

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

The fourteenth meeting of the Education and Cultural Resources Committee was called to order by Chairman Jack Sands, on February 13, 1987, at 12:30 p.m. in Room 312-D of the State Capitol.

ROLL CALL: All members were present with the exception of Reps. Keenan, Mercer and Thomas who joined the meeting later.

EXECUTIVE SESSION:

ACTION ON HOUSE BILL NO. 118:

ANDREA MERRILL, legislative council staff member, handed out amendments to HB # 118. See EXHIBIT # 1. REP. SWYSGOOD moved the amendments. Ms. Merrill explained the amendments were suggested by Sandra Whitney of the Montana Taxpayers Association. Ms. Whitney had suggested that the bill be changed to a limited cash reserve, and that it would allow the school districts to collect for three halves of a year at once so they could get past the cash flow problems they experience. REP. EUDAILY moved DO PASS on HB # 118.

REP. NELSON noted there was a limited reserve in the bill but the 50% figure had been crossed out, so what was the limit? Ms. Merrill explained that a limited cash reserve for the purpose of paying the warrants and bond obligations must be paid from July 1 through November 20 of the fiscal year following the one that they are budgeting for, is the way the bill reads. That means that whatever the school districts payments are going to be, that will be the limit. She stated this bill will allow schools to plan for the ensuing year and to also plan for from July 1 to November 30 of the year following because that is the time when they don't get any taxes in but the bond obligations still have to be paid.

A discussion was held on the date that the taxes have to be paid. The question was called on the amendments, the motion CARRIED. CHAIRMAN SANDS called for further discussion on the bill.

In response to a question, Ms. Merrill explained that this was a budgeting bill which would allow school districts to budget a half a year ahead. REP. LORY noted that one year taxpayers will have to put in three halves. The question was called on the DO PASS AS AMENDED motion on HB # 118, the motion CARRIED with two opposing votes. Roll call # 1.

ACTION ON HOUSE BILL NO. 279:

REP. EUDAILY moved that HB # 279 be tabled. CHAIRMAN SANDS noted it was a nondebatable motion, the motion CARRIED unanimously.

ACTION ON HOUSE BILL NO 295:

REP. LORY moved that HB # 295 be tabled. The question was called, the motion CARRIED with REP. GLASER voting no.

ACTION ON HOUSE BILL NO. 303:

REP. HARRINGTON moved DO PASS on HB # 303. CHAIRMAN SANDS called for discussion. REP. WILLIAMS stated he supported the bill because it creates equity in giving young kids an equal start in the educational program. The question was called, the motion CARRIED with 9 favorable and 6 opposing votes. Roll call # 2.

ACTION ON HOUSE BILL NO. 365:

REP. EUDAILY moved DO PASS on HB # 365. CHAIRMAN SANDS called for discussion. The question was called, the motion CARRIED unanimously. REP. EUDAILY moved the statement of intent. The question was called, the motion CARRIED. EXHIBIT # 2.

CHAIRMAN SANDS closed the executive session.

CONSIDERATION OF HOUSE BILL NO. 529:

REP. TOM HANNAH, House District No. 86, sponsor of the bill, stated he introduced HB # 529 at the request of the school boards. He said the current law allows 11th and 12th grade students to enroll in school on a part time basis and the school district will receive ANB on a prorated basis. He explained the bill would allow 9th and 10th graders to do the same.

PROPONENTS:

BOB ANDERSON, representing the School Boards Association, rose in support of the bill.

OPPONENTS:

JESS LONG, representing the School Administrators of Montana. Mr. Long stated that 11th and 12th graders were

Education and Cultural
Resources Committee
February 13, 1987
Page Three

excepted for two reasons, 1) to provide for early graduation of students. 2) to allow for part time college participation. He expressed concern that this bill would open a door where the accredited schools such as Billings Central and Butte Central and a number of other accredited private schools would have the potential of a student enrolling part time in the high school and taking the expensive classes.

OPPONENTS: None.

CHAIRMAN SANDS called upon Ray Shackelford from OPI to offer some technical information.

RAY SHACKLEFORD, OPI, said he wanted to explain to the committee where he had derived the figures in the fiscal note. See EXHIBIT # 2. He said there are 8,000 students in Montana who are not in public schools and 1,800 of them are in the 9th through 12th grade, so he estimated that if there was an allowance like the bill proposes that there was a potential of 200 -250 students that might attend the public schools part time and receive ANB.

QUESTIONS FROM THE COMMITTEE:

A discussion was held on the proposed \$1 million dollar cost that was listed on the fiscal note; the fact that there are only 15 11th and 12th grade students out of 22,000 who are presently utilizing the prorated ANB; and whether students taking night classes are eligible for ANB.

REP. HANNAH closed by stating the bill simply asks to move the age line down so that it matches up at the level where the mandatory education level stops. He said he thought it was a simple bill and there isn't near the problems with it that have been mentioned.

