

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

The fifteenth meeting of the Education and Cultural Resources Committee was called to order by Chairman Jack Sands, on February 16, 1987 at 12:40 p.m. in Room 312-D of the State Capitol.

ROLL CALL: All members were present with the exception of Rep. Eudaily who was excused.

EXECUTIVE SESSION:

CHAIRMAN SANDS reported that several committee members had expressed an interest in delaying action on HB # 511. Rep. Swysgood moved to reconsider the action taken on HB # 511. The motion CARRIED with one dissenting vote. Rep. Thomas questioned the amendment that was proposed that the committee had adopted which struck the term "at least one half of" out of that amendment and moved to reinstate that language. Chairman Sands called for discussion and announced that he had just received some information from Gail Gray that was to be provided to Rep. Eudaily that he would hand out, see EXHIBIT # 1.

REP. SWYSGOOD inquired of Rep. Thomas if that would simply be returning the amendment to its original form. Rep. Thomas replied that was correct, and that he had been told that the bill was inoperable with the language that had been struck down and that with the amendment intact, in essence, the thing would work. Rep. Mercer asked if it would be exactly as it had been submitted. Chairman Sands explained that was exactly what Rep. Thomas' amendment would do. The question was called and the motion CARRIED unanimously. Rep. Thomas moved a DO PASS AS AMENDED on HB # 511, the motion CARRIED.

ACTION ON HOUSE BILL NO. 601:

REP. LORY moved to table HB # 601, the motion CARRIED with Rep. Glaser voting no.

ACTION ON HOUSE BILL NO. 529:

REP. SWYSGOOD moved to table HB # 529, the question was called and the motion CARRIED with Rep. Glaser and Rep. Sands voting no.

ACTION ON HOUSE BILL NO. 340:

REP. THOMAS moved a DO PASS on HB # 340 and offered an amendment to the bill following along the sponsors request to phase in the applicability of this rural school change. He explained the amendment would be on page 4, following line 20, a new section No. 3, APPLICABILITY. This act is applicable to the ANB calculated in determining funding for school fiscal year 1989 for use in school fiscal year 1990." This simply delays the act from going into effect the next year which is what the sponsor wanted to do because of school districts relying on the funding. We looked to phasing it in by a percentage like a half and half or a third and a third, or as someone mentioned five years, twenty percent. But there is no way to phase it in on a percentage basis so they wanted to delay it at least one year and this is what this amendment would do. I move the amendment.

CHAIRMAN SANDS called for discussion, the question was called on Rep. Thomas' amendment, the motion CARRIED with Rep. Mercer and Rep. Sands voting no.

REP. LORY moved a DO PASS AS AMENDED on HB 340, the question was called, the motion CARRIED unanimously.

ACTION ON HOUSE BILL NO. 576:

REP LORY moved DO PASS on HB # 576, the motion CARRIED with Rep. Phillips voting no.

ACTION ON HOUSE BILL NO. 595:

CHAIRMAN SANDS announced that Rep. Winslow, sponsor of the bill requested the bill be tabled. Rep. Thomas moved to table the bill; the motion CARRIED unanimously.

ACTION ON HOUSE BILL NO. 603:

REP. SWYSGOOD moved that HB # 603 DO PASS. The chairman called for discussion. Rep. Glaser said he thought the committee needed to understand that they would not be establishing appropriation but would be establishing a formula, and they would be weighting it towards land mass. Rep. Schye stated he thought that Rep. Nathe requested the bill be held off until after transmittal because it was an appropriations bill. Rep. Swysgood asked if there was any way the bill could be moved directly from the Education Committee to the Appropriations Committee. Chairman Sands replied that a motion could be made on the floor to re-refer the bill to the Appropriations Committee.

