

MINUTES

MONTANA SENATE
51st LEGISLATURE - REGULAR SESSION
COMMITTEE ON EDUCATION

Call to Order: By Chairman, Senator H.W. Hammond, on
January 13, 1989, at 1:00 pm in Room 402 in the State
Capitol.

ROLL CALL

Members Present: All members were present
Members Excused: None
Members Absent: None
Staff Present: Dave Cogley, Julie Harmala

Announcements/Discussion:

HEARING ON EDUCATION SB 89

Presentation and Opening Statement by Sponsor: SENATOR BOB
BROWN, District #2, introduced SB 89. He stated that
this is a simple bill to revise fees for teacher
certification and essentially what it does is to say,
for the issuance of a teaching certificate, teaching
specialist or teaching certificate renewal, it would
cost five dollars instead of four dollars. Referring
to line 22, section 1, he stated that three dollars
instead of two dollars would be put in the special
revenue fund. This fund was created by SB 344 in the
last legislative session, which established The
Certification of Standards and Practices Advisory
Council.

The problem is that the fee schedule in SB 344 was
insufficient to pay for the work of the council
and this is why this bill is before us today.

List of Testifying Proponents and What Group they Represent:

Claudette Morton, Executive Secretary to the Board of
Public Education
Lee Von Kuster, Vice Chairman of the Certification
Advisory Council
Jack Copps, The Office of Public Instruction
Eric Feaver, Montana Education Association
Terry Minow, Montana Federation of Teachers
Jess Long, The School Administrators of Montana

List of Testifying Opponents and What Group They Represent:

None

Testimony: CLAUDETTE MORTON, pointed out that in the original bill creating the Certification of Standards and Practices Advisory Council in the 1987 legislature there was a problem in computing the amount of money needed and the reason was that the governor's budget office was using as a base FY 86. On July 1st a new rule went into effect with regard to certification of the boards, which stated that all teachers changing certification, reinstating certificates or renewal, would have to take the National Teachers Exam, so we had a large number of people in FY 86 reinstating or changing certificates to avoid taking the NTE. She stated that they tried to explain this to the budget office but they thought we were being pessimistic. They assumed that there would be \$70,000.00 and that would be plenty of money to run the council. But in actuality deposits from certificates was only \$45,000.00. Our fiscal note showed that in fact it would take more money than this to support the council and so as it turns out, a dollar increase will bring in about \$22,500.00.

The council is required to meet 4 times a year at a minimum, also being on call of the Chairman and the majority of the council. It is required to examine all aspects of teacher education, certification, denial, suspension, and revocation. Also they have never asked the council to develop a code of ethics. The council has begun its work and because we saw that the money was a problem we were able to cut some expenses because the office didn't open up until July 1 when the funds were available. This year we will likely have to

lay off staff that is in assistance to the council. So this money does make up the amount that was originally suggested by the budget office for this council.

Ms. Morton hoped that the committee would support SB 89 as a house keeping measure. The important thing, she feels, is that this council be given the funds to properly carry out its legislative mandate.

LEE VON KUSTER, representing the Certification Advisory Council, commended the members of the legislature for creating this council during the last legislative session. This council is an example of the vision the legislature has about the importance of education in Montana. He said that he was before the committee to speak in support of SB 89, which would increase the fee for the issuance and renewal of teaching certificates. The council desires to provide the best support it can to the Board of Education and to make itself visible in all regions of Montana. All educators can then benefit from the expertise that exists on the council and can be a channel through which the professional educators as well as the entire public can speak to the issues of teacher preparation and continued professional development of teachers, administrators, and others, who play a very vital role in the education of the young people in Montana.

As Mr. Von Kuster stated, with the committee's support of SB 89, the council will be able to continue the work it has begun and will be able to meet the needs of the council in the foreseeable future. He thanked each one for the time and support for education in Montana.

JACK COPPS, representing OPI supports SB 89. They believe, he stated, that the work of the council is vitally important as issues of certification are addressed in this state.

ERIC FEAVER, representing the MEA, stated that they "rise in support" of SB 89. He went on to say, that had they had the proper fiscal perspective, we would not be before you now because when we originally introduced the bill that passed in 1987, we had the proper amount of license fees in it.

This bill Mr. Feaver stated, will mean no general

fund appropriation. It is strictly a "tax" on those who would be advantaged by the purpose for which this council exists.

TERRY MINOW, representing the MFT, urged the committee's support of this good bill.

JESS LONG, representing the Superintendent of Schools, supports SB 89, feels that if this bill is going to be in existence it needs to be adequately funded. This would also give the council enough funds to send members to the National Convention, themselves.