CONSIDERATION OF HOUSE BILL NO. 601:

REP. TOM HANNAH, House District No. 86, sponsor of the bill, stated that HB # 601 is a similar idea to HB # 529, and that it deals with the same area of the statute. He mentioned that he was very sympathetic to the home school movement. He said the bill would allow the home school or private school student to attend a public school part-time and the school district would receive a prorated ANB for that student.

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PROPOSERS: None.

OPPOSERS:

ERIC FEAVER, President, Montana Education Association, rose in opposition to the bill. He stated he thought there is a real problem with home schools trying to participate on a pick and chose basis.

QUESTIONS FROM THE COMMITTEE:

REP. GLASER noted he had a granddaughter who lives 50 miles from school and her mother who is a certified teacher in the State of Montana is considering putting her in a home school. He asked if she would be able to avail herself to classes in Hardin one day a week if this bill did not pass. REP. HANNAH explained that she could avail herself but the school would not be given any ANB money for her not attending the school regularly.

REP. HANNAH closed by remarking that he and Mr. Feaver agreed more than the committee realized. First, that the state can't continue in the traditional way that it is used to. Secondly, that where there is a clear and obvious separation of church and state problems, the state can't be funding parochial schools with state money. But it is an irrational fear that the parochial schools would send all their kids across the street and not expect that to be in complete violation of the church and state rules.

CONSIDERATION OF HOUSE BILL NO. 603:

REP. DENNIS NATHE, House District No. 19, sponsor of the bill, stated that the bill would provide statewide aid for libraries. He reviewed the bill at this point. He then submitted a handout to show the committee how the money would be distributed throughout the State of Montana. See EXHIBIT # 3.

PROPOSERS:

MARY HUDSPETH, Chairman of the State Library Commission spoke in support of HB # 603. She said she encourages state support because it continues to provide equal access to information. She asked the committee to please consider that as they evaluate HB # 603 and urged the committee's support.

ELLEN NEWBURG, Director of the Public Library in Billings, read her prepared statement in support of HB # 603. See

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EXHIBIT # 4. She stated that it is generally held that America and the world are moving from the industrial age to the information age. Information is a new natural resource that we need to develop in Montana; a new commodity that we need to invest in and to develop to our best possible advantage.

DICK SWANSON, an artist and a user of the Helena Library, read his prepared statement, see EXHIBIT # 5, in support of HB # 603.

JUDY BOHRNSEN, Immediate Past Chairman of the Broad Valley Federation of Libraries. She said her aim is to stress the part in the bill that deals with providing base grants to local libraries for support of cooperative services through federations. She asked the committee to consider the importance of libraries when they vote on the bill.

DEBORAH SCHLESINGER, Legislative Chair for the Montana Library Association, rose in support of HB # 603. A copy of her testimony is attached as EXHIBIT # 6.

HARRIET MELOY, a Helena citizen, rose in support of HB # 603.

TONI HAGENER, Hill County Commissioner and President of the Montana Association of Counties, stood in support of HB # 603. She said she believes that state aid and grants are essential to the continued progress and improvement of public libraries, and to encourage the expansion of their services to the public. Interlibrary loans are extremely important, especially in the more isolated areas.

JULIE BURKE, representing the Montana Education Association rose in support of HB # 603.

KATHI HORRESI, representing the Montana Federation of Teachers and State Employees, stated on behalf of the members of the organizations, including librarians in Butte-Silver Bow and Jefferson Counties she expressed support of HB # 603.

BRENDA SCHYE, representing the Montana Cultural Advocacy, rose in support of HB # 603. A copy of her testimony is attached as EXHIBIT # 7.

REP. SWYSGOOD, House District No. 73, stated as a cosponsor of the bill he would urge the committee to pass the bill because it is an investment, as with all education;

Education and Cultural
Resources Committee
February 13, 1987
Page Six

it will be many times repaid.

REP. NELSON said he had just retired from library work, and would like to go on record as a proponent of the bill.

QUESTIONS FROM THE COMMITTEE:

A question and answer period followed concerning how much of the coal tax fund goes to the library federation; it was stated the federation received between \$400-450 thousand dollars each year for the past five years, but would probably only receive around \$300 thousand dollars in FY 87. It was also discussed whether all libraries in the state are eligible for the interlibrary program.

REP. NATHE closed by asking that the committee judge the bill on its merits and recommend a do pass, and let the appropriations committee worry about where they will get the money for the funding of the bill.

EXECUTIVE SESSION:

ACTION ON HOUSE JOINT RESOLUTION NO. 18:

REP. DAILY moved DO PASS on HJR # 18. CHAIRMAN SANDS called for discussion. He noted there was an amendment offered on page 1, line 15, to strike "infant" and insert "and his wife and child" and on page 1, line 14 to strike the words "and his wife". CHAIRMAN SANDS moved the amendment; the question was called, the motion CARRIED unanimously.

REP. NISBET noted there was another amendment that was proposed on line 7 after the word "instruction" to insert "and the board of public education", and also on line 10. He moved the amendment, the question was called, the motion CARRIED with Rep. Lory and Rep. Sands voting no. The question was then called on the DO PASS AS AMENDED motion, the motion CARRIED with 11 favorable and 7 opposing votes. Roll call # 3.