REP. KENNERLY noted that there was an amendment on page 4 . He then moved that the word "public" on page 4, line 4 be stricken. Rep. Stang stated that Rep. Eudaily had a question on whether the word "public" should be stricken or not and perhaps they should wait until he was able to be in attendance in order to explain the amendment further. Chairman Sands explained that the amendment would read, instead of "public library", to read "those libraries referred to in section 3". Rep. Williams questioned when you take the word "public" out, aren't all of our libraries considered public libraries that would benefit under this law. What libraries would benefit other than public libraries? Rep. Thomas stated in reading the new section 3 at the bottom of page 2 and the top of page 3 it refers to libraries operated by non-profit private educational or research institutions; they would not be public libraries. He said the appropriation could be deemed to be used for those libraries also and that would be the reason for taking the word "public" out.

REP. SWYSGOOD moved DO PASS AS AMENDED on HB # 603, the motion CARRIED unanimously. Rep. Nisbet then moved the statement of intent, the motion CARRIED. Rep. Glaser moved that HB # 603 be sent directly to the Appropriations Committee with a DO PASS recommendation as per the sponsor's request. Chairman Sands said that motion would have to come from the floor.

EXECUTIVE SESSION CLOSED:

CONSIDERATION OF HOUSE BILL NO. 682:

REP. GARY SPAETH, House District No. 84, sponsor of HB # 682, stated the bill addresses an angle of consolidation in a different way. He explained he came from a district with several schools that were relatively close, and he had discussed the issue of consolidation with several of the superintendents of school boards within his district. He said he had indicated to them that consolidation is always going to be an important issue because there are a lot of concerns. He stated his bill was designed to give school districts and school boards the tools with which they can approach the problems they are facing today in education and allow them a broad width as far as available actions and innovations. He said it was a voluntary bill, that there is no forced consolidation, but it would allow school districts that are facing increased costs the ability to respond in a twentieth century type of approach.

He briefly explained that the bill would allow joint boards of County High Schools and grade school districts to operate. He said they took the law that had been on the books

for some time in the State of Montana and obviously isn't used very much today because we do not have very many county high schools in the state. He felt they could go one step further and allow school districts to combine administration and other types of costs under a joint board. He noted that page one of the bill explained what the bill was intended to do; the board of trustees of two or more school districts may form a joint board of trustees for the purpose of coordinating any educational program or support service of the district. A joint board of trustees may coordinate only those programs and services agreed to by the participating board of trustees. The bill merely amends the county high school joint boards to make it a generic term that school districts didn't include county districts and doesn't necessarily include high schools or grade schools. The rest of the changes in the bill result from switching from county to a generic type term.

He noted on page 3 (c) there had to be a change because there are still some county high school districts operating in the state and there are elementary districts that are involved and those provisions that do apply to county high school districts need to be maintained.

PROPONENTS:

BRUCE MOERER, representing the Montana School Boards Association, stated that this bill gives the school boards the opportunity to do something voluntarily under a method that has been tried and true over a number of years and has worked. He said it opens up a lot of avenues and opportunities for cooperation. He supported HB # 682 and urged the committee to give a do pass recommendation.

ERIC FEAVER, president of the Montana Education Association, said he wanted to go on record as being in favor of Rep. Spaeth's bill, HB # 682.

CRAIG BREWINGTON, Superintendent of schools in Ft. Benton, stated he was presenting the testimony of Charles Erdmann, the lobbyist for a group that is known as Local Control, since Mr. Erdmann was testifying in another hearing at this time. He then read Mr. Erdmann's prepared statement, see EXHIBIT # 2. His testimony in favor of the bill stated that HB # 682 is a simple concept which will allow school districts throughout the State of Montana the flexibility they need to join together to provide programs or services when it would be economically and educationally feasible. Mr. Brewington then said he would also like to offer his testimony as the superintendent of the Ft. Benton schools in support of the bill. He stated HB # 682 would give his

district the avenue and the vehicle to work with the schools in outlying areas on a cooperative basis.

