

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION & CULTURAL RESOURCES

Call to Order: By Rep. H.S. "Sonny" Hanson, Chair, on March 3, 1993, at 3:00 p.m.

ROLL CALL

Members Present:

Rep. Sonny Hanson, Chair (R)
Rep. Alvin Ellis, Vice Chair (R)
Rep. Ray Brandewie (R)
Rep. Fritz Daily (D)
Rep. Ervin Davis (D)
Rep. Ed Dolezal (D)
Rep. Dan Harrington (D)
Rep. Jack Herron (R)
Rep. Bob Gervais (D)
Rep. Bea McCarthy (D)
Rep. Scott McCulloch (D)
Rep. Norm Mills (R)
Rep. Bill Rehbein (R)
Rep. Sam Rose (R)
Rep. Dick Simpkins (R)
Rep. Wilbur Spring (R)
Rep. Norm Wallin (R)
Rep. Diana Wyatt, Vice Chair (D)

Members Excused: None

Members Absent: None

Staff Present: Andrea Merrill, Legislative Council
Susan Lenard, Committee Secretary

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

Committee Business Summary:

Hearing: SB 178, SB 211, SB 250, HB 540
Executive Action: SB 75, SB 178, SB 250

HEARING ON HB 540

Opening Statement by Sponsor:

REP. BACHINI, House District 14, Havre, introduced HB 540 by indicating it would establish a higher education deferred

maintenance fund. Written testimony was provided. **EXHIBIT 1**

Proponents' Testimony:

SENATOR SWYSGOOD, Senate District 37, Dillon, noted he was the chairman of the higher education post-secondary interim committee on policy and budget. During the interim, the committee considered the deferred maintenance question. The committee proposed to introduce a bill to address the deteriorating conditions of Montana university campuses as they relate to the deferred maintenance of those units. House Bill 540 addresses both state and university buildings. The bill sets up a permanent trust of one million dollars arising out of the treasure state endowment fund as it "goes back" into the permanent trust fund. He noted it would take a few years to "reset twenty million dollars. At that time the interest off of the twenty million dollars will go to fund the deferred maintenance program on the campuses." **SEN. SWYSGOOD** agreed this was an innovative way of capturing money, and contended HB 540 would not break the trust. Once the twenty million has been reached in the permanent trust for the deferred maintenance program "it will continue to flow back into the permanent trust that was derived when the treasure state endowment was put in place." It was estimated between two and one half and three and one half million dollars of the twenty million dollars could be utilized depending upon interest regulations. **SEN. SWYSGOOD** said the interest would be used only to fund the deferred maintenance fund. The fund will stay in place indefinitely, to continue to fund the deferred maintenance on the units of higher education.

John Hutchinson, Commissioner of Higher Education, stood in support of the bill. He insisted the deferred maintenance problems in the university system have a serious impact on the quality of education of students. **Mr. Hutchinson** noted the Board of Regents identified thirty critical deferred maintenance projects which would cost about 10.8 million dollars. He assured the committee there is a much larger backlog of projects which could easily bring the cost of the full deferred maintenance problem to well over one hundred million dollars. He mentioned HB 540 is endorsed by the Board of Regents.

Tom McGrainey, Associated Students of Montana State University (ASMSU), said the students of Montana State University are concerned with the conditions of the facilities on the campus. He noted ASMSU is in favor of steps which address the growing deferred maintenance problems on the campus.

Vernan Burtleson, Self, said the constitutional coal trust fund should always remain in the trust. He explained it is acceptable to split up the trust to allow it to be used in different ways, but not to remove money entirely. **Mr. Burtleson** stressed it was a matter of choice if the state wanted to earmark the interest derived from the amount in the general fund, or to divide the total fund itself.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

REP. MCCARTHY asked Mr. Hutchinson if he had the list of proposed projects to share with the committee. Mr. Hutchinson said he had the list of those projects presented to the long range building program and those endorsed by the long range planning committee. REP. MCCARTHY requested he duplicate the list and share it with the committee. EXHIBITS 2 and 3

REP. MILLS asked if HB 540 would reduce the treasure state endowment fund by the amount put into the deferred maintenance fund. SEN. SWYSGOOD said it would do so by about fifty percent.

REP. SIMPKINS asked if this would slow down the treasure state endowment program, as was voted on by the public, in order to channel the money to the universities and thus make local communities wait. SEN. SWYSGOOD replied that, sooner or later, the taxpayers of Montana will be asked to pay fifteen million dollars. He said HB 540 was a way of utilizing the amount for two years. SEN. SWYSGOOD said local governments are in far more dire straits than he thought if one hundred and four thousand dollars would be an inconvenience.

REP. GERVAIS asked the sponsor if HB 540 would just take a simple majority to pass. REP. BACHINI replied a simple majority would fulfill the requirement.

REP. HANSON asked Mr. Hutchinson how the allocation of funds would be directed. Mr. Hutchinson replied the funds would be operated within the Board of Regents much as is done presently. The projects would be prioritized by the Board.

