

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

The eighteenth meeting of the Education and Cultural Resources Committee was called to order by Chairman Jack Sands on February 23, 1987 at 9:00 a.m. in Room 312-F of the State Capitol.

ROLL CALL: All members were in attendance except Rep. Harrington who was absent; Reps. Nelson, Eudaily, Lory, Mercer, Phillips, Stratford and Thomas who were excused.

CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 39:

Rep. MARY ELLEN CONNELLY, House District No. 8, sponsor of this resolution stated HJR 39 was originally part of HB 382, which was the school bonding and insurance program. When the hearing was scheduled on HB 382, the committee didn't have enough time to review the study that was submitted a day prior to the hearing. As a result, they decided to introduce a resolution. House Joint Resolution 39 basically directs the office of public instruction (OPI) to go ahead with the existing study and look into the feasibility of self insurance for school districts. Because some schools' insurance has gone up as much as 400% and because some are unable to obtain insurance, it has become a huge problem for the state.

PROPONENTS:

BILL ANDERSON, representing OPI, stated OPI has been working on the building and insurance program for the last couple of years. House Bill 382, sponsored by Rep. Connelly, dealt with both insurance and the building program for schools in an effort to see interest rates and insurance rates kept down at a reasonable level. It is especially important to provide schools with insurance coverage. He informed the committee that it would not be a big burden to continue studying this area and have something ready for future reference.

TERRY MINNOW, representing the Montana Federation of Teachers, stated her support for this resolution.

ERIC FEAVER, president of the Montana Education Association, stated his support for the resolution.

OPPONENTS:

None

There being no questions, Rep. Connelly closed by stating HJR 39 would help provide a uniform insurance program for the state and hopefully, at a reasonable rate. It would also provide long-range benefits because it would stabilize the insurance increases.

Hearing closed on HJR 39.

CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 40:

REP. TOM ASAY, House District No. 27, sponsor of HJR 40 said the purpose of the resolution is to call attention to the need and the advantages of a closer working relationship between education and the entire community. He referred to page 2, line 10 regarding an awards program which would be developed to honor active private sector participants in the business education partnership programs. He informed the committee that he planned to introduce another bill which would address the whole area of rewarding educational performance. In addition, it asks for an active participation between members of the community. Many businesses have opportunities for passing on equipment or making contributions, or other things such as this.

PROPOSERS:

ERIC FEAVER, president of the Montana Education Association, spoke in support of HJR 40. Feaver said it's clear public education and all sectors of the private business sector in Montana have a joint interest in the economic and educational environment of the state. Combining those two together should be a major objective of state government. He hopes the date can be changed from the second week in September. If there is some notion that this resolution would lead to schooling programs that would deal with the private sector allowing the private sector people into the classroom to observe some kind of student projects that were business oriented, he would recommend the committee consider some other week during the year. He suggested the second week in October. He warned against choosing the second week in September. There isn't a way to facilitate that as a viable school program.

RICK BARTOS, representing the office of public instruction, stated his support for HJR 40. One of the priorities of the state superintendent in the last four years has been to develop the education and business relationship much closer than it has been.

TERRY MINNOW, representing the Montana Federation of Teachers, stated her support for the resolution with the same reservation Mr. Feaver had with regard to the second week in September. She said they support the concept of HJR 40.

OPPOSERS:

None

REP. NISBET asked Rep. Asay if he had any problem with the second week in October or some other week further into the school

year. REP. ASAY said he favored whatever time would be appropriate to accomplish the purpose.

CHAIRMAN SANDS asked Rep. Asay who would develop the awards program. REP. ASAY said the bottom line is that any local area entity could develop a program. He pointed out again that he has another bill being prepared that will address rewarding excellence in education.

REP. SANDS pointed out that lines 14 and 15 on page 2 provides that an annual meeting be established. He asked if any particular person or organization should be directed to establish this meeting. REP. ASAY said this is merely encouraging local action. He said if there is something done at the state level, that would be wonderful, but any education program will work because of local participation.

There being no further questions, hearing closed on HJR 40.

CONSIDERATION OF HOUSE BILL NO. 839:

REP. JACK SANDS, House District No. 90, sponsor of the bill, stated the bill was introduced at the suggestion of OPI. The intent of the bill is to provide an option to single member trustee districts in school districts, e.g., in cases where Indian minorities have felt that they have not been equally/fairly represented since trustees have been elected district-wide. Federal Court has upheld their right to representation that encompassed having single-member districts.