GILE MITCHELLS, representing the office of public instruction, stated he was in support of the bill. He testified that it does give the leeway and the preogative of the school boards to voluntarily have a joint district. He recommended the committee support the bill.

GEORGE BAILEY, Superintendent of Schools in Plevna, testified in favor of HB # 682. He stated that he had been fighting to defeat the forced consolidation. He noted that some of the arguments in favor of the consolidation are probably correct, that they do need a new delivery system, but it is not going to work if it is forced upon people. Mr. Bailey said the bill allows voluntary cooperation and people will take advantage of it.

REP. BARRY STANG, House District NO. 52, stated he would like to go on record as a proponent of HB # 682.

BURT SUMMERS, Flaxville, a former teacher testifying as a taxpayer and a parent from one of the smaller high schools in the State of Montana. He stated that the concept behind this bill is one that he had talked about over fifteen years ago, and with that concept his district could have one superintendent to cover the three attendance units. As it is currently there are three high school superintendents and one county superintendent with a combined salary in excess of \$130,000. He said that HB # 682 would provide a transition stage so that people can adapt and if it would be necessary in the future to have unified school districts because the decreasing rural populations may make it necessary to take new directions, there would be a vehicle in which to work effectively. He spoke in support of HB # 682.

OPPONENTS: There were no opponents to HB # 682.

QUESTIONS FROM THE COMMITTEE:

REP. WILLIAMS questioned Rep. Spaeth if those school boards would be allowed to agree to consolidate. Rep. Spaeth replied that the boards could not do the consolidation of the district. The consolidation laws are separate and distinct, but if the two school boards can get together and work out a plan of action they could go back to their own districts to request consolidation. He said the boards could communicate and keep their costs down whether they consolidate or not. Rep. Williams then asked if the boards

felt it was necessary to consolidate a couple of the schools they could make the recommendation and go through the regular statutory laws that exist now. Rep. Spaeth replied that was correct.

REP. GLASER asked Rep. Spaeth if the school boards would have the same ANB formula, and as long as the buildings are separated if the bill would allow them to combine staffs. Rep. Spaeth replied that the bill would potentially cut down on the overhead of school boards. Rep. Glaser inquired if there were two schools with 26 students in them, and they were kept separate, would they still receive the high ANB money? Rep. Spaeth responded they probably would because the bill doesn't affect the ANB.

REP. NELSON asked Burt Summers if he had said that there were three high school superintendents. Mr. Summers replied that he had three high school superintendents plus a county superintendent in Daniels County. Rep. Nelson questioned if he had indicated that he would like to see one high school superintendent. Mr. Summers responded that he felt that one high school superintendent could handle the work load of all three. Rep. Nelson inquired why they could not use just the county superintendent. Mr. Summers said there was a great deal of competition between the rural communities but if they had a vehicle which would facilitate cooperation it would be in the interest of education.

REP. MERCER questioned Rep. Spaeth about the potential of creating new superintendents jobs because the law that is on the books right now says if you take a county high school district and combine it with an elementary district you would have a whole new district. He expressed his concern that this bill could create a new district for particular purposes. You might have two school districts with their own superintendent and perhaps they would combine for the purposes of special ed. etc. and your bill would authorize them to have a superintendent for that new joint district. Rep. Spaeth responded that was not his intent, and he thought the school boards would be considering the costs when they combine the school boards and would not be inclined to want to add more bureaucracy.

REP. SWYSGOOD asked Rep. Spaeth about the makeup of the joint board. He said his understanding was that all of the members of the existing board would become members of the joint board; however, they would not all have voting rights, and asked if that was correct? Rep. Spaeth explained if the boards were equal in number they would all have a vote but if there were more members on one of the boards then they

would only have the same number of votes as the board with fewer members.

