

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

March 11, 1987

The twentieth meeting of the Senate Education and Cultural Resources Committee was called to order by the Chairman, Senator Bob Brown, at 1:00 p.m., in Room 402 of the State Capitol.

ROLL CALL: All committee members were present with the exception of Senators Pinsoneault and Hammond who were excused.

SENATOR BROWN introduced Wolf Bun Der Vense, an exchange student from Bremvorde, West Germany. Wolf, 18, is participating in the Youth for Understanding Program and is a senior at Capitol High School in Helena for the year. Mr. and Mrs. Bob Bird are his host parents. Wolf spoke to the committee regarding the education and political systems in Germany. He is studying toward a career in law and political science. He left several interesting pamphlets with the committee explaining the educational system in Germany. (Exhibits 1, 2 and 3).

CONSIDERATION OF HOUSE BILL 35: REPRESENTATIVE PETERSON, District 1, sponsor said the bill changes from 20 to 40 days the time period for submission of candidates' names before a regular school election day. She said first class districts already have the 40 day period, however, many elementary districts operate under the 20 day mandate. In order to get the names all certified and ready for the absentee ballot and out to the outlying districts, the clerks have to operate under the 20 day elementary rule, even if the high school is operating under 40 days, as all names must appear on the ballot. This bill would simplify things by having all districts certifying candidates uniformly within a 40 day framework.

PROPONENTS: JOHN CAMPBELL, Montana School Business Officials, said his group supports the bill as a means of gaining uniformity across districts in the certifying process.

GILE MITCHELL, representing the Office of Public Instruction, supported the bill, noting twenty days is too short a time to ready everything for the absentee ballot.

HARRY ERICKSON, Superintendent of Schools, Belgrade, supported the bill as it gives more time for the candidates to be known.

ELINOR COLLINS, representing the County Superintendent's Association, stated support for the bill.

JESS LONG, School Administrators of Montana, expressed support for the bill.

There were no opponents and no discussion by members of the committee. Representative Peterson closed.

CONSIDERATION OF HOUSE BILL 121: REPRESENTATIVE KADAS, District 55, sponsor of the bill, said it was introduced at the request of the School Business Officials Association. It makes several changes in school election laws, mostly minor revisions. The first section changes from 25 to 40 the number of days before the election that a candidate's name must be submitted to the clerk. This is the same change as House Bill 35. Section 2 changes the time of poll opening from 8:00 a.m. to 7:00 a.m. Section 3 deals with the posting and publication of notice of the school election and Section 4 allows election judges to swear each other in. This frees school trustees from the responsibility.

PROponents: LARRY JOHNSON, Missoula, School Administrators of Montana, pointed out the problem with 40 days (page 3, lines 1 and 2), is that it requires a decision be made on the voted levy in February instead of March. In some instances, this can be very difficult.

OPponents: ELINOR COLLINS, County Superintendents Association, stated the only problem with the bill is the 40 day provision, page 3, lines 1 and 2. It requires budgeting for the levies to be done too early. She also expressed a problem with the newspaper notification as some papers are only published weekly.

JESS LONG, School Administrators of Montana, agreed with Elinor Collins testimony.

GILE MITCHELL, OPI, also agreed with the previous testimony.

BRUCE MOERER, Montana School Boards Association, felt he could support the bill, but not the two amendments under discussion (40 days and newspaper publication).

HARRY ERICKSON, Belgrade Schools, opposed the amendments also.

DISCUSSION BY THE COMMITTEE MEMBERS: SENATOR MAZUREK asked why the House had made the amendments on page 3, lines 1 and 2.

REP. KADAS said the House Committee made a mistake and didn't realize the ramification of the stricken material and were just trying to get everything to correspond to the 40 days. He closed by saying it should be changed and asked the committee to make the proper amendments.

