents.

REP. GLASER moved to amend section 1 to read that the board of regents has delegated general administrative authority over the vo tech centers. The question was called, the motion FAILED with Rep. Glaser voting in favor and the four other members opposing the motion.

REP. EUDAILY then requested the committee move to page 30, section 18, line 21, the source of financing for vocational technical center budgets. A lengthy discussion was held regarding the various sources of revenue for vo-tech centers and the need to increase the levy from 3 to 4½ mills.

REP. SCHYE made a motion that on page 30, line 21 to increase the 3 mills to 4½ mills. REP. GLASER suggested they drop the mills and run it on a statewide basis. REP. SCHYE withdrew his motion and said he would support a state wide levy, and asked how many mills. REP. GLASER responded, two mills statewide.

CHAIRMAN EUDAILY stated he personally agreed that if the vo-tech centers are going to be state schools they should be supported the same way as state schools. He questioned whether a levy could be voted on at the same time as the university levy.

REP. SWYSGOOD said the whole reason the vo-techs are being brought under the board of regents is to give them direction and more state control over them. He stated the

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committee need to look at the state wide levy due to the fact that the counties are not going to go along with a raise in their mandated levy. He also expressed concern about putting both of the mill levies on the same ballot as Rep. Eudaily has suggested because it was his feeling that there would be a lot more people out there to support the 6 mill university levy than there would be the 2 mill vo-tech levy, and if they are at the same time there might be a counter action there.

REP. WILLIAMS stated in view of the fact that there is a serious hangup whether the committee would recommend to go district or statewide levy, he would like to suggest a compromise on the basis of 66 and 2/3 percent of the students are in the counties where the vo-tech centers are located, and 33 and 1/3 percent are located outside those counties, so levy a statewide mill levy that would take 33 and 1/3 percent of the cost and and the rest to the counties. He said there isn't a fairer way to do it.

REP. GLASER noted the only problem with that is that the children are not spread equitably across the state, and the reasons there are more kids in those counties where the vo-techs are located is because that is where they live.

CHAIRMAN EUDAILY asked whether a two mill statewide levy would kill the bill - the representatives from the university system and the vo-tech center director agreed it would. A lengthy discussion followed regarding various options that were proposed to fund the vo-tech centers.

CHAIRMAN EUDAILY stated it was the consent of the committee to hold another meeting so he would charge the representatives in the education system to give the committee members the benefit of their knowledge and support in helping solve the problem of financing. He scheduled the next meeting to be held Monday, January 26, 1987.

ADJOURNMENT: There being no further business to come before the committee the meeting was adjourned at 2:36p.m.


REP. RALPH EUDAILY, CHAIRMAN

DAILY ROLL CALL

EDUCATION AND CULTURAL RESOURCES SUB COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date JANUARY 21, 1987

NAME	PRESENT	ABSENT	EXCUSED
REP. JACK SANDS, CHAIRMAN			
REP. RICHARD NELSON, VICE-CHRMN.			
REP. FRITZ DAILY			
REP. RALPH EUDAILY CHAIRMAN	X		
REP. WILLIAM GLASER	X		
REP. DAN HARRINGTON			
REP. NANCY KEENAN			
REP. ROLAND KENNERLY			
REP. EARL LORY			
REP. JOHN MERCER			
REP. GERALD NISBET			
REP. JOHN PHILLIPS			
REP. TED SCHYE	X		
REP. BARRY STANG			
REP. TONIA STRATFORD			
REP. CHARLES SWYSGOOD	X		
REP. FRED THOMAS			
REP. MEL WILLIAMS	X		

DAILY ROLL CALL

EDUCATION AND CULTURAL RESOURCES

SUB-COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date JAN 23, 1987

NAME	PRESENT	ABSENT	EXCUSED
REP. JACK SANDS, CHAIRMAN			
REP. RICHARD NELSON, VICE CHRMN.			
REP. FRITZ DAILY			
REP. RALPH EUDAILY	✓		
REP. WILLIAM GLASER	✓		
REP. DAN HARRINGTON			
REP. NANCY KEENAN			
REP. ROLAND KENNERLY			
REP. EARL LORY			
REP. JOHN MERCER			
REP. GERALD NISBET			
REP. JOHN PHILLIPS			
REP. TED SCHYE	✓		
REP. BARRY STANG			
REP. TONIA STRATFORD			
REP. CHARLES SWYSGOOD	✓		
REP. FRED THOMAS			
REP. MEL WILLIAMS	✓		

EXHIBIT # 1 }
DATE 1-23-87
HB # 39
SUBCOMMITTEE
CARROLL KRAUSE

Amend HB 39 as follows:

Page 5, line 12, after "impaired" but before the period
insert the following

"during the period July 1, 1987 to June 30, 1989."

Page 5, line 16, after the comma insert the following:

"the board of regents or"

VISITORS' REGISTER
EDUCATION AND CULTURAL RESOURCES

Sub-
 COMMITTEE

BILL NO. House Bill # 39

DATE JAN 23 1987

SPONSOR REP. DOMALOSKY

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
<i>BILL OLFERT</i>	<i>MT. COUNCIL ON UO-ED</i>		
<i>Gege Christensen</i>	<i>Helena - OPI</i>		
<i>Nenny Lerum</i>	<i>Missoula</i>		
<i>Nicholas T. H. I.</i>	<i>Missoula</i>		
<i>Ed Ey</i>	<i>Missoula</i>		
<i>Gilene Brown</i>	<i>Mspla</i>		
<i>DJ + FH MacLay</i>	<i>"</i>		
<i>Spot Candell</i>	<i>Missoula</i>		
<i>G. Tolhegan</i>	<i>"</i>		
<i>ALP</i>	<i>Boz -</i>		

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.