CHAIRMAN SANDS inquired of Rep. Spaeth if this legislation was necessary in order to do what he wanted to do. Rep. Spaeth replied he thought you would have to have this legislation. He noted that there are some things being done on a cooperative basis but this bill would formalize, set up and structure the process. Chairman Sands then referred to page 4, lines 2 and 3, which gives the authority to jointly provide any program or service authorized in 20-3-324, and asked how broad that authority was, or what kind of service or program that would include. Rep. Spaeth replied that law is very broad, there is twenty-three different powers that are involved in that law and went on to describe some of the broad general powers of the school district as outlined in the law. Chairman Sands inquired if school boards would consolidate a major portion of their services if Rep. Spaeth foresaw any problems with the requirement of one man one vote or requirements for equal funding. Rep. Spaeth answered that he had not addressed that aspect in the bill but in regard to funding, the apportionment is spelled out in the act itself as to the benefits. He replied he did not see the one-man-one vote as being a major problem because the districts haven't come together, they are simply working as a cooperative venture. Chairman Sands noted if a major consolidation is accomplished through this bill it would in effect have unified the school district but you may have a school district that would have an equal vote but only represent 10% of the people. Rep. Spaeth responded that that is what the parties have to understand when they go into the arrangement and take that into consideration. He stated if you don't have a veto on behalf of the one district, you don't have a cooperative venture and that is how the joint district would have to operate.

REP. SWYSGOOD asked Gile Mitchell if some districts were not currently using a district superintendent? Mr. Mitchell replied that there were districts superintendents but this bill would allow a county high school and elementary school to utilize the same superintendent. He referred to Beaverhead County and also Dawson County where they still have county high schools and have to pay 40 or 50 thousand dollars to each of their high school and elementary superintendents. He explained HB # 682 would allow the districts to work closer together and perhaps hire one superintendent for a cost savings and yet still allow the people to have their separate districts. Mr. Mitchell also mentioned the consolidation of programs such as purchasing would also be cost effective. He said the formation of a joint school board would not be a consolidation of enrollment, and there would still be two separate budgets. He noted this bill

would give small districts the opportunity to take advantage of consolidating programs without forcing consolidation upon them.

REP. KEENAN noted that any educational program or support services are included in the first page of the bill and expressed her concern about whether that would merely expand coops for special ed or if there would be any conflict with the existing program. Gile Mitchell responded that he saw no problem where it would affect the coop or the board on the special ed program.

REP. SPAETH closed by stating HB # 682 is a way for different school districts to get together on different types of activities and decide if they can provide a better educational base at a lower financial cost to the different entities in the State. He said if the districts can get together and agree to enter those cooperative arrangements the State of Montana and the taxpayer would be the beneficiary in the long run.

At this point in the hearing Chairman Sands allowed further proponents of the bill to briefly state their names.

MARTHA LAUTERBACH, representing the Alberton School District, stated she would like to go on record in support of HB # 682, and submitted her prepared statement, see EXHIBIT NO. 3.

H. R. HEDRICK, Superintendent of Schools in Highwood, stated he would like to rise in support of HB # 682.

#### EXECUTIVE SESSION:

#### ACTION ON HOUSE BILL NO. 682:

REP. PHILLIPS moved a DO PASS on HB # 682. Chairman Sands called for discussion.

REP. MERCER remarked that he fully intended to support the bill; however he was concerned about a couple of things. He expressed concern that districts could create several service districts with surrounding districts and then put more people into administrative personnel which would reduce funds for teachers and students. He then noted that the bill would allow districts to combine any educational or support service including athletic programs. That could allow Polson and Kalispell to combine and make them eligible to be classified as a Class AA school and compete against Missoula and others in that category.



REP. STANG commented the Montana High School Association had decided two weeks ago to allow class C schools that border to participate in sports programs in the bordering school if the school the student attends does not offer the program. He stated he believed the smaller schools were taking a step in the direction of cooperating in these areas. He advised the committee that he had four of the smaller schools in his district that are involved in the reorganization process and that none of them like the idea of forced consolidation but they were open to the idea of finding a mechanism where ultimately the administration of those schools can be combined, which this bill would provide.