CONSIDERATION OF HOUSE BILL 576: REP. EUDAILY, District 60, sponsor of the bill, said it was requested by the Montana School Boards Association. He called it "the truth on the ballot bill". He said the material on page 2, lines 16-23, the format for the ballot for school levy elections, is all there is to the bill. It simply eliminates the word "additional" from the ballot. The problem is the word "additional" as it appears on the ballot throws up a red flag to the voters at the polls. ("FOR the additional levy-----AGAINST the additional levy"). The levy is the normal levy which is voted on each school election, which may even be less, or the same amount, as the previous year. The word "additional" indicates it is funding in addition to the equalization payment which is received from the state. Unfortunately, the voters interpret it as being a levy over and above the regular voted levy and tend to vote against it. All advertising is done with just the word "levy", so voters are confused at the polls when they see the "additional" levy designation.

PROPOSERS: BRUCE MOERER, Montana School Boards Association, said their convention voted to request this legislation. There is always a misunderstanding on the part of the public when they are voting, as they interpret this to mean they are voting on more than the usual levy amount. In actuality, it is additional only to the foundation program amount received by the district. They are only voting on the local levy, but the word "additional" creates a great deal of confusion.

PHIL CAMPBELL, Montana Education Association, supported the bill in the interest of clarification.

GILE MITCHELL, Office of Public Instruction, expressed support for the bill.

JESS LONG, School Administrators of Montana, expressed support for the bill.

JOHN CAMPBELL, Montana Association of School Business Officials, expressed support for the bill.

HARRY ERICKSON, Belgrade, expressed support for the bill.

ELINOR COLLINS, Montana Association of County Superintendents, expressed support for the bill.

OPPONENTS: JULIE HACKER, Missoula County High School, said she felt the "additional" is truthful. The local levy is in addition to the state levy and it should say that on the ballot. If the School Boards Association and Administration don't like it, they should educate the public.

There were no further opponents.

REP. EUDAILY closed by saying in forty years he has never been able to convince people, as well as a number of legislators, that the voted levy goes back to zero every year. If the levy was 20 mills last year and the ballot says 20 mills this year, the people think they are voting on a total of forty.

EXECUTIVE SESSION

ACTION ON HOUSE BILL 121: SENATOR MAZUREK moved to amend the bill as per amendment 1 on the attached Standing Committee Report. (Exhibit 4). The motion CARRIED unanimously.

MR. MOERER said the bill was amended on page 3, line 5, in order to use posting of notice in the newspaper in lieu of posting in a public place. This would unable clerks to do it the easiest way.

SENATOR MAZUREK said he felt the public should be informed the best possible way.

MR. MOERER said the MSBA just wants the notification to be given in order to cover the most people.

SENATOR REGAN felt the amendment was proper as it covers either a large daily or a small weekly, and gives some elasticity to the notification process.

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SENATOR MAZUREK and MR. MOERER said they both felt the amendment was confusing and should be stricken.

SENATOR MAZUREK MOVED to strike all the language on page 3, line 5 (Amendment #2, Exhibit 4). The motion CARRIED unanimously.

SENATOR REGAN MOVED House Bill 121 BE CONCURRED IN AS AMENDED. The motion CARRIED unanimously.

There being no further business to come before the committee, the meeting adjourned.



SENATOR BOB BROWN, Chairman

jdr

ROLL CALL

SENATE EDUCATION AND CULTURAL RESOURCES COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 3/11

NAME	PRESENT	ABSENT	EXCUSED
SENATOR BOB BROWN	✓		
SENATOR CHET BLAYLOCK	✓		
SENATOR GEORGE McCALLUM	✓		
SENATOR ED SMITH	✓		
SENATOR PAT REGAN	✓		
SENATOR JOE MAZUREK	✓		
SENATOR BILL FARRELL	✓		
SENATOR TED NEUMAN	✓		
SENATOR DICK PINSONEAULT			✓
SENATOR SWEDE HAMMOND			✓

Each day attach to minutes.

DATE 3/11

COMMITTEE ON Education

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
John Lane	Health Services			
Heath Garrison	"			
Eliosa	Co. Supt & Assoc	HB 111		X
"	"	HB 576	X	
Julie Hacker	seal	HB 576		X
John	MSBO	HB 36131 576	X	
Wife	Relaxation			
Maria				
Bruce	MSBA	576 121	X	X
Gile	OPT	576 302121	X	
Jenny	Balancing	576	Voted on it	



Information

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Federal Republic of

Germany

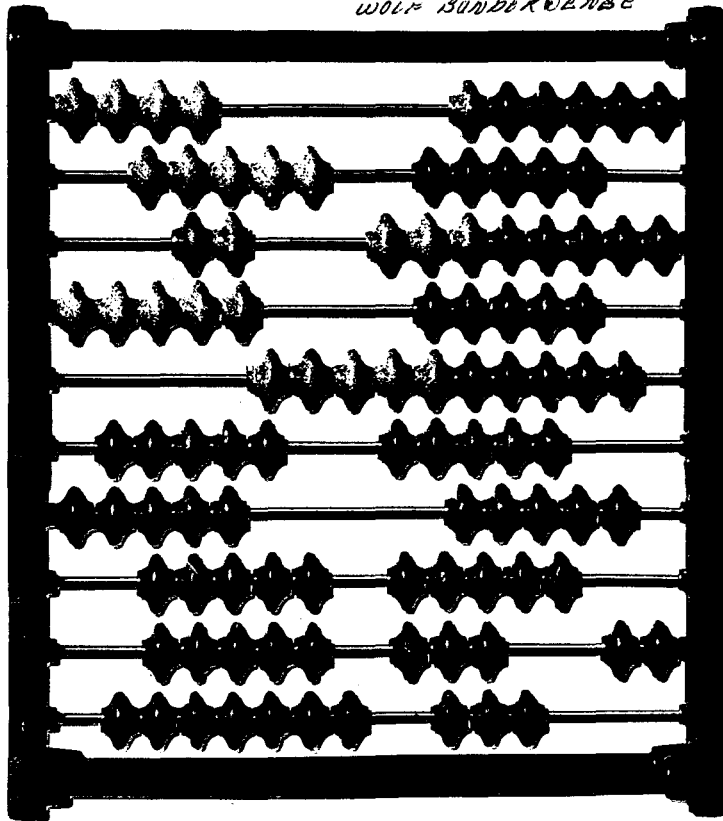
SENATE EDUCATION

EXHIBIT NO. 1

DATE 3/11/67

BILL NO.

*PRESENTATION BY
WOLF BUNDERWENSE*



The Education
System

Information

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SENATE EDUCATION

EXHIBIT NO. 2
Federal Republic of Germany
DATE 3/11/87
FILE NO. PRESENTATION BY
WOLF SCHNEIDER