Questions From Committee Members: Senator Regan asked of Senator Brown if he would have any objection if the committee were to put all the fee proceeds in the general fund and appropriate out whatever is really necessary to operate the council, rather than leaving the fees as earmarked revenue as they are currently. By earmarking, it either is too much or too little and if you build a budget and get it approved the \$3.00 would go into the general fund, but it would come right out again.

Senator Brown responded by stating that when its earmarked for a specific purpose like this and paid for by the people who are the beneficiaries of the council then its in the category of a fee. If \$5.00 is imposed by everyone it takes on the character of a tax.

Senator Hammond asked how many members were on this committee. Mr. Von Kuster answered, "one elementary teacher, one secondary teacher, a specialist, one more from any one of those three categories, a school administrator, and a student in an educational program at a college in Montana.

Senator Nathe questioned Mr. Von Kuster if the council had started putting together the Code of Ethics for the teaching professional. His reply was that yes they had and they were looking at codes in other areas and would be following up by including various boards, educators, and the general public in the final decision making process.

DISPOSITION OF SB 89

Discussion: Senator Regan commented that as long as the council is functioning it will have to build a budget. Having an appropriation every 2 years, rather than just using earmarked revenue from the fees as they come in may even be a better way of funding the council because during the short fall periods their money is there.

Senator Mazurek feels that this is a group that is paying the fee for its own benefit. His concern is that if the money is put into the general fund, it might not be there when it is needed.

Senator Nathe stated that with this self funding, they ought to be able to take the money, audit it, and spend it themselves.

Recommendation and Vote: Senator Mazurek made the motion that SB 89 do pass. Senator Nathe called for the question and SB 89 was unanimously carried.

ADJOURNMENT

Adjournment At: 1:30 pm


Senator H.W. Hammond, Chairman

HH/jh

senmin.113

ROLL CALL

EDUCATION

COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date 1-13-89

NAME	PRESENT	ABSENT	EXCUSED
<u>Chairman Swede Hammond</u>	✓		
<u>Vice Chairman Dennis Mathe</u>	✓		
<u>Senator Chet Blaylock</u>		✓	
<u>Senator Bob Brown</u>	✓		
<u>Senator Dick Pinsoneault</u>	✓		
<u>Senator William Farrell</u>	✓		
<u>Senator Pat Regan</u>	✓		
<u>Senator John Anderson Jr.</u>	✓		
<u>Senator Joe Mazurek</u>	✓		

Each day attach to minutes.

STANDING COMMITTEE REPORT

January 13, 1989

MR. PRESIDENT:

We, your committee on Education and Cultural Resources, having had under consideration SB 89 (first reading copy -- white), respectfully report that SB 89 do pass.

AND AS SO AMENDED DO PASS

Signed: *[Signature]*
H. W. (Swede) Hammond, Chairman

H.C. '89
1/13/89
2:20
P.M.

State of Montana**Certification Standards and
Practices Advisory Council**

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Helena, Montana 59620-0601
(406) 444-6576

January 13, 1989

Mr. Chairman, members of the committee, my name is Dr. Lee N. Von Kuster. I am the vice chair of the Certification Standards and Practices Advisory Council to the Board of Public Education.

On behalf of the Council I commend the members of the legislature for creating this Council during the last legislative session. It is an example of the vision the legislature has about the importance of education in Montana.

I am here speaking in support of Senate Bill 89 to increase the fee for the issuance and renewal of teaching certificates.

The Council desires to provide the best support it can to the Board of Public Education and to make itself visible in all regions of Montana so that all educators can benefit from the expertise that exists on the Council and to be a channel through which the professional educators, as well as the entire public, can speak to issues of teacher preparation and continued professional development of teachers, administrators and others who play such a vital role in the education of the young people in Montana.

With your support of the bill we will be able to continue the work begun and meet the needs of the Council in the foreseeable future.

Thank you for your time and your support for education in Montana.

*Advisory Council to the
Montana Board of Public Education*

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Bennie Olson	MEA - Kalispell			
Jack Copes	OPT	SB 89	✓	
Jeff Crans	MEA - Missoula			
Willis Cundy	MEA - Missoula	SB 89	✓	
R. Kevin Hammond	MEA - MSLA	SD 89	✓	
Lee VonKuster	Certification Advisory Council	SD 89	✓	
Claudio M. Morton	Board of Public Ed	SB 89	✓	
Jan W. Long	S. A. M	SB 89	✓	
Eric Feather	MEA	SB 89	X	
Terry Munow	MTT	SB 89	X	
Pat Ogawa	MEA	SB 89	X	
Jack Johnson	MEA - R	SB 89	X	
Tricia Rickard	MEA Glasgow	SB 89	✓	
Mary Ann Knudsen	MEA "	SB 89	✓	
Wendy McEwan	MEA Poplar	SB 10	✓	

(Please leave prepared statement with Secretary)