The question was called on a DO PASS motion on HB # 682, the motion CARRIED unanimously.

ACTION ON HOUSE BILL NO. 333:

REP. DAILY moved DO PASS on HB # 333. Chairman Sands called for discussion from the committee.

REP. KEENAN explained that the bill was basically to allow a constituent who pays taxes to have a vote for a member of the school board. She noted that this piece of legislation would merely solve the problem for a few people in the State of Montana and the whole system needed to be revised. Chairman Sands inquired how many people this individual would represent on the school board. Rep. Keenan replied about 16. He then asked how many people do the rest of the board members represent. Rep. Keenan responded, thousands.

REP. WILLIAMS stated he didn't think there would be much equity in the representation on the school board and as a substitute motion he would like to table the bill.

CHAIRMAN SANDS noted the motion to table was nondebatable. The question was called, the motion CARRIED with Rep. Keenan, Rep. Daily and Rep. Stang voting no.

ACTION ON HOUSE BILL NO. 324:

REP. STANG moved DO NOT PASS on HB # 324. Chairman Sands called for discussion on the bill.

REP. KEENAN stated she felt this bill would take money from the special ed funds in the small districts and give it to the large districts, specifically Great Falls although Anaconda would benefit also. She said she had a bill that was being drafted that would study special education funding, what is mandated and exactly what kind of services the state wants to provide. She noted the last study on special

ed was done in 1974 by Senator Gilfeather. She said she highly recommended a do not pass on HB # 324.

REP. WILLIAMS said he agreed with Rep. Keenan and would also like to note that he believed the bill would take the control away from the local district and put it into the hands of the OPI.

REP. PHILLIPS stated since Great Falls had been mentioned he should comment regarding the fact that many people move to Great Falls because it has the special ed opportunities that can't be found in smaller communities. He noted that Great Falls is not being paid to take care of the more severe cases of handicapped that require more attention.

REP. THOMAS noted that Stevensville would also come out a winner if this bill passes. He said his understanding of the bill would put the funding to a position where everyone would be funded on the same basis other than as they are now. He also said he understood that programs that were started earlier are funded more than those that were started at a later date and that the OPI presently decides where those funds go. He stated he thought this bill would put the program on a more weighted even basis.

REP. NELSON advised the committee that HB # 273 which he had carried and had passed in this committee would allow Great Falls or Kalispell to charge a calculated tuition over and above the basic costs to take care of the problem of people moving into cities to take advantage of the special ed opportunities that are offered in those cities.

REP. SCHYE commented he believed that Great Falls did need more money for the special ed program but he didn't think it should come from the other districts.

REP. SWYSGOOD stated he would like to make a substitute motion to table the bill, the motion CARRIED with 11 favorable and 6 opposing votes.

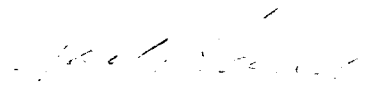
ACTION ON HOUSE BILL NO. 294:

CHAIRMAN SANDS inquired about Rep. Eudaily's health. Rep. Eudaily is the sponsor of HB # 294. Rep. Lory reported that he was having trouble with his elbow and the doctor had hospitalized him to diagnose the problem. Chairman Sands announced the committee would defer action on the bill until Rep. Eudaily returns to the committee.

Education and Cultural  
Resources Committee  
February 16, 1987  
Page 11

ADJOURNMENT:

There being no further business to come before the committee  
the meeting was adjourned at 2:09 p.m.