REP. ASAY explained the plan or mechanism in setting up these districts. The board of trustees would establish a plan with basically two requirements -- one that the trustee districts would be apportioned according to population of the district; and second, it would provide equitable voting rights for Indian minorities residing within the school district. A public hearing would be held on the proposed plan. A notice of the public meeting would have to be published. After the hearing, the board would submit a plan to the Secretary of State and to OPI for their review and comments. Those two agencies would not have the authority to reverse that plan but would have the option of offering recommendations. After comments from OPI and the Secretary of State were reviewed, the board would have the opportunity to finally approve the plan. Once the plan was approved, the county superintendent would be informed and a notice of the adoption of said plan would be published in the local newspaper.

PROPONENTS:

RICK BARTOS, representing OPI, urged the committee to adopt this resolution. He said one of the problems that they face in the

present Title 20 pertaining to school elections is that there is no opportunity for a school board to alter the way in which they elect representatives. If a school district is challenged, it can be put through three years of litigation costing approximately \$150 thousand. He said their intent is to provide some preventative law with this measure. At present, the Legislature doesn't provide the school board the option to create single-member districts. The second issue he raised is the intent issue. In discussing the bill with John Ross, who represented Big Horn County and the school district in the Windy Boy case, and Doris Poplar, they asked him to express their sentiment in support of this bill. There is one potential problem that may arise according to Rep. Sands. As the bill is presently written, if a person wants to run for the school board, he would have to come from that voting trustee district as opposed to the entire district. The school district in Hardin is fearful that they may not find a qualified person for the school board in that particular trustee district. A federal ruling with regard to this issue is anticipated within two or three weeks. In closing, Mr. Bartos asked the committee to support the resolution and give those school districts the option to stay out of court.

ERIC FEAVER, president of the Montana Education Association, stated his support for HB 839 in that it does present an option to school districts. He said this is an excellent bill for what is trying to be done; however, they do not see it going beyond simply dealing with the native American minority situations or dealing with the high school property valuation trustee representation.

There being no further questions, hearing closed on HB 839.

EXECUTIVE SESSION:

ACTION ON HOUSE JOINT RESOLUTION NO. 39:

REP. NISBET moved HJR 39 DO PASS. The question was called and the motion CARRIED unanimously.

ACTION ON HOUSE JOINT RESOLUTION NO. 40:

REP. KEENAN moved HJR 40 DO PASS. Rep. Keenan further moved to amend Page 2, line 6, by deleting the word, "SEPTEMBER" and inserting the word, "OCTOBER". She further moved to amend page 2, line 11 by deleting "developed" and inserting "encouraged within local communities." This amendment would take it out of the state's hands and encourage local development. She further moved to amend page 2, line 13 following "that" by deleting the entire section and inserting "local education personnel and private industry official be encouraged to meet and work together to maintain and improve business-education partnership programs."

REP. SWYSGOOD noted that the title would also have to be amended to read "October" instead of "September." Rep. Keenan agreed with that assessment.

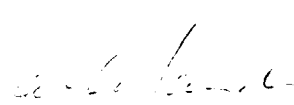
REP. GLASER said the only conflict he sees is placing it in the second week of October around Columbus Day. He said it might be considered to move it back to the third or fourth week of September. ERIC FEAVER answered by saying he doesn't know of any school district that takes a vacation on Columbus Day.

The question was called on the motion to adopt Rep. Keenan's amendments, and said motion CARRIED unanimously. Rep. Keenan further moved that HJR 40 DO PASS AS AMENDED. The question was called, and it CARRIED unanimously.

ACTION ON HOUSE BILL NO. 839:

REP. SWYSGOOD moved HB 839 DO PASS. The question was called and the motion CARRIED unanimously.

ADJOURN: A motion having been made by REP. NISBET to adjourn, the meeting adjourned at 9:45 a.m.