Closing by Sponsor:

REP. BACHINI insisted the interest from the higher education deferred maintenance fund may not be used to supplement normal legislative appropriations. He called attention to the comment regarding the existence of more than one hundred million dollars in deferred maintenance projects in the state. REP. BACHINI suggested costs will continue to increase unless some of the projects are taken care of at the present time. He stressed HB 540 is a long term solution. He stated the bill could be one of the more positive things to come out of this legislative session. In closing, REP. BACHINI said HB 540 could also help to relieve pressure off of the long range building program.

HEARING ON SB 250Opening Statement by Sponsor:

SENATOR YELLOWTAIL, Senate District 50, Wyola, explained the bill arises from the responsibilities of the co-commissioner of the Legislative Council, Mr. Greg Petesch. The Montana codes need to conform to recent actions of the state supreme court which have brought about substantive changes. The senator noted the supreme court has specifically changed the impact of the open meetings law.

Proponents' Testimony:

Greg Petesch, Co-Commissioner of the Legislative Council, said the bill is piece of legislation which is presented to the legislature each session. The provisions contained in HB 540 are not included in the co-commissioner's bill because they are substantive in nature and do involve some policy choices. **Mr. Petesch** explained the two recent court decisions struck down the bargaining exception to the open meetings law. In a very narrow opinion the court also struck down the litigation exception to the open meeting law, but it was lifted on the specific grounds that both parties are to be public entities. He said several attorneys for the state were concerned about removing the litigation exception in entirety. (It was noted there is some basis to the argument considering attorney/client privilege.) He noted they were also concerned with possible disclosure of documents related to litigation. The Senate Judiciary Committee carefully crafted the amendment to limit the litigation exception to the expressed concerns of the supreme court decision. The purpose of HB 250 is to allow a party reading the code to know the state of the law at that point in time.

Chris Tweeten, Chief Deputy Attorney General for the State of Montana, Department of Justice, stood in support of the bill with the Senate amendments in place. He said the attorney/client privilege and the word product privileges that exist with respect to other attorneys representing their clients should be available to state government as well.

Charles Watt, Executive Director of the Montana Newspaper Association, expressed his organization's support of SB 250 in keeping with the concepts of open government and the people's right to know. He observed SB 250 will alleviate or even eliminate further expensive and unnecessary court challenges in the areas of collective bargaining and litigation as approached in this section of the code and recently addressed by the Montana supreme court.

Katherine Aura, Chief Legal Council for the Montana State Department of Health, stood in support of HB 540 as amended.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

REP. HANSON asked the sponsor if unions are considered public agencies, as far as the particular agency for which they bargain was concerned. SEN. YELLOWTAIL said he believed they would not be open, but deferred the question to Mr. Petesch. Mr. Petesch replied that unions are not public agencies within the meaning of the open meetings law and thus can meet privately.

Closing by Sponsor:

SEN. YELLOWTAIL said the court decision seems to have created a "tipped playing field" in collective bargaining situations. He noted the remedy might be a constitutional problem, but said SB 250 does not attempt to address that issue. SEN. YELLOWTAIL stressed the Montana codes need to be made readable in the actual state of the law. He said the intent of SB 250 was to succeed in making the codes more comprehensible.

HEARING ON SB 211Opening Statement by Sponsor:

SENATOR YELLOWTAIL, Senate District 50, Wyola, introduced SB 211 as a bill which would give flexibility to local school districts. It would provide them with the opportunity to be granted variance to the school year for 180 days of instruction. The bill would permit the Board of Public Education to accept petitions from local school districts which would propose to meet fewer days than 180 days and to establish a longer school day. The total amount of instruction time would remain the same. Accreditation standards set by the Board of Public Education would also be upheld. He noted this arises from the experience his district has had with a Wyoming bordering district. SEN. YELLOWTAIL noted the Wyoming district in question operates on a four day school week and the Wyoming law needed to be changed to allow for this variation. The primary purpose is to allow a district to adjust its schedule so activities such as extra-curricular activities can be concentrated on one day. He noted this could alleviate the number of interruptions which occur in the course of the present school day. SEN. YELLOWTAIL suggested a school district, particularly a rural district with considerable travel costs, might find it cost effective to have a four day school week for all or part of the year. It was articulated that SB 211 does not require any particular scheme, but allows the local school district to devise a plan that best fits its interests. The school district would apply to the Board of Public Education for a variance. The Board of Public Education must be convinced that all other criteria are satisfied. He said the non-traditional school week in the Wyoming district not only resulted in some desirable advantages for the school but was also very well received by the community. A letter from the superintendent and

results of a community survey from the district in Wyoming were distributed to the committee. **EXHIBITS 4 and 5**

Proponents' Testimony:

Bob Anderson, Montana School Boards Association, stated MSBA stood in support of SB 211. He said he did not believe many schools would take advantage of the opportunity presented by the bill. **Mr. Anderson** stressed it would give local school boards the flexibility to provide programs in a unique fashion.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

REP. BRANDEWIE asked the sponsor to indicate the minimum number of days a school could possibly meet considering this piece of legislation. **SEN. YELLOWTAIL** emphasized the bill does not set a minimum. He stressed SB 211 states the Board of Public Education can consider a petition which meets the assurances of the minimum hours of instruction required under the 180 day present law and fulfills the accreditation standards.