  
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REP. JACK SANDS, CHAIRMAN

## DAILY ROLL CALL

## EDUCATION AND CULTURAL RESOURCES COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date FEBRUARY 16, 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 16,

19 87

Mr. Speaker: We, the committee on EDUCATION AND CULTURAL RESOURCES  
report HOUSE BILL NO. 632

☒ do pass  
☐ do not pass

☐ be concurred in  
☐ be not concurred in

☐ as amended  
☐ statement of intent attached

REP. JACK SANDS,

Chairman

**ALLOW SEVERAL SCHOOL BOARDS TO FORM A JOINT BOARD TO SHARE DUTIES AND COSTS**



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# STANDING COMMITTEE REPORT

FEBRUARY 16,

1987

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

report HOUSE BILL NO. 576

☒ do pass  
☐ do not pass

☐ be concurred in  
☐ be not concurred in

☐ as amended  
☐ statement of intent attached

REP. JACK SANDS,

Chairman

DELETE THE WORD "ADDITIONAL" ON BALLOTS FOR SCHOOL LEVY ELECTIONS

  
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# STANDING COMMITTEE REPORT

FEBRUARY 16,

19 87

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

report HOUSE BILL NO. 511

☒ do pass  
☐ do not pass

☐ be concurred in  
☐ be not concurred in

☒ as amended  
☐ statement of intent attached

REP. JACK SANDS,

Chairman

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 the authorized amount for each qualifying handicapped preschool child for school fiscal year 1991 and beyond."

7049a/L:JEA\WP:jj

  
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# STANDING COMMITTEE REPORT

FEBRUARY 16,

19 87

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

report HOUSE BILL NO. 340

☒ do pass  
☐ do not pass

☐ be concurred in  
☐ be not concurred in

☒ as amended  
☐ statement of intent attached

REP. JACK SANDS,

Chairman

1. Page 3, line 12.

Following: "within"

Insert: "more than"

2. Page 3, line 13.

Following: "town"

Insert: "or from another school of the district"

3. Page 3, line 16.

Strike: "which"

4. Page 3, lines 17 to 19.

Following: "school"

Strike: remainder of line 17 through "located" *on line 19*

5. Page 3, lines 21 to 23.

Following: "pupils for"

Strike: "the"

Insert: "ANB"

Following: "purposes"

Strike: remainder of line 21 through "town" on line 23

6. Page 4.

Following: line 2,

Insert: "NEW SECTION. Section 3. Applicability. This act is applicable to the ANB calculated in determining funding for school fiscal year 1989 for use in school fiscal year 1990."

7048b/L:JEA\WP:jj

  
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# STANDING COMMITTEE REPORT

FEBRUARY 16, 19 87

Mr. Speaker: We, the committee on EDUCATION AND CULTURAL RESOURCES  
report HOUSE BILL NO. 603

☒ do pass  
☐ do not pass

☐ be concurred in  
☐ be not concurred in

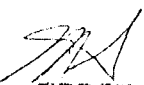
☒ as amended  
☐ statement of intent attached

REP. JACK SANDS,

Chairman

1. Page 4, line 4.  
Following: "reimburse"  
Strike: "public"  
Following: "libraries"  
Insert: "eligible under [section 3]"

7042d/L:JEA\WP:jj

  
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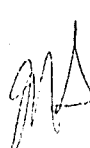
STATEMENT OF INTENT

House 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.

LC 594

7048c/L:JEA/WP:jj



# ROLL CALL VOTE

EDUCATION AND CULTURAL RESOURCES

COMMITTEE

DATE Feb. 16, 1987

BILL NO. HB # 324

NUMBER

NAME	AYE	NAY
REP. JACK SANDS, CHAIRMAN		X
REP. RICHARD NELSON, VICE CHAIRMAN	X	
REP. FRITZ DAILY	X	
REP. RALPH EUDAILY		
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	

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*Samuel A. Williams*  
Secretary

Chairman

MOTION: REP. SWYSGOOD MADE A MOTION TO TABLE HB # 324.



EXHIBIT #1  
DATE 2-16-87  
HB # 511

OFFICE OF PUBLIC INSTRUCTION

STATE CAPITOL  
HELENA, MONTANA 59620  
(406) 444-3095

Ed Argenbright  
Superintendent

February 16, 1987

To: Representative Ralph Eudaily  
Education and Cultural Resources Committee

From: Gail Gray  
Director of Special Education

Re: HB 511 Fiscal Impact with Amendment

Assumptions:

1. In the 1990-91 school year federal Preschool Incentive Grant (PIG) funds will be appropriated at a \$500.00 per handicapped child level. The authorization level would be \$1,000.00 per handicapped child.
2. Education of the Handicapped Act, Part B funds for the 1990-91 school year will be appropriated at a level to allow distribution of \$228.00 per handicapped child and youth age 3-21. This is the present level.
3. 2603 preschool handicapped children, age 3-5, will be served. 1404 were served on December 1, 1986, 1199 will be newly identified if a mandate is in place.
4. Montana will lose all handicapped preschool education funds beginning in the 1990-91 school year if eligible handicapped preschool students are not served at that time. This is the present statutory language of the Education of the Handicapped Act as reauthorized in 1986.

Federal Funds Available to Montana Schools in the 1990-91 School Year

2603 handicapped students, age 3-5  
x500 \$ PIG funding

\$1,301,500

2603 handicapped students, age 3-5  
x228 \$ EHA-B funding

\$593,484

Total: \$1,894,984

Affirmative Action — EEO Employer

\$1,616,100	additional cost of mandate
- 872,872	\$728 per child additional federal revenue
	\$500 PIG, \$228 EHA-B
<u>743,228</u>	
- 547,560	\$390 per presently served child addition for PIG
<u>\$ 195,668</u>	net dollar need

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\$195,668	potential cost to state funds
\$1,894,984	potential loss of federal district distribution funds, in addition to these would also lose all discretionary funds for preschool services such as those at the University Affiliated Program in Missoula and in Browning at Headstart

## LOCAL CONTROL

AN UNINCORPORATED ASSOCIATION ORGANIZED  
TO PRESERVE LOCAL CONTROL OF  
MONTANA SCHOOL DISTRICTS

P.O. Box 5418  
Helena, MT 59604

406/442-8813

### TESTIMONY OF CHARLES E. ERDMANN IN SUPPORT OF HB 682

"Local Control" is an association made up of rural Montanans of all walks of life, including school board members and school administrators. It was formed in December 1986 to address the legislative concerns regarding forced school consolidation and reorganization. Today, "Local Control" is here to wholeheartedly support HB 682.

HB 682 is a simple concept which will allow school districts throughout the State of Montana the flexibility they need to join together to provide programs or services when it would be economically and educationally feasible. Under this bill, existing school districts can create joint school districts for any number of specific purposes. For instance, several elementary districts may join together for the purpose of hiring a joint superintendent or joint principal. They may also join together to hire music teachers, art teachers, counselors, or other educational specialists.

The bill is designed so that each school district participating would have equal say in the joint district. There are also safeguards that the joint district could only operate in those areas where the individual districts were willing participants.

While some feel that school districts in Montana should be forced to consolidate or reorganize in "shotgun weddings," HB 682 offers the better alternative. It allows districts to join together with feasible, but also allows the local communities of Montana to retain control of the education of their children.

Over 70 school districts have joined "Local Control" along with thousands of individual Montanans. These members of Local Control urge your favorable consideration of Representative Spaeth's HB 682.

Thank you for your consideration.

WITNESS STATEMENT

NAME MARTHA Lanterbach BILL NO. HB 682

ADDRESS Sawmill Gulch Alberton, MT 59820

WHOM DO YOU REPRESENT? Alberton School District

SUPPORT X OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

COMMENTS: Of all the bills presented to committees

so far this legislative session - HB 682 is the only one that  
would allow money to be saved at the district level - and  
still maintain local control. Because there is a lot of  
resistance to 'forced' consolidation & reorganization - As  
well as some question as to whether or not any money  
would be saved through forced consolidation. I strongly  
urge you to pass HB 682 out of committee and give the legis.  
an alternative to the radical solutions which have been  
proposed so far.