JACK SANDS, CHAIRMAN

DAILY ROLL CALL

EDUCATION AND CULTURAL RESOURCES COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date FEBRUARY 23, 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 23, 1987

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

report HOUSE JOINT RESOLUTION NO. 39

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> do pass | <input type="checkbox"/> be concurred in | <input type="checkbox"/> as amended |
| <input type="checkbox"/> do not pass | <input type="checkbox"/> be not concurred in | <input type="checkbox"/> statement of intent attached |



REP. JACK SANDS,

Chairman

DIRECTING OPI TO STUDY FEASIBILITY OF SELF-INSURANCE FOR SCHOOL DISTRICT


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STANDING COMMITTEE REPORT

FEBRUARY 23, 19 87

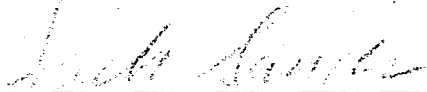
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do pass
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be concurred in
 be not concurred in

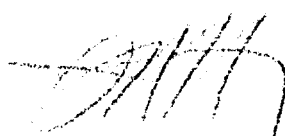
as amended
 statement of intent attached



REP. JACK SANDS,

Chairman

ALLOW SCHOOL TRUSTEES THE OPTION TO CREATE SINGLE-MEMBER TRUSTEE DISTRICTS



First reading copy (White color)

STANDING COMMITTEE REPORT

FEBRUARY 23,

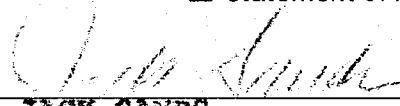
19 87

Mr. Speaker: We, the committee on EDUCATION AND CULTURAL RESOURCES
HOUSE JOINT RESOLUTION NO. 40
report

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached


REP. JACK SANDS,

Chairman

JOINT RESOLUTION ON BUSINESS-EDUCATION PARTNERSHIPS

L

1. Title, line 6.
Strike: "SEPTEMBER"
Insert: "OCTOBER"
2. Page 2, line 6.
Strike: "September"
Insert: "October"
3. Page 2, line 11.
Strike: "developed"
Insert: "encouraged within local communities"
4. Page 2, lines 13 to 17.
Following: "that"
Strike: remainder of line 13 through line 17
Insert: "local education personnel and private industry officials
be encouraged to meet and work together to maintain and
improve business-education partnership programs."


FIRST

WHITE

reading copy (_____)
color

STANDING COMMITTEE REPORT

FEBRUARY 23, 19 87'

Mr. Speaker: We, the committee on EDUCATION AND CULTURAL RESOURCES report HOUSE BILL NO. 839

- do pass, do not pass, be concurred in, be not concurred in, as amended, statement of intent attached

REP. JACK SANDS, Chairman

ALLOW SCHOOL TRUSTEES THE OPTION TO CREATE SINGLE-MEMBER TRUSTEE DISTRICTS

STANDING COMMITTEE REPORT

FEBRUARY 23, 1987

Mr. Speaker: We, the committee on EDUCATION AND CULTURAL RESOURCES
report HOUSE JOINT RESOLUTION NO. 39

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached

REP. JACK SANDS,

Chairman

DIRECTING OPI TO STUDY FEASIBILITY OF SELF-INSURANCE FOR SCHOOL DISTRICT

STANDING COMMITTEE REPORT

FEBRUARY 23,

19 87

Mr. Speaker: We, the committee on EDUCATION AND CULTURAL RESOURCES
report HOUSE JOINT RESOLUTION NO. 40

- do pass be concurred in as amended
 do not pass be not concurred in statement of intent attached

REP. JACK SANDS,

Chairman

JOINT RESOLUTION ON BUSINESS-EDUCATION PARTNERSHIPS

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VISITORS' REGISTER

EDUCATION AND CULTURAL RESOURCES COMMITTEE

BILL NO. HOUSE JT. RES. NO. 39

DATE FEBRUARY 23, 1987

SPONSOR REP. CONNELLY

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
<i>Bill Anderson</i>	<i>OPT</i>	✓	
<i>Eric Fearon</i>	<i>MEA</i>	✓	

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 JT. RES. NO. 40

DATE FEBRUARY 23, 1987

SPONSOR REP. ASAY

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
<i>Bill Anderson</i>	<i>OPI</i>	✓	
<i>Eric Seaver</i>	<i>MEA</i>	✓	

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VISITORS' REGISTER

EDUCATION AND CULTURAL RESOURCES COMMITTEE

BILL NO. HOUSE BILL NO. 839

DATE February 23, 1987

SPONSOR REP. SANDS

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
Rick Santos	OPI	X	
Eric Fauer	MEA	✓	

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