

MINUTES

MONTANA SENATE 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION

Call to Order: By Senator Fritz, on January 18, 1993, at 1 p.m.

ROLL CALL

Members Present:

Sen. Harry Fritz, Vice Chair (D)
Sen. Bob Brown (R)
Sen. John Hertel (R)
Sen. Dennis Nathe (R)
Sen. Spook Stang (D)
Sen. Daryl Toews (R)
Sen. Mignon Waterman (D)
Sen. Bill Wilson (D)
Sen. Bill Yellowtail (D)

Members Excused: Senator Blaylock

Members Absent: None

Staff Present: Eddye McClure, Legislative Council
Sylvia Kinsey, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: SB 136
Executive Action: SB 136

HEARING ON SENATE BILL 136

Opening Statement by Sponsor:

Senator Gage, Senate District 5, Cutbank, explained this bill would attempt to remedy some of the disparities which arose from mill levy failures in districts. When a school loses it's levy more than one year, it compounds the disparity and they can never catch up under the 104% cap.

Proponents' Testimony:

Bruce Moerer, School Boards Association (SBA), said the SBA supports SB 136. They felt it was an attempt to get the funding back a little closer to those schools that did not lose their mill levy.

Eric Feaver, Montana Education Association, explained if two school districts were equal and one a levy failed, once that levy has failed they would never be equal again so long as the other continued to pass it's levies. He pointed out that this bill is still subject to the vote of the taxpayers in the school district.

Loren Frazier, School Administrators of Montana (SAM), said his organization was in support of SB 136. He did not feel it was a bill that would be utilized too much because not too many levies go down each year.

Terry Minow, American Federation of Teachers (AFT), said the AFT was in favor of the bill. She pointed to the school districts in Anaconda and said this would give those districts a chance to catch up with other districts.

Brent Gaylord, School District # 18, Valier, spoke in favor of SB 136, his written testimony is attached. (exhibit 1) Following his testimony he pointed out the 4% voted levy has gotten to be like a farm program, you go for the 4% whether you need it or not. This bill should make local districts more responsive to their needs, and if the money should be needed later, they could go back to the voters.

Opponents' Testimony:

None.

Informational Testimony:

None.

Questions From Committee Members and Responses:

None.

Closing by Sponsor:

Senator Gage said he felt the Legislature needs to pass this bill. The 104% was a puny attempt to try to cap the equalized figures from expanding. This is an attempt to give those school districts a chance to come back and be able to operate their schools. He said he did not feel that people who vote against the levy had considered falling behind and never able to catch up.

EXECUTIVE ACTION ON SENATE BILL 136

Motion/Vote: Senator Brown moved SB 136 DO PASS. The motion PASSED unanimously.

ADJOURNMENT

Adjournment: 1:20 p.m.



HARRY FRITZ, Vice Chair



SYLVIA KINSEY, Secretary

HF/sk

ROLL CALL

SENATE COMMITTEE

EDUCATION

DATE _____

1/18/93

[illegible]

For

Attach to each day's minutes

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
January 18, 1993

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration Senate Bill No. 136 (first reading copy - white), respectfully report that Senate Bill No. 136 do pass.

Signed: A. J. Blaylock VICE-CH.
Senator Chet Blaylock, Chair

SENATE EDUCATION
EXHIBIT NO. C
DATE 4/18/93
BILL NO. SB 136

Senator Gage, committee members, my name is Brent Gaylord. I am a trustee for School District #18, Valier.

I am here to ask you to send SB136 from your committee with a "do pass" recommendation.

I don't know how many of you represent rural districts, or have served on rural school boards. Those of you who have will understand what I am about to tell you.

In small, rural Montana schools there is a lot of community input and participation in the affairs of the school district. This is good and I have no quarrel with it. But sometimes it can have unforeseen repercussions.

A number of years back some of us in the Valier District learned we could use the voted levy to exert political influence on the school board when we felt things were not going as we would like in the school.

This happened in District #18 last year. Our voted high school levy went down to defeat twice. The third time the board decided to cut the voted high school levy request by \$30,000. This amount was \$10,000 below our operating budget for that year. Now we are suffering the consequences of that faulty decision.

If you are from a rural area that has a lot of elector participation in local politics you will understand how a levy can be defeated based on reasons other than money. If you represent a large city constituency, I ask you to take my word for it on how small district politics work.

Our high school levy did not fail simply because of monetary considerations. Or, that we could not use it to properly operate the system. It failed for many reasons. I spent many days talking to electors and campaigning for the levy on the second attempt to get a yes vote.