Thank you.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.



**GREAT  
FALLS AREA  
CHAMBER OF COMMERCE**

P.O. BOX 2127  
926 CENTRAL AVENUE  
GREAT FALLS, MONTANA 59403  
(406) 761-4434

February 10, 1987

TO: House Education and Cultural Committee  
Cascade County Legislative Delegation

FROM: Roger W. Young, President

**SUBJECT: SPECIAL EDUCATION FUNDING**

The Board of Directors of the Great Falls Area Chamber of Commerce supports the passage of HB-324 which would develop a weighted funding formula for special education programs redistributing the dollars to the respective school districts on the basis of the handicapped condition of the child. This formula is much more equitable. Over the past few years, the Great Falls School District's obligation to educating special education children has risen by more than 800%. This is largely because lesson involved learning disabilities children from small school districts are identified and educated in their local school districts while the more chronically handicapped, and thus more expensive to educate, children are exported to the larger school districts like Great Falls. Children with special education learning disabilities need help. A better formula for distributing aid will ensure that they get it.



STEVENSVILLE

ELEMENTARY BUDGET

1986-87 Current Foundation and Permissive Amounts

<u>School</u>	<u>ANB</u>	<u>\$ Amount</u>
K-3	257 (\$1571.56)	\$ 403,890.92
4-6	212 (\$1649.86)	349,770.32
7-8	179 (\$2461.14)	440,544.06
Totals	648	<u>\$1,194,205.30</u>

\*1986-87 Corrected Foundation & Permissive Amounts

<u>School</u>	<u>ANB</u>	<u>\$ Amount</u>
K-6	469 (\$1496.00)	\$ 701,624.00
7-8	179 (x648 ANB \$1993.00)	356,747.00
Totals	648	<u>\$1,058,371.00</u>

\* If the funding of separate schools is legislated away, it will cost Stevensville the loss of at least \$135,834.30 in our elementary budget. (\$1,194,205.30 - \$1,058,371.00 = \$135,834.30)

$\$135,834.30 \div \$4806.76 \text{ per mill} = 28.26 \text{ mill loss.}$

U. B. <sup>340</sup> 430 Impact!

AMENDMENTS to HB 340

1. Page 3, line 12.

Following: "within"

Insert: "more than"

2. Page 3, line 13.

Following: "town"

Insert: "or from another school of the district"

3. Page 3, line 16.

Strike: "which"

4. Page 3, lines 17 to 19.

Following: "school"

Strike: remainder of line 17 through "located"

5. Page 3, line 21 to line 23.

Following: "pupils for "

Strike: "the"

Insert: "ANB"

Following: "purposes"

Strike: remainder of line 21 through "town" on line 23

STATEMENT OF INTENT

\_\_\_\_\_ Bill No. \_\_\_\_\_

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.

## VISITORS' REGISTER

EDUCATION AND CULTURAL RESOURCES COMMITTEE

BILL NO. \_\_\_\_\_ HOUSE BILL NO. 682

DATE FEBRUARY 16, 1987

SPONSOR REP. SPAETH

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
Craig Brewington	Local Control	X	
Eric Fear	MEA	✓	
Gile Mitchell	OPI	✓	
Bruce W. Moore	MSBA	✓	
W. L. Sumner	Local Control	X	
Richard Trerise	School Dist #38 Lincoln	X	
Martha Lauterbach	Alb. School Bd.	✓	
H. R. Hedrick	Highwood	X	
Phyllis A. Taylor	Moore	X	
George Barley	Olema	X	
Bob PASHA	Highwood	X	
Dennis Bough	"	X	
CHARLES TAYLOR	MOORE	✓	
Jaon Mikkelson	Hobson, Mt	X	
Debie L. Chester	Moore	X	
Laura Nelson	Moore	X	
Thomas J. Fairbank	TURNER	X	
Edwin O. Zeller	Turner	X	
Scott Warner	Turner	X	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.