ACTION ON HOUSE BILL NO. 511:

REP. DAILY moved DO PASS. CHAIRMAN SANDS offered an amendment to the bill on page 2, line 16, to insert "NEW SECTION" Section 3. Implementation contingency, etc., see EXHIBIT # 9. REP. WILLIAMS asked if that would still leave the trustees obligated to increase the financing to the degree of what the other half would be. CHAIRMAN SANDS replied it would obligate the trustees to fund the program as long

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Resources Committee
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Page Seven

as there was \$500 per student available from the federal government.

REP. EUDAILY made a substitute motion to delete on line 4, the words "at least one-half of" so the bill would read if the federal government does not appropriate the authorized amount. REP. WILLIAMS stated he would support the motion because he was concerned about the way the bill was originally written, that if the federal government did not come through with the funds then the State of Montana was obligated to finance the program, and it is not capable of doing that. A lengthy discussion was held on the funding of the program.

REP. EUDAILY moved the substitute amendment. CHAIRMAN SANDS noted the question had been called, the motion CARRIED with 11 favorable and 7 opposing votes. Roll call # 4.

REP. DAILY moved HB # 511 DO PASS AS AMENDED. CHAIRMAN SANDS called for further discussion. REP. EUDAILY stated that the bill includes 3 to 6 year olds inclusive and the 6 years olds are already included in the present statutes. REP. GLASER said the bill should be changed to read pre-school children of the ages 3, 4 and 5 inclusive, and moved that amendment. The question was called on the amendment, the motion CARRIED unanimously.

CHAIRMAN SANDS called for further discussion on the bill. There being none, the question was called on REP. DAILY'S motion that HB # 511 DO PASS AS AMENDED. The motion CARRIED unanimously.

ADJOURNMENT:

There being no further business to come before the committee the meeting was adjourned at 2:50 p.m.



REP. JACK SANDS, CHAIRMAN

DAILY ROLL CALL

EDUCATION AND CULTURAL RESOURCES COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date FEBRUARY 13, 1987

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

STANDING COMMITTEE REPORT

FEBRUARY 13,

19 37

Mr. Speaker: We, the committee on EDUCATION AND CULTURAL RESOURCES
report HOUSE BILL NO. 113

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☒ as amended
☐ statement of intent attached

REP. JACK SANDS,

Chairman

1. Title, line 5.
Following: "FUND"
Insert: "LIMITED"
2. Title, lines 6 and 7.
Following: "RESERVE"
Strike: remainder of line 6 through "BUDGET" on line 7
3. Page 2, line 2.
Following: "(b) a"
Insert: "limited"
Following: "for the"
Insert: "school fiscal year following the"
4. Page 2, line 7.
Following: "as a"
Insert: "limited"
5. Page 2, line 9.
Strike: "issued by the district"
Insert: "which must be paid"
6. Page 2, line 10.
Strike: "June 30"
Insert: "November 30"
Following: "of the"
Insert: "school fiscal year following the"
7. Page 2, lines 11 to 15.
Strike: lines 11 through "20-9-439." on line 15
8. Page 2, line 16.
Following: "earmarked for"
Insert: "limited"
9. Page 3, line 18.
Following: "any"
Insert: "limited"
10. Page 3, line 19.
Strike: "for the ensuing school fiscal year"

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ROLL CALL VOTE

EDUCATION AND CULTURAL RESOURCES

COMMITTEE

DATE FEB. 13, 1987

BILL NO. HB # 118

NUMBER 1

NAME	AYE	NAY
REP. JACK SANDS, CHAIRMAN	✓	
REP. RICHARD NELSON, VICE CHAIRMAN	✓	
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	✓	

TALLY

13 2

Shirley Horrin
Secretary

Jack Sands
Chairman

MOTION: REP. EUDAILY moved DO PASS AS AMENDED, THE MOTION

CARRIED WITH 13 FAVORABLE AND 2 OPPOSING VOTES.

STANDING COMMITTEE REPORT

FEBRUARY 13, 1987

Mr. Speaker: We, the committee on EDUCATION AND CULTURAL RESOURCES

report HOUSE JOINT RESOLUTION NO. 18

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☒ as amended
☐ statement of intent attached

REP. JACK SANDS,

Chairman

JOINT RESOLUTION DIRECTING STUDY OF SCHOOL BUS SAFETY

1. Title, line 1.
Following: "INSTRUCTION"
Insert: "AND THE BOARD OF PUBLIC EDUCATION"
2. Page 1, line 14.
Strike: "and his wife"
3. Page 1, line 15.
Following: "coach"
Strike: ", an infant"
Insert: "and his wife and child"
4. Page 2, line 7.
Following: "Instruction"
Insert: "and the Board of Public Education"
5. Page 2, line 10.
Following: "Instruction"
Insert: "and the Board of Public Education"

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ROLL CALL VOTE

EDUCATION AND CULTURAL RESOURCES

COMMITTEE

DATE FEB. 13, 1987 BILL NO. HJR # 18 NUMBER 3

NAME	AYE	NAY
REP. JACK SANDS, CHAIRMAN		✓
REP. RICHARD NELSON, VICE CHAIRMAN	✓	
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	✓	

TALLY

10

8

Secretary

Chairman

MOTION: REP. DAILY moved DO PASS AS AMENDED - the motion

CARRIED with 10 favorable and 8 opposing votes.

STANDING COMMITTEE REPORT

FEBRUARY 13, 19 87

Mr. Speaker: We, the committee on EDUCATION AND CULTURAL RESOURCES

report HOUSE BILL NO. 303

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☐ as amended
☐ statement of intent attached

REP. JACK SANDS,

Chairman

MANDATE KINDERGARTEN IN FIRST-CLASS SCHOOL DISTRICTS



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ROLL CALL VOTE

EDUCATION AND CULTURAL RESOURCES

COMMITTEE

DATE FEB. 13, 1987

BILL NO.

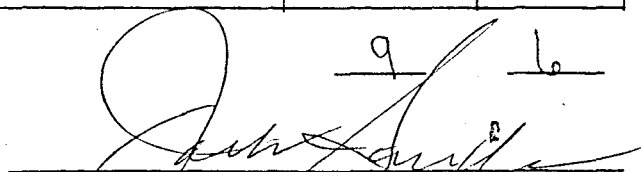
HB # 303

NUMBER 2

NAME	AYE	NAY
REP. JACK SANDS, CHAIRMAN		✓
REP. RICHARD NELSON, VICE CHAIRMAN	✓	
REP. FRITZ DAILY	✓	
REP. RALPH EUDAILY	✓	
REP. WILLIAM GLASER		✓
REP. DAN HARRINGTON	✓	
REP. NANCY KEENAN	0	
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	0	
REP. MEL WILLIAMS	✓	

TALLY


Secretary


Chairman

MOTION: REP. HARRINGTON moved DO PASS - the motion CARRIED

with 9 favorable and 6 opposing votes.

STANDING COMMITTEE REPORT

FEBRUARY 13, 19 87

Mr. Speaker: We, the committee on EDUCATION AND CULTURAL RESOURCES

report HOUSE BILL NO. 365

☒

do pass

☐ do not pass

☐ be concurred in

☐ be not concurred in

☐ as amended

☐ statement of intent attached

REP. JACK SANDS,

Chairman

REQUIRE BOARD OF PUBLIC EDUCATION TO ADOPT RULES ON STUDENT ASSESSMENT

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STANDING COMMITTEE REPORT

PAGE 2 of 2

FEBRUARY 13, 19 97

Mr. Speaker: We, the committee on EDUCATION AND CULTURAL RESOURCES
report HOUSE BILL NO. 365

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☐ as amended
☐ statement of intent attached

REP. JACK SANDS,

Chairman

STATEMENT OF INTENT

House Bill No. 365

A statement of intent is required for this bill because section 1 provides that the board of public education shall adopt rules for student assessment in the public schools of Montana.

The legislature intends for the board to adopt rules regarding:

- (1) the types of student assessment tests that may be used;
- (2) the grade levels to be tested;
- (3) the time of testing;
- (4) procurement of testing data;
- (5) provisions for confidentiality of test results;
- (6) responsibilities for the office of the superintendent of public instruction; and
- (7) other provisions that the board considers vital to the student assessment program.

7045a/L:JEA\WP:jj

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ROLL CALL VOTE

EDUCATION AND CULTURAL RESOURCES

COMMITTEE

DATE FEB. 13, 1987

BILL NO.

HB # 511

NUMBER

4

NAME	AYE	NAY
REP. JACK SANDS, CHAIRMAN		
REP. RICHARD NELSON, VICE CHAIRMAN		
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		

TALLY

Secretary

Chairman

MOTION: REP. EUDAILY made a substitute motion to delete the words "at least one-half of" on line 4.

DATE 2-13-87

HB # 118

50th Legislature

LC 0612/01

LC 0612/01

H.B. BILL NO. 118

INTRODUCED BY NATHAN

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE TRUSTEES ^{LIMITED} OF A SCHOOL DISTRICT TO ESTABLISH A DEBT SERVICE FUND CASH RESERVE THAT MAY NOT EXCEED 50 PERCENT OF THE FINAL DEBT SERVICE FUND BUDGET; AND AMENDING SECTIONS 20-9-438 AND 20-9-439, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 20-9-438, MCA, is amended to read:

"20-9-438. Preparation of debt service fund budget -- cash reserve. (1) The trustees of each school district having outstanding bonds shall include in the debt service fund of the preliminary budget adopted in accordance with 20-9-113 an amount of money that is necessary to pay the interest and the principal amount becoming due during the ensuing school fiscal year for each series or installment of bonds, according to the terms and conditions of such bonds and the redemption plans of the trustees.

(2) The trustees shall also include in the debt service fund of the preliminary budget:

(a) the amount of money necessary to pay the special improvement district assessments levied against the school district which become due during the ensuing school fiscal

year; and limited *school fiscal year following the*

(b) a cash reserve for the ensuing school fiscal year as provided in subsection (3).

(3) At the end of each school fiscal year, the trustees of a school district may designate a portion of the end-of-the-year cash balance of the debt service fund to be earmarked as a limited cash reserve for the purpose of paying, whenever a cash flow shortage occurs, debt service fund warrants and bond obligations *which must be paid from November 30 school fiscal year following the* July 1 through the 30 of the ensuing school fiscal year.

~~The amount of debt service fund cash balance that is earmarked as a cash reserve may not exceed 50% of the final debt service fund budget for the ensuing school fiscal year and may not be used for property tax reduction in the manner permitted by 20-9-439. Any portion of the debt service fund end-of-the-year cash balance not earmarked for cash reserve purposes must be reappropriated to be used for property tax reduction as provided in 20-9-439.~~

(4) The county superintendent shall compare the preliminary budgeted amount for the debt service fund with the bond retirement and interest requirement and the special improvement district assessments for the school fiscal year just beginning as reported by the county treasurer in his statement supplied under the provisions of 20-9-121. If the county superintendent finds that the requirement stated by

1 the county treasurer is more than the preliminary budget
 2 amount, the county superintendent shall increase the
 3 budgeted amount for interest or principal in the debt
 4 service fund of the preliminary budget. The amount confirmed
 5 or revised by the county superintendent shall be the final
 6 budget expenditure amount for the debt service fund of such
 7 school district."

8 Section 2. Section 20-9-439, MCA, is amended to read:
 9 "20-9-439. Computation of net levy requirement --
 10 procedure when levy inadequate. (1) The county
 11 superintendent shall compute the levy requirement for each
 12 school district's debt service fund on the basis of the
 13 following procedure:

14 (a) determine the total moneys available in the debt
 15 service fund for the reduction of the property tax on the
 16 district by totaling:

17 (i) the end-of-the-year cash balance, less any
 18 outstanding warrants in the debt service fund and less any *Limited*
 19 cash reserve for the ~~ensuing school fiscal year~~ as provided
 20 in 20-9-438;

21 (ii) anticipated interest to be earned by the
 22 investment of debt service cash in accordance with the
 23 provisions of 20-9-213(4) or by the investment of bond
 24 proceeds under the provisions of 20-9-435; and

25 (iii) any other moneys anticipated by the trustees to

1 be available in the debt service fund during the ensuing
 2 school fiscal year from such sources as legally authorized
 3 money transfers into the debt service fund, or from rental
 4 income;

5 (b) the total amount available to reduce the property
 6 tax, determined in subsection (1)(a), shall be subtracted
 7 from the final budget expenditure amount for the debt
 8 service fund as established in 20-9-438;.

9 (c) the net debt service fund levy requirement
 10 determined in subsection (1)(b) shall be reported to the
 11 county commissioners on the second Monday of August by the
 12 county superintendent as the net debt service fund levy
 13 requirement for the district, and a levy shall be made by
 14 the county commissioners in accordance with 20-9-142.

15 (2) If the board of county commissioners shall fail in
 16 any school fiscal year to make a levy for any issue or
 17 series of bonds of any school district sufficient to raise
 18 the moneys necessary for payment of interest and principal
 19 becoming due during the next ensuing school fiscal year, in
 20 such amounts as are established under the provisions of this
 21 section, the holder of any bond of such issue or series or
 22 any taxpayer of the district may apply to the district court
 23 of the county in which such school district is located for a
 24 writ of mandate to compel the board of county commissioners
 25 of such county to make a sufficient levy for such purposes.

EXHIBIT #2
DATE 2-13-87
HB # 365

50th Legislature

LC 450

STATEMENT OF INTENT

HOUSE Bill No. 365

A statement of intent is required for this bill because section 1 provides that the board of public education shall adopt rules for student assessment in the public schools of Montana.

The legislature intends for the board to adopt rules regarding:

- (1) the types of student assessment tests that may be used;
- (2) the grade levels to be tested;
- (3) the time of testing;
- (4) procurement of testing data;
- (5) provisions for confidentiality of test results;
- (6) responsibilities for the office of the superintendent of public instruction; and
- (7) other provisions that the board considers vital to the student assessment program.