REP. BRANDEWIE commented that children presently spend too much time out of school. He addressed the issue where students spend so much time away from studies they need to be brought back up to the proper level when they return to school. He asked **SEN. YELLOWTAIL** to comment on how SB 211 would affect this particular problem. **SEN. YELLOWTAIL** maintained this issue was exactly his concern. He said the disruption of students' schedules by extra-curricular activities is the real cause for loss in constructive instructional time. He suggested a district might be able to work toward reducing the loss in instructional time if given the flexibility to do so. **SEN. YELLOWTAIL** said SB 211 does not address the hiatus that occurs over the summer vacation, but stated he was confident it could help to increase the amount of class instructional time overall.

REP. GERVAIS asked the sponsor where Wyoming sits on the national education achievement scale. **SEN. YELLOWTAIL** replied he did not know the answer to the question, but stressed the school district in question did not lose ground because of the change. **REP. GERVAIS** asked if the Wyoming school district faced transportation difficulties after the change. **SEN. YELLOWTAIL** said the school district in Wyoming is a rural school with similar characteristics to ones located in **REP. GERVAIS'** district. He explained the district indicated not much had changed except that students rode the bus four days per week to classes instead of five.

REP. REHBEIN asked if SB 211 could shorten the school year as far as the total number of weeks was concerned. **SEN. YELLOWTAIL** replied that was conceivable. He said if the school was able to accomplish the same basic number of instructional hours,

equivalent to a 180 day schedule, then he saw no reason this could not be accomplished. **REP. REHBEIN** said the bill could possibly reduce the revenue needed to operate the school if it was to choose the four day week. **SEN. YELLOWTAIL** replied there were many ways in which a school could save money if it took advantage of the possible options. He said teachers expressed an appreciation of the change in the schedule even though it did result in them working longer hours during those four days at school. He said he believed teachers were quite satisfied even though they were required to attend school every other Friday.

REP. SPRING asked **SEN. YELLOWTAIL** if the four day week would run for the entire school year. **SEN. YELLOWTAIL** replied the decision would be left to the imagination of the local school district, with the approval of the Board of Public Education. He commented a school could even choose to have a five day week until the winter months when they could temporarily hold classes on a four day week schedule. **REP. SPRING** asked how the calendar would be established. **SEN. YELLOWTAIL** said the calendar would be set a year in advance under the approval of the school board of trustees.

REP. DOLEZAL asked the senator for the length of the school day in the Wyoming district. **SEN. YELLOWTAIL** replied he did not know. **REP. DOLEZAL** asked if the length of the day is the same for both elementary and high school. **SEN. YELLOWTAIL** answered by saying they were the same and that both schools operate on extended hours for those four days of the week. **REP. DOLEZAL** asked if students without extra-curricular activities would not have school on Friday and asked what parents were able to arrange with their children on this day if both parents work. **SEN. YELLOWTAIL** answered affirmatively to the first question and responded to the second by stating the daycare issue became one of immediate concern. He said he had the same question when he first heard of the plan to change the school week but understood the problem to have been easily managed by the parents and the community. **REP. DOLEZAL** asked if the whole purpose of the bill was to accommodate extra-curricula activities. **SEN. YELLOWTAIL** replied it was not designed just for extra-curricular activities but for cost saving possibilities to a district as well.

REP. WYATT asked if the four day week would force students to choose just one extra-curricular activity if all extra-curricular activities took place on Friday. **SEN. YELLOWTAIL** replied he believed a four day week would cause no more conflicts in extra-curricular activities than does a five day week. **REP. WYATT** commented she worries about the quality of the educational time children would receive on longer-than-traditional days because of their limited attention span. **SEN. YELLOWTAIL** addressed her concerns by stating that since he was not a teacher he could not speak first hand on the issue. He said he did received indications the teachers at the Wyoming school appreciated having the students in class for a longer period of time, without the interruptions of extra-curricular activities. **REP. WYATT** said in

comparison to other nations the students in the U.S. attend fewer hours of actual classroom time and SB 211 would just decrease that amount. **SEN. YELLOWTAIL** emphasized the bottom line of the bill is that the total instructional contact time stays the same. He stressed it was important to understand the bill relies on that assurance.

REP. ELLIS asked the sponsor to comment on the potential for extremely long days for students in rural schools who must travel long distances to school. **SEN. YELLOWTAIL** answered the school should not choose the extended days as an option if it is not an acceptable alternative. He stated the bill provides for a public hearing within the community. He said it is his hope the local community would be able to address and answer those types of questions.

REP. DAVIS asked what SB 211 does to the idea which states "cutting a school day lengthens the school year." **SEN. YELLOWTAIL** said the bill does not state the school week has to be shortened. He commented the school days could possibly be shortened while extending the amount of days of attendance per week. Under the terms of SB 211, many options would be possible. He stressed it was not his intent to impose changes on any school district their individual community does not vote to adopt. **REP. DAVIS** asked the senator to identify what schools are seeking this option. **SEN. YELLOWTAIL** replied that Lodge Grass Public Schools is one district he is familiar with that wishes to have the bill pass.

REP. DAVIS asked **Mr. Anderson** asked if he knew what the successes were of the schools in Montana who pursued this very question a few years ago. **Mr. Anderson** replied he did not know. He commented on the bill having been brought before the Legislature before. **Mr. Anderson** said he has met with individuals from Bigfork who, being residents of an active artist's community, have been interested in ways to donate their skills to the schools. He offered this district's wishes as an example of how the opportunity of proposed flexibility could assist in improving education. He said this could occur by allowing community involvement through a flexibility in the school year schedule.

REP. SIMPKINS said one thousand eighty hours of pupil instruction time can be identified as the duration of the full school year. He asked if extra classes such as remedial training and music classes count in the one thousand eighty hours. **Mr. Anderson** said those types of classes would be included in the total number of hours. **REP. SIMPKINS** said he did not see how the four day week would result in less interruptions in regular instructional hours if these extra classes continue to exist. **Mr. Anderson** said the school would have thirty hours of instruction in four days. **REP. SIMPKINS** insisted that Fridays would be used solely for extra-curricular activities. He said SB 211 would just allow schools to bus children to those activities on that day. He suggested it would not shorten the school calendar year.

REP. DOLEZAL asked the sponsor if a school board could adopt changes in the school year against the will of the community. **SEN. YELLOWTAIL** replied that conceivably could occur. The bill requires the board of trustees of a district to adopt a resolution to seek a variance after having posted notice and conducted public hearings.

Closing by Sponsor:

SEN. YELLOWTAIL stressed SB 211 is purely a local control bill. He emphasized he did not want to impose changes on any district. Senate bill 211 would allow local communities the flexibility to examine innovative approaches in their schools.

HEARING ON SB 178

Opening Statement by Sponsor:

SEN. BROWN, Senate District 2, Whitefish, explained SB 178 would extend certain budgeting recording periods for school trustees and county school superintendents. He noted the bill arises from certain dates with which school business officials throughout the state have not complied. He noted the intent of the bill is to change the present dates to ones such that school officials will be able to comply with the law.

Proponents' Testimony:

Cliff Roessner, Helena Public Schools District Clerk, stood in support of SB 178. He stated the current dates do not allow enough time for the proper transfer of required information between certain educational administrative offices.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

REP. SIMPKINS asked the sponsor if lines 5 through 7, page 34 have any impact on the requirement to keep track of each budgeted fund. He said the reason for eliminating the term "budgeted" is not clear. **SEN. BROWN** asked to defer the question to **Mr. Roessner** who said the change would affect each fund established by the district and not just each budgeted fund.

REP. MILLS asked the sponsor to comment on the exclusion of a district not issuing warrants if they do not have the money, since section five was removed from the bill. **SEN. BROWN** commented the issuance of bonds was not a part of the initial intent of the bill and was therefore stricken. He stressed the only thing SB 178 would affect is to change the four dates as noted, all else would remain as it exists in present law.

REP. SIMPKINS asked the sponsor if he had the support of most school districts in the Senate hearing. SEN. BROWN replied the only difficulty to occur in the hearing was with regards to the section just mentioned, and so it was amended.

Closing by Sponsor: SEN. BROWN closed the hearing on SB 178.

EXECUTIVE ACTION ON SB 178

Motion/Vote: REP. BRANDEWIE MOVED SB 178 BE CONCURRED IN. Motion carried 17 to 1 with REP. SPRING voting no.

EXECUTIVE ACTION ON SB 250

Motion/Vote: REP. GERVAIS MOVED SB 250 DO PASS. Motion carried 15 to 3 with REPS. ELLIS, REHBEIN, and SPRING voting no.

EXECUTIVE ACTION ON SB 75

Motion: REP. MCCULLOCH MOVED SB 75 DO PASS.

Discussion:

REP. SIMPKINS asked if SB 75 would pull money out of the general fund. Ms. Merrill said initially thirty percent of the liability amount could be transferred into this compensated absence liability fund. She noted the last Legislature had decided to end the practice of transferring money into this fund, but SB 75 would extend it.

REP. MILLS asked how much sick leave time an individual may accrue. Ms. Merrill stated the bill covers only non-certified individuals in schools. These individuals must comply with state law which allows for the payment of one fourth of an individual's accumulated sick leave.

REP. SIMPKINS asked for the purpose of the bill if schools have adequate reserves. Ms. Merrill replied the whole concept of the bill is to allow the continuance of money transferral into the compensated absence liability fund. Present statutes permitting the transfer will sunset without the passage of SB 178.

Motion: REP. REHBEIN MADE A SUBSTITUTE MOTION THAT SB 178 DO NOT PASS.

Motion: REP. BRANDEWIE MOVED SB 178 BE TABLED. Motion carried 11 to 7 with REPS. DAILY, DAVIS, DOLEZAL, HARRINGTON, GERVAIS, MCCARTHY, and MCCULLOCH voting no. EXHIBIT 6

HOUSE EDUCATION & CULTURAL RESOURCES COMMITTEE

March 3, 1993

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ADJOURNMENT

Adjournment: 5:14 p.m.

H.S. "Sonny" Hanson
REP. H.S. "SONNY" HANSON, Chair

Susan Lenard
SUSAN LENARD, Secretary

HSH/SL

HOUSE OF REPRESENTATIVES

Education and Cultural Resources COMMITTEE

ROLL CALL

DATE 3/3/93

NAME	PRESENT	ABSENT	EXCUSED
REP. SONNY HANSON , CHAIR	✓		
REP. ALVIN ELLIS , VICE-CHAIR	✓		
REP. DIANA WYATT , VICE-CHAIR	✓		
REP. RAY BRANDEWIE	✓		
REP. FRITZ DAILY	✓		
REP. ERVIN DAVIS	✓		
REP. ED DOLEZAL	✓		
REP. DAN HARRINGTON	✓		
REP. JACK HERRON	✓		
REP. BOB GERVAIS	✓		
REP. BEA MCCARTHY	✓		
REP. SCOTT MCCULLOCH	✓		
REP. NORM MILLS	✓		
REP. BILL REHBEIN	✓		
REP. SAM ROSE	✓		
REP. DICK SIMPKINS	✓		
REP. WILBUR SPRING	✓		
REP. NORM WALLIN	✓		

HOUSE STANDING COMMITTEE REPORT

March 4, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Education and Cultural Resources report that Senate Bill 178 (third reading copy -- blue) be concurred in .

Signed: HS "Sonny" Hanson
Sonny Hanson, Chair

Carried by: Rep. Herron

Committee Vote:
Yes 17, No 1.

490940SC.Hss

HOUSE STANDING COMMITTEE REPORT

March 4, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Education and Cultural Resources report that Senate Bill 250 (third reading copy -- blue) be concurred in .

Signed: HS "Sonny" Hanson
Sonny Hanson, Chair

Carried by: Rep. McCulloch

Committee Vote:
Yes , No .

490942SC.Hss

H.B.
540

Summary of LC 440

The bill establishes a higher education deferred maintenance fund. The fund is established as a subfund within the coal severance tax trust in the same manner that the treasure state endowment fund and the clean coal technology demonstration fund were established. The bill does not affect the funding for any current coal severance tax program. The bill diverts money after it has passed through the treasure state endowment fund. The money that would be deposited in the permanent fund is deposited in the higher education deferred maintenance fund until the higher education deferred maintenance fund reaches \$20 million. When the higher education deferred maintenance fund reaches \$20 million, deposits to the permanent fund are resumed. The interest on the higher education deferred maintenance fund is statutorily appropriated to the board of regents to fund any deferred maintenance projects budgeted for Montana units of higher education. The interest from the fund may not be used to supplant normal legislative appropriations. The higher education deferred maintenance fund is intended to remain as a \$20 million endowment the interest of which is used for deferred maintenance projects.

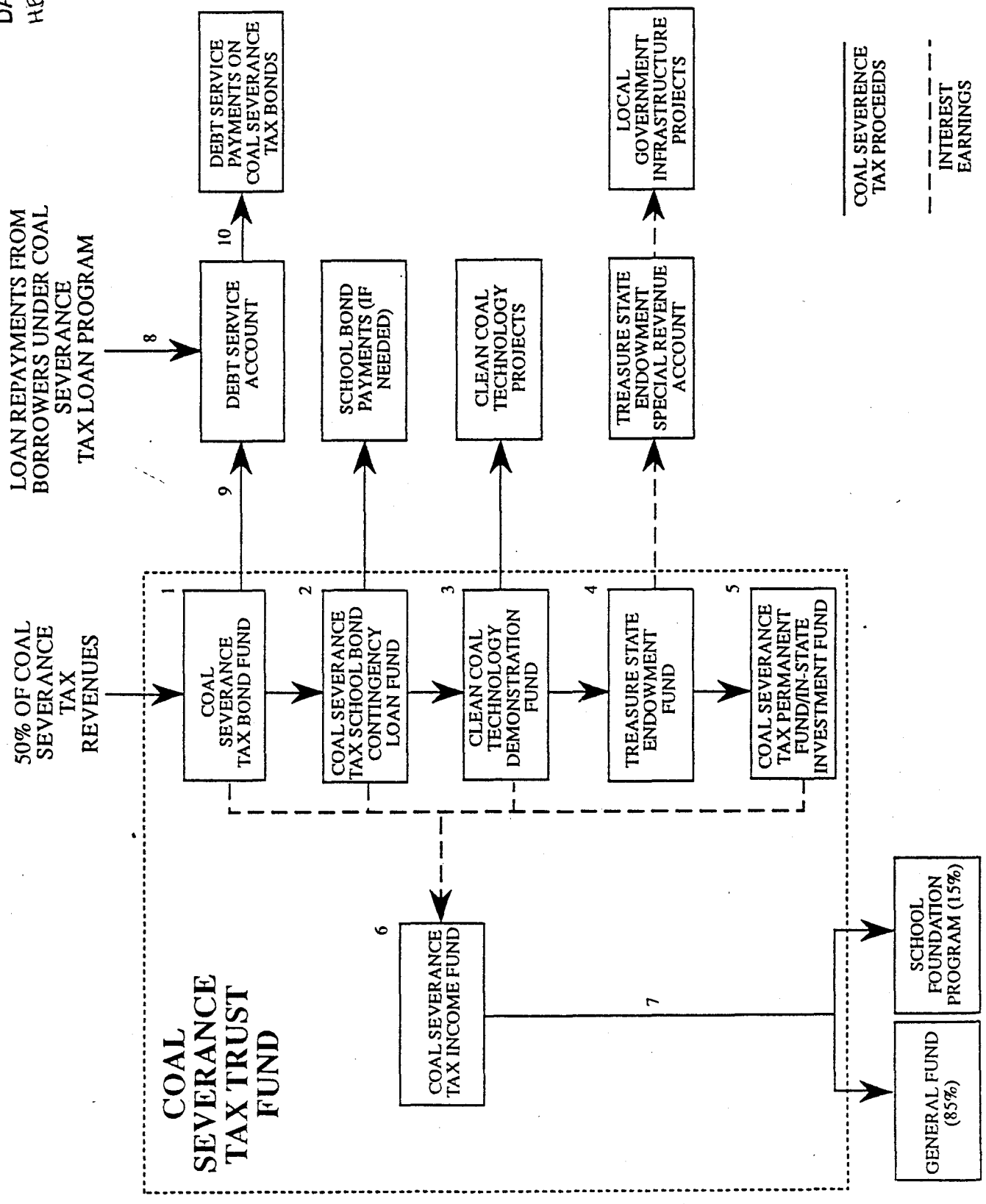
COAL SEVERANCE TAX TRUST FUND FLOW OF FUNDS SUMMARY

JANUARY 1993

EXHIBIT 3

DATE 3/3/93

HB 540



COAL SEVERANCE
TAX PROCEEDS

INTEREST
EARNINGS

EXHIBIT 2
 DATE 3/2/93
 #B 540

LONG RANGE BUILDING PROGRAM 1993-95 BIENNIIUM

BOARD OF REGENTS vs EXECUTIVE RECOMMENDATIONS

Capital Budget

CAMPUS	PRIORITY RECOMMENDATION	PROJECT DESCRIPTION	CAMPUS PRIORITY	ESTIMATED COST	EXECUTIVE PRIORITY	CPF	OTHER FUNDS	TOTAL	REMARKS
MSU	1	Central Heating Plant Improvements	1	\$2,000,000	3	\$519,000	\$346,000	\$865,000	FUNDING SPLIT 60:40 BETWEEN CPF AND AUXILIARY
UM	2	Remove Asbestos for Energy Conservation Science Complex	1	\$1,200,000	N/R				
TECH	3	Electrical Upgrade, Main Hall	1	\$92,000	6	\$130,000		\$130,000	A/E ESTIMATES THE PROJECT WILL EXCEED AMOUNT CAMPUS ESTIMATED
EMC	4	Roof Replacement, Maintenance Shop	2	\$75,000	8	\$75,000		\$75,000	
WMC of U/M	5	Eliminate PCB, Campus-wide	1	\$77,000	N/R				MAY BE INCLUDED IN DEPT/ADMIN \$850,00 REQ FOR HAZARDOUS WAST PROJ.
NMC	6	Structural Repairs, Brockman Center	1	\$300,000	N/R				
HVTC	7	Replace Roof, Donaldson Building	2	\$239,564	8	\$239,564		\$239,564	
MVTC	8	Replace Roof, Administration Bld.	4	\$140,400	N/R				
MSU	9	Steam & Condensate Replacement/Utility Tunnel Extension, Phase II and Roof Replacements, Reid, Culbertson, McCall Halls	2	\$2,800,000	7	\$450,000	\$300,000	\$750,000	A/E RECOMMENDS REPAIRING ROOF AT THIS TIME. SHOULD LAST A FEW MORE YEARS. FUNDING SPLIT 60:40 BETWEEN CPF AND AUXILIARY.
TECH	10	Handicap Access, Install Elevator, Museum Building	7	\$292,000	N/R	\$80,000		\$80,000	McCALL HALL ROOF ONLY, OTHERS ARE REPARABLE
EMC	11	Fire Code Compliance, Liberal Arts, Library, Education & McMullen Hall	4	\$341,500	N/R				
U/M	12	Replace Interior Signage Rooms, Elevators, etc	2	\$150,000	N/R				

EXHIBIT 2

DATE 3/3/93

SC HB 540

BOARD OF REGENTS vs EXECUTIVE RECOMMENDATIONS

CAMPUS	PRIORITY RECOMMENDATION	PROJECT DESCRIPTION	CAMPUS PRIORITY	ESTIMATED COST	EXECUTIVE PRIORITY	CPF	OTHER FUNDS	TOTAL	REMARKS
WMC of UM	13	Handicap Access, Auditorium and Old Main Hall	3	\$78,000	13	\$242,500		\$242,500	
EMC	14	Install Fume Hood, Science Building	6	\$12,000	N/R				
BqVTC	15	Handicap Access, Various Projects	3	\$50,000	N/R				
BVTC	16	Renovate Welding Gas Storage Area	2	\$14,300	N/R				
U/M	17	Handicap Access; Install Elevator Liberal Arts Building	3	\$400,000	12	\$280,000		\$280,000	
EMC	18	Fire Code Compliance, Remodel Computer Annex	8	\$150,000	N/R				
WMC of U/M	19	Roof Maintenance, Campus-wide	9	\$26,750	N/R				A/E RECOMMENDS REPAIRS COME FROM THE OPERATING BUDGET
HVTC	20	Repair Roof, Airport Hanger, Poplar Building	3	\$9,600	N/R				A/E RECOMMENDS REPAIRS COME FROM THE OPERATING BUDGET
TECH	21	Repair/Remodel Classrooms/Laboratories, Various Campus Buildings	8	\$205,000	N/R				
EMC	22	Handicap Modifications, Various Campus Buildings	5	\$119,000	N/R				
WMC of U/M	23	Asbestos Abatement, Campus-wide	6	\$197,000	N/R				FUNDS MAY BECOME AVAILABLE THROUGH DEPARTMENT OF ADMINISTRATION REQUEST
NMC	24	Remodel Classrooms, Cowan Hall	6	\$75,000	N/R				
BVTC	25	Renovate Outside Storage Areas	1	\$17,600	N/R				

2
DATE 3/3/93
\$246,540

BOARD OF REGENTS vs EXECUTIVE RECOMMENDATIONS

CAMPUS	PRIORITY RECOMMENDATION	PROJECT DESCRIPTION	CAMPUS PRIORITY	ESTIMATED COST	EXECUTIVE PRIORITY	CPF	OTHER FUNDS	TOTAL	REMARKS
HVTC	26	Install Fire Sprinkler System, Airport Hangar, Poplar Building	1	\$20,650	N/R				
MVTC	27	Renovate Instructional Kitchen Main Campus	3	\$71,700	N/R				
U/M	28	Handicap Renovations, Various Campus Buildings	4	\$497,000	N/R				
TECH	29	Tunnel Subsidence Study	9	\$22,000	N/R				
EMC	30	Remodel Library, Education Building	7	\$114,000	N/R				
NMC	31	Replace Windows, Cowan Hall	7	\$300,000	N/R				
UM	32	Install Life Safety Alarms, Various Campus Buildings	8	\$192,000	N/R				
U/M	33	Roof Replacement, Building 32, McGill Hall, North Corbin Hall, 626 Eddy	20	\$385,000	8	\$157,000		\$157,000	BUILDING 32 IS THE ONLY PROJ. FUNDED OTHER ROOFS ARE REPARABLE
U/M	34	Replace Roofs, Various Buildings, Biological Station	22	\$135,000	8	\$115,000		\$115,000	ROOFS NOT FUNDED ARE REPARABLE
TECH	N/R	Raze Mill Building Stack	4	\$25,000	10	\$37,600		\$37,600	WAS NOT INCLUDED ON THE REGENTS PRIORITY LIST
TOTAL MUS/TC RECOMMENDATIONS				\$10,824,064		\$2,325,664	\$646,000	\$2,971,664	TOTAL ROOFS \$666,564

EXHIBIT 2
 DATE 3/2/93
88 HP 540

BOARD OF REGENTS vs EXECUTIVE RECOMMENDATIONS

CAMPUS	PRIORITY RECOMMENDATION	PROJECT DESCRIPTION	CAMPUS PRIORITY	ESTIMATED COST	EXECUTIVE PRIORITY	CPF	OTHER FUNDS	TOTAL	REMARKS
AUTHORIZATION ONLY PROJECTS									
U/M		New Honors College		\$2,000,000					AUTHORIZATION IS INCLUDED IN H.B. 85
		Student Building Fee Projects		\$400,000			\$400,000		
		University Theater Seating Renovations		\$150,000			\$150,000		
		Grant Projects		\$500,000			\$500,000		
		Cogeneration Facility		\$2,500,000			N/R		
		Geothermal/Irrigation Projects		\$500,000			\$500,000		
		Reno. Law Library Basement		\$1,000,000			\$1,000,000		
		Construct New Motor Pool Bld.		\$300,000			\$300,000		
		sub total U/M		\$7,350,000			\$2,850,000		
MSU		Bioscience Addition		\$11,000,000			N/R		
TECH		Campus Storage Building		\$65,000			\$65,000		
		TOTAL AUTHORIZATION ONLY		\$18,415,000			\$2,915,000		

LODGE GRASS PUBLIC SCHOOLS

DISTRICTS NO. 2 & 27

LODGE GRASS, MONTANA 59050-0559

Administration 406-639-2304 • High School 406-639-2385 • Elementary 406-639-2383

EXHIBIT 4DATE 3/3/93SB 211John Pehrson
High School PrincipalDr. Ray Phipps
SuperintendentLouis R. Headley
Elementary PrincipalGordon Real Bird
Athletic DirectorWallace Leider
Assistant Principal

January 29, 1993

Senator Bill Yellowtail
Montana State Legislature
Helena, MT 59601

FAX # 444-4105

Senator Bill Yellowtail:

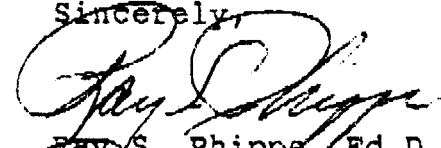
Just obtained a copy of Senate Bill 211 a short time ago and have reviewed it's contents.

I am in total agreement and support this effort in every way. Our school needs the flexibility to examine alternatives to the standard 180 day school year. We are facing, along with many other schools in this state, a reduction in the dollars that have been available in the past. (We no longer have the Decker coal severance tax which will impact the Lodge Grass Schools drastically this next year for the first time.) In addition to this reality, we stand to face the same reductions other schools in the State seem to be anticipating.

Your bill would give us all the opportunity to alter hours and days in the year to reduce costs in a variety of ways. At the same time it could provide educational opportunities for our children that are equal or superior to the present.

If our legislators are truly sincere in wanting to provide education that is superior in our State and at the same time are committed to reducing the costs in education, they, too, will support SB 211.

Sincerely,


Ray S. Phipps, Ed.D.
SuperintendentGerald Pease
1st Vice ChairmanAudrey Black Eagle
ChairpersonManuel Covers Up
2nd Vice Chairman

INTRODUCTION

The purpose of this report is to summarize the results of an evaluation of the four-day school week alternative schedule implemented by the Sheridan County School District One in Ranchester, Wyoming during the 1989-91 and 1990-91 school years. The district initially instituted the alternative school schedule during the 1982-83 school year but returned to the traditional five-day schedule during the 1983-84 and 1984-85 school years while the alternative scheduling issue was debated by the legislature.

After the State Senate passed Senate Act 49 on February 21, 1985, which allowed Wyoming schools to operate alternative schedules, this district made the decision to resume the 4-Day Week Schedule beginning in the 1985-86 school year. Although outcomes for the alternative schedule were generally positive, there were recommendations for some minor modifications to be made while the 4-Day School Week continued during the 1986-87, 1987-88, 1988-89, 1989-90 and 1990-91 school years.

In the first three years of the alternative schedule, the district retained the services of the Northwest Regional Educational Laboratory to conduct an evaluation to determine whether district goals had been achieved. These evaluations were extensive and the results were positive. It was determined that such an extensive evaluation was no longer necessary and the district began to evaluate the schedule using many of the instruments that were first used by the Northwest Regional Educational Laboratory.

The basic evaluation procedures are an extension of the 1982-83, 1985-86, 1987-88 and the 1988-89 evaluations so that data available would be suitable for longitudinal comparisons. The 1989-90 and 1990-91 evaluation is an extension of the 1988-89 version. Included in this 1989-91 evaluation are opinion surveys of patrons, students, and staff. This information was not included in the 1987-88 survey.

The district is presently studying and attempting to develop a comprehensive student assessment program. A complete testing program should include 1) norm reference tests, 2) criterion reference tests, 3) teacher made tests, 4) product assessments, 5) community surveys, 6) work skills assessments and 7) work experience. It is our plan to begin our study of criterion reference tests for our district beginning in the 1991-92 school year.

Please note: This complete exhibit may be located at the Historical Society.

EXHIBIT 5
DATE 3/3/93
SB all

EXHIBIT 6
DATE 3/3/03
SB 75

HOUSE OF REPRESENTATIVES

Education and Cultural Resources COMMITTEE

ROLL CALL VOTE

DATE 3/3/03 BILL NO. ~~74~~ SB 75 NUMBER _____

MOTION: TO Table SB 75

NAME	AYE	NO
Rep. Ray Brandewie	✓	
Rep. Fritz Daily		✓
Rep. Ervin Davis		✓
Rep. Ed Dolezal		✓
Rep. Dan Harrington		✓
Rep. Jack Herron	✓	
Rep. Bob Gervais		✓
Rep. Bea McCarthy		✓
Rep. Scott McCulloch		✓
Rep. Norm Mills	✓	
Rep. Bill Rehbein	✓	
Rep. Sam Rose	✓	
Rep. Dick Simpkins	✓	
Rep. Wilbur Spring	✓	
Rep. Norm Wallin	✓	
Rep. Diana Wyatt	✓	
Rep. Alvin Ellis	✓	
Rep. Sonny Hanson	