Higher Education



University Entrance

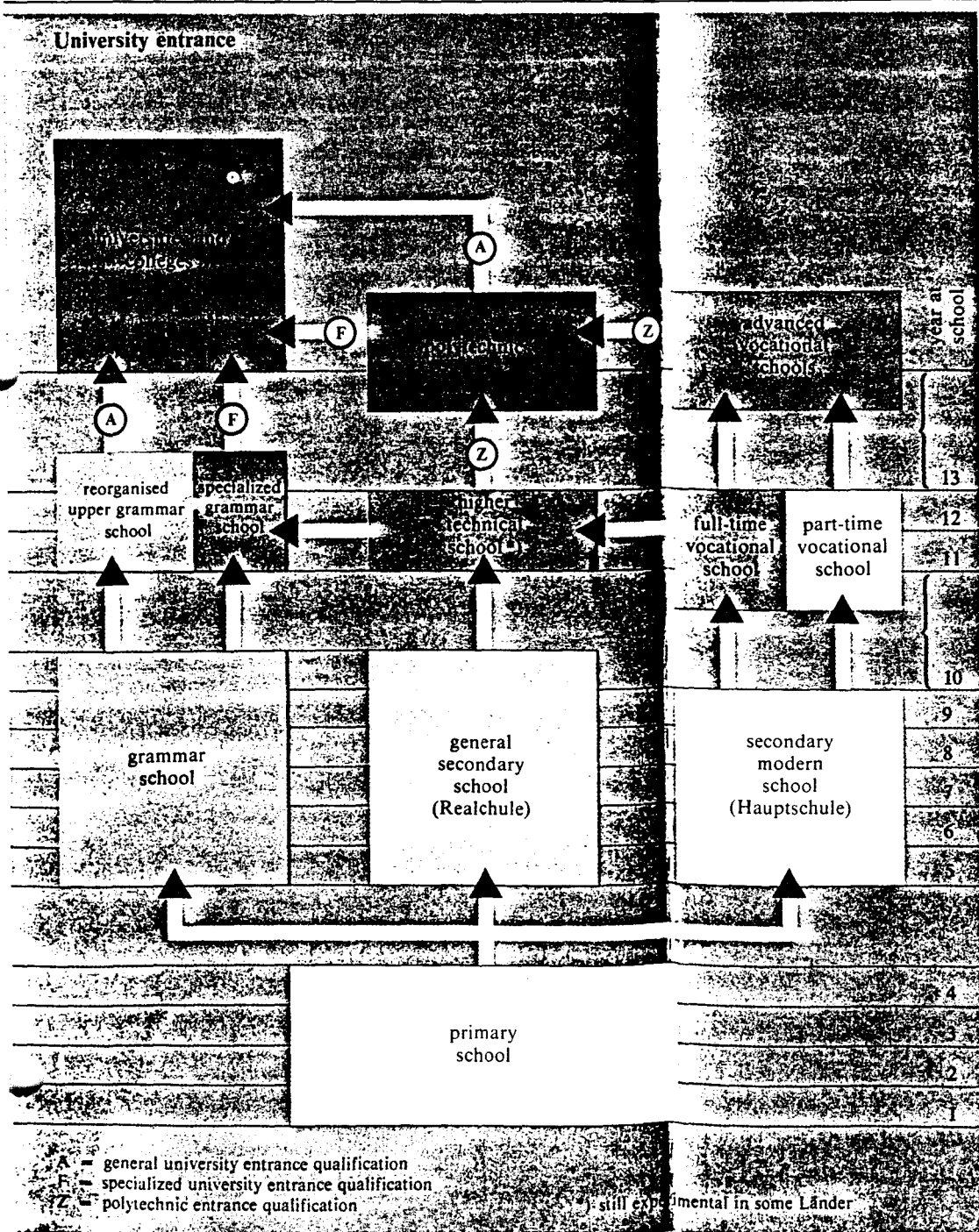
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In the Federal Republic there are several ways of obtaining university entrance qualifications. The usual way is via grammar school and the **Abitur** (higher school certificate) which qualifies pupils to study the subject of their choice. Pupils taking the Abitur at specialized grammar schools, on the other hand, are qualified only to study in the field in which they specialized at school.

But also those who have not attended or completed grammar school or are already working can go to university. They have the opportunity of obtaining university or equivalent entrance qualifications at evening school, further education colleges, or by taking a special aptitude test (the "second educational route"). To study at a polytechnic applicants must have the polytechnic entrance qualification, which is usually obtained in the twelfth and last year of the higher technical school (Fachoberschule). Students completing polytechnic training may also continue their studies at a university or comparable institution.

Colleges of art and music are open to anyone, even without formal qualifications, provided they can show they have outstanding artistic talent and pass a special entrance examination.

Foreign students must have university entrance qualifications equivalent to those of their German counterparts, or they must pass a corresponding entrance examination. The Ministry of Education in the federal state concerned will decide whether they are up to the required standard. If intending to study in the Federal Republic they should apply to the university well in advance. Information can be obtained from the German Academic Exchange Service, Kennedyallee 50,



STANDING COMMITTEE REPORT

SENATE EDUCATION

EXHIBIT NO. 4

DATE 3/11/87

March 12 NO. 513/31 19 87

MR. PRESIDENT

We, your committee on EDUCATION AND CULTURAL RESOURCES

having had under consideration HOUSE BILL No. 121

third reading copy (blue)
color

REVISE SCHOOL ELECTION LAWS

KADAS (FARRELL)

Respectfully report as follows: That HOUSE BILL No. 121

Be amended as follows:

1. Page 3, line 2.

Strike: "40"

Insert: "20 days or more than 30"

2. Page 3, line 5.

Following: "(1)"

Strike: "IF THERE IS NO NEWSPAPER OF GENERAL CIRCULATION,"

AND AS AMENDED,
BE CONCURRED IN

~~DO NOT PASS~~

~~DO NOT PASS~~

SENATOR BOB BROWN, Chairman.