EXHIBIT #3
DATE 2-13-87
HB #103

LIBRARY FUNDING
BASED ON \$1 PER CAPITA AND \$1 PER SQUARE MILE

COUNTY	AREA IN SQUARE MILES	POPULATION	TOTAL PROPOSED FUNDING
Beaverhead	5,529	8,186	\$13,718
Bighorn	4,983	11,096	16,079
Blaine	4,259	6,999	11,258
Broadwater	1,188	3,267	4,455
Carbon	2,056	8,099	10,155
Carter	3,342	1,799	5,141
Cascade	2,699	80,696	83,395
Chouteau	3,988	6,092	10,080
Custer	3,776	13,109	16,885
Daniels	1,427	2,835	4,262
Dawson	2,374	11,805	14,179
Deerlodge	740	12,518	13,258
Fallon	1,623	3,763	5,386
Fergus	4,340	13,076	17,416
Flathead	5,112	51,966	57,966
Gallatin	2,510	42,865	45,375
Garfield	4,491	1,656	6,147
Glacier	2,995	10,628	13,623
Golden Valley	1,172	1,026	4,429
Granite	1,729	2,700	4,429
Hill	2,897	17,985	20,822
Jefferson	1,656	7,029	8,685
Judith Basin	1,871	2,646	4,517
Lake	1,493	19,056	20,549
Lewis & Clark	3,461	43,039	46,500
Liberty	1,427	2,329	3,756
Lincoln	3,616	17,752	21,368
McCone	2,626	2,702	5,328
Madison	3,590	5,448	9,028
Meagher	2,392	2,154	4,546
Mineral	1,216	3,675	4,891
Missoula	2,582	76,016	78,598
Musselshell	1,871	4,428	6,299

Park	2,665	12,660	15,325
Petroleum	1,652	655	2,307
Phillips	5,131	5,367	10,498
Pondera	1,632	6,731	8,363
Powder River	3,288	2,520	5,808
Powell	2,329	6,958	9,287
Prairie	1,732	1,836	3,568
Ravalli	2,384	22,493	24,877
Richland	2,081	12,243	14,324
Roosevelt	2,357	10,467	12,824
Rosebud	5,019	9,899	14,918
Sanders	2,749	8,675	11,424
Sheridan	1,681	5,414	7,095
Silver Bow	719	38,092	38,811
Stillwater	1,793	5,598	7,391
Sweet Grass	1,856	3,216	5,072
Teton	2,275	6,419	8,766
Toole	1,931	5,559	7,490
Treasure	975	981	1,956
Valley	4,936	10,250	15,186
Wheatland	1,419	2,359	3,778
Wibaux	888	1,476	2,364
Yellowstone	2,624	108,035	110,659
Yellowstone National Park	245	275	520
TOTAL	145,392	786,690	\$932,082

#4

DATE 2-13-87

HB # 603

Ellen Newberg925 Burlington Avenue
Billings, Montana 59102

February 13, 1987

STATE AID FOR PUBLIC LIBRARIES: REP. NATHE

TESTIMONY FOR H.B. 603

Chairman Sands, members of the Education and Cultural Resources Committee, my name is Ellen Newberg. I am from Billings where I am the director of the public library.

Ladies and gentlemen, the issue of H.B. 603 is information and the people in Montana who use it. It is generally held that America and the world are moving from the Industrial Age to the Information Age. Montana, as it has recently discovered to its dismay, is indeed a member of the world economic community, a community which is increasingly driven by information. The people who have access to it, who control it, and who know what's available and how to use it are calling a lot of the shots today, and will continue to do so in the future. Information is the NEW, good old American knowhow.

Montanans need access to that information to stay competitive, and to not be, as David Birch of the Massachusetts Institute of Technology called us last summer in Butte, a Third World State.

Who are Montana's information users, and what kinds of information do they need? They are:

- *the attorney who wants a Westlaw or a Lexis electronic data base search to research a case rapidly and thoroughly;
- *the local inventor who wants patent searches;
- *the stockbroker who needs the parent company address of a brokerage firm that left town fifteen years ago;
- *the physician who needs a Medline electronic data base search on a new treatment breakthrough;
- *the small manufacturer who wants a list of wholesale sporting goods firms in the Denver and Minneapolis areas;
- *the small business that is developing a mailing list for its product;
- *the rancher who is looking for information on the Savory method of grazing.

Where are Montanans going to get access to this information? Many places, obviously, but I submit that the most cost effective, thorough, and efficient way is through libraries.

And, how does this all relate to H.B. 603? Of course, it takes money to fund the information that Montanans need. There is not as much of that at the local level where public libraries are funded. You are all too familiar with the woes of local governments as they see revenue sharing, energy revenue, and taxable valuations shrink or disappear altogether.

H.B. 603 is an investment in and a guarantee that the information Montana needs so badly to remain competitive in regional, national, and even world markets will be available. Information is a new natural resource that we need to develop in Montana; a new commodity that we need to invest in and to develop to our best possible advantage.

I ask that you place H.B. 603 in the context of these remarks as you consider bringing it out of committee. Thank you.

Testimony on HB 603

Dick Swanson

Mr. Chairman, members of the committee, I am Dick Swanson a library user in the Helena community.

I will address my remarks to two specific aspects that House Bill 603 would fund - interlibrary loans and a statewide library card program.

First - Interlibrary Loans:

My profession is that of an artist. I make ample use of the art book collections of both Lewis & Clark Library and Montana State Library. To a great extent my professional growth depends on being able to compare my own endeavors to the world's best art. This sometimes means getting access to books or articles that are not in local collections and which are often too expensive for me to buy. While this is crucial to me as an artist in Helena, how much more crucial is it to an artist in a smaller community that does not have large public book collections? For that matter, how about any professional needing to stay on top of his profession or any person desiring the best knowledge on any subject! Access to information is the key to continuing education in any field, whether an artist or lawyer, or weekend gardener.

Interlibrary loans extend the resources of even the smallest libraries to include the resources of much larger collections across the country.

Regarding Statewide Library Cards:

Again, access to information is the key! A statewide library card would greatly simplify access to information by allowing people to check out materials directly without going through the paperwork and waiting period now necessary.

In summary, both interlibrary loans and statewide library cards make available information that would not otherwise be available for self-education of Montana citizens. So much of continuing education is self-education. It is a very efficient type of learning because the people involved are motivated by their own desire to learn about a particular area.

By funding such programs as interlibrary loans and statewide library cards the State of Montana is making available the best information to its citizens at a very low cost per individual. If our artists, our lawyers, our doctors, our parents, our people (whatever their interests) are improving themselves, then Montana will have improved itself at bargain prices!

HB 603

Deborah Schlesinger, Legislative Chair, Montana Library Association

Chairman Sands, Members of the Committee

I urge your support of HB 603. A section of this bill provides for monies to finance a statewide library card. That means that any Montanan can check a book out of any participating library anywhere in the state without charge. You can't do that now. Many parts of the state are far from libraries. A statewide library card would allow people to use a library that is most convenient to them, regardless of the county that they live in or that the library is in.

A pilot project funded by LSCA has been a huge success in southeastern Montana. Libraries joined together to promote intercounty borrowing. I am pleased to say not one book was lost and rural users had the opportunity to use other libraries at no inconvenience to anyone. The multilibrary service is "a great idea which has found its time." "It's a great way to increase available resources for library users and an efficient use of the money," are some of the comments collected during the project.

We have the same needs in other parts of the state. Lewis & Clark County has an excellent facility that residents of Jefferson and Broadwater County want to use. That privilege is presently restricted to those who can afford to pay the out-of-county fee, OR WHO LIVE IN COUNTIES THAT CAN AFFORD TO PAY FOR THOSE SERVICES.

This statewide library card, or multilibrary card, would allow all the library resources of Montana to be shared by all Montanans. I urge your support for HB 603.

2-13-87

EXHIBIT # 7
DATE 2-13-87
HB # 603

TESTIMONY ON HB 603
to the
HOUSE EDUCATION AND CULTURAL RESOURCES COMMITTEE

by
Brenda Schye
Montana Cultural Advocacy

Chairman Sands, Members of the Committee: I am Brenda Schye, and I represent the Montana Cultural Advocacy, which is a broad cross-section of Montanans who are committed to the development of our state's cultural resources.

Libraries are centers for research, recreation, and life long learning.
Obviously, libraries are a vital part of this state's cultural resources. Their role as a part of the larger educational community should not be overlooked.

These are transitional years for libraries. As we enter the age of automation and the information revolution, libraries are called upon to continue traditional library services as well as design and implement new ways to provide information with speed and efficiency. Yet, as demands on libraries have increased, funding has not kept pace.

If the need for library services declined during difficult economic times, decreased funding would not present a problem. Yet these are the times when, in many respects, libraries become more important. People who are less able to buy their own books, periodicals, and newspapers rely more on the library for information as well as entertainment.

We recognize that this Legislature must attempt to allocate limited revenues in ways that will have the most positive impact on the future of this state. There is a sincere attempt to weigh the impacts of statutory changes as well as budget decisions on the future of Montana's economy. Much attention is given to Montana's "business climate" in hopes that we can attract new businesses to Montana and help existing businesses to prosper.

As the Chamber of Commerce calls your attention to the business climate, we call your attention to the "cultural climate", which is not unrelated to the business climate. In looking back over a series of business climate studies done by Alexander Grant and Company, I found that business executives expressed dissatisfaction with these studies because of their failure to address quality of life issues such as the cultural climate. Since Alexander Grant and Co. is an accounting firm who doesn't know how to deal with issues that are not quantifiable in accounting terms, they acknowledged this as a gap in their studies.

Roger Schmenner of the Harvard Business School has written that business managers make business location decisions based on two or three key factors. In these decisions, the "quality of life" factor was as important as the perceived "business climate". Companies recognize that their employees must be happy with the quality of life in their area if they are to be productive, so they rank cultural amenities right up their with things such as energy costs and efficient transportation.

It would be shortsighted not to include development of our cultural resources (such as libraries) as part of our economic development efforts. Libraries can go a long way towards diminishing the impact of Montana's distance from urban centers, providing that they are funded well enough to keep pace with changing times.

This bill is important to citizens living in Montana today, and on that basis alone it has merit. But more importantly, it offers a positive future for our state. We urge your favorable consideration.

2/13/87

To: Education and Cultural Resources Committee
Montana House of Representatives

From: Suzy Holt, Helena, a librarian who has served a full range of Montanans, from townfolk of the isolated rural community of Augusta to the highly-trained specialists of Shodair Children's Specialty Hospital. I've served on the Montana Library Services Advisory Council for the past four years.

Re: State Aid to Libraries HB 603

This is an instance whereby the whole is made greater than the sum of its parts.

From my point of view, the most important aspect of this bill is the recognition it gives to, and the commitment it establishes for, libraries as centers of information and knowledge for all Montana citizens.

It seeks to develop means whereby the full knowledge resources of the state are made readily accessible to even the most remote of our citizens.

It seeks to develop mechanisms whereby our knowledge resources are improved through coordinated efforts that identify areas of weakness statewide, and which avoid unnecessary areas of duplication in costly materials.

Montana's libraries, taken as a whole, can be a very significant factor in the future growth and development of our economy. They contribute not only to quality of life and increased opportunities for individuals in individual communities, but to the attractiveness of the state as a place to live and to its viability as a place to make a living.

When I'm able to obtain an article with information critical to a patient-care decision from one of the university libraries, or when I'm able to immediately send reassuring information about a rare children's disease to a worried parent in Wolf Point, I know our library system is working. When I see that exchange jeopardized by the economic constraints faced by individual institutions, I know it is time to speak up and say:

This cooperation among libraries and exchange of knowledge resources is essential to Montana and its citizens; please give it the necessary financial support.

Thank you for your attention and consideration.

EXHIBIT # 9
DATE 2-13-87
HB # 603

Amendment to HB 511

1. Page 2.

Following: line 16

Insert: "NEW SECTION. Section 3. Implementation contingency. A board of trustees of a school district is not required to implement this act if the federal government does not appropriate at least one-half of the authorized amount for each qualifying handicapped preschool child for school fiscal year 1991 and beyond."

50th Legislature

LC 694

STATEMENT OF INTENT

_____ Bill No. 603

A statement of intent is required for this bill because section 5 grants the state library commission authority to promulgate rules and procedures to implement state aid to public libraries on a per capita and per square mile basis, to establish a reimbursement program for interlibrary loans, and to establish a statewide multilibrary card program.

EDUCATION AND CULTURAL RESOURCES COMMITTEE

DATE February 13, 1987

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

EDUCATION AND CULTURAL RESOURCES COMMITTEE

DATE February 13, 1987

SPONSOR REP. HANNAH

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

EDUCATION AND CULTURAL RESOURCES COMMITTEE

BILL NO. HOUSE BILL NO. 603

DATE FEBRUARY 13, 1987

SPONSOR REP. NATHE

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
<i>Lara Parker</i>	<i>State Library</i>	X	
<i>Maureen Sullivan</i>	<i>Helena (Representing Self)</i>	X	
<i>Orinda Spence</i>	<i>Grover Childs Hosp - Library</i>	X	
<i>Richard T. Swanson</i>	<i>self</i>	X	
<i>Gerald Hudspeth</i>	<i>Bozeman Self</i>	X	
<i>Steven M. Hudspeth</i>	<i>Great Falls "</i>	X	
<i>Judy Bohrsen</i>	<i>Philipsburg Public Library</i>	X	
<i>Paul Hudspeth</i>	<i>State Library Comm</i>	X	
<i>Brenda Schyeg</i>	<i>Mont Cultural Advoc</i>	X	
<i>Alan Tark</i>	<i>City of Billings</i>	X	
<i>Erny Holt</i>	<i>Helena</i>	X	
<i>Shila Cates</i>	<i>State Library</i>	X	
<i>Paul Duncan</i>	<i>Mont Union Spoke</i>	X	
<i>Megan Fite</i>	<i>Kellogg ICHIS Project</i>	X	
<i>Phelps Shepard</i>	<i>Butte Public Library</i>	X	
<i>LAWRENCE MAXWELL</i>	<i>President of Montana Library Assn Butte/silverbow library board</i>	X	
<i>B G Work</i>	<i>AAW</i>	X	
<i>Gene Williams</i>	<i>Law Public Library</i>	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

EDUCATION AND CULTURAL RESOURCES

COMMITTEE

BILL NO. HOUSE BILL # 603

DATE February 13, 1987

SPONSOR REP. NATHE

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
JOHN B. THOMAS	CARROLL COLLEGE	✓	
Beth Furbush	Helmville, MT	✓	
Lois A. Fitzpatrick	Carroll College	✓	
Juanita C. Ketchum			
Virginia Walton	18 S. Montana Helena	✓	
Ellen Newberg	Parmed Billings Library Billings	X	
DEBORAH SCHLES	MT. LIBRARIAN ASSOC	X	
Katharin A. Kelker	Billings	✓	
Matthe B. Davis	Dillon	✓	
Helia Tallon	Bozeman	✓	
JoAnne Baum	Townsend	✓	
Jean McDougal	Dillon	✓	
Don Smith & Johnson	Box 2007 Townsend	✓	
Anne Litten	Brookwater City Library	✓	
Sharon Bauer	"	✓	
Betty Jean Spindel	Brookwater City Library	✓	
Theresa Dahese	"	✓	
A. R. (Tom) Hagan	Montana Assoc of Counties	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM

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