Here are the reasons electors gave me for voting against the levy. The reasons are not listed in any order or priority. Some are the concern of a single elector. Other reasons were expressed by several voters. Remember

as I list the reasons, that our elementary levy did pass.

Voters said they voted against the high school levy...

Because the school board was unresponsive to community concerns about the administrator and several of the coaches on staff.

Because the board had given the administrator a 3-year contract the previous year.

Because the board bought cabover buses rather than conventional buses.

Because the board submitted the high school levy a second time without community input as to the reasons it was defeated the first time.

Because the superintendent lacked credibility and respect of some community members.

Some electors felt the administrator didn't listen to their concerns.

Some voters felt the administrator listened but did not follow up on the concerns they expressed.

Lack of discipline in the elementary building. (Note: We're talking high school levy here).

Lack of lunch room supervision by the principal and teachers. One parent alleged the first and second grade students were being allowed to take too many sunflower seeds and olives from the salad bar.

Three elementary teachers had accompanied the 7th and 8th grade students on a field trip, this person felt fewer teachers should have gone on the trip.

Some who voted against the high school levy said they did so because they had a concern that there are some poor teachers in the elementary. That some of the elementary teachers were laying a poor foundation for the students and they would not be prepared for high school.

Because taxes are already too high.

Because the teachers are gone too much, that the district pays out too much for substitute teachers.

Because there is too much emphasis on sports.

Because the district has too many janitors.

Because the district has too many librarians.

Because the district has too many shop teachers.

Because the district has too many teachers compared to the size of the student body.

Because some adults we re allowed to ride free on the pep bus.

Because teacher salaries are too high.

Because we have too many music teachers.

Because the state is mandating a library in the elementary building.

Because we have too many cooks and there is wasted food in the lunch room.

Because the district purchased IBM computers instead of compatibles.

Because the district put carpeting in the elementary building.

And last, but not least, the argument presented by a student's mother, who also happens to be my sister-in-law, that they are spending too much money in Washington D.C. and that we need to start cutting back on government spending and the local school levy is the only money issue she gets to vote on so she was going to vote against it.

There are all reasons our high school levy went down to defeat a second time. I am not trying to belittle or minimize any of these arguments. All the people were sincere in their reasons. I am just trying to convey how general frustration can lead to the defeat of a levy. Many of the issues involved the elementary school, yet their levy passed on the first attempt. The voters wanted the board's and administration's attention...and defeating the levy was how they planned to get it.

Many of the concerns have been addressed by the board and administration. A winning season for the girl's basketball team took care of the complaints against one of the coaches. Some of the problems cannot be addressed at the local level since they come from state mandates.

At the time of the second high school levy defeat our board chair argued convincingly that the board was obligated to cut the levy request. He said we could not allow the voted levy to become an election about personality and-policy differences. As a result the levy request was cut \$30,000, even though most of the voters I had talked to, and who had previously voted no, had indicated to me they would vote yes on the third attempt as they did not want to hurt the high school.

The ill-conceived \$30,000 cut in the high school budget is now coming back to haunt the school board as we are faced with the prospect of declining state funds, the possibility of a 1% payroll tax which will cost the district an estimated \$8000 annually, and the state mandate of fine arts credits required when we do not presently have a certified fine arts teach on staff.

It has been estimated that it will take the school district 10 years, voting a 4% increase each of those years, just to get back to where we were in 1991-92.

The electors in school district #18 have always demanded a responsive school board and a top-notch education for our students. When they get frustrated they use whatever tools are at their disposal to get the message across. I am certain last year was not the last time the electors will use the voted levy to express their opinions.

SB136 will give us the opportunity to go back to the voters and request additional funds as we need them. If we have not addressed community concerns the voters still have the opportunity to vote no.

I am asking you to look favorably on SB136. It will give those districts which have faced a similar levy defeat, a tool to work with to ensure a quality education for our students.

DATE 1/18/93
 SENATE COMMITTEE ON Education
 BILLS BEING HEARD TODAY: SB 136

Name	Representing	Bill No.	Check One Support Oppose	
Brent Gaylord	School Dist. #18 Valier	SB 136	✓	
MARY SHEENY MOE				
Eric Jensen	MSA	136	✓	
Leslie Arzoo	SAM	136	✓	
Bruce W. Moerer	BSBA	136	X	
Don Waldron	MREA	SB 136	X	
Terry Munson	MFT	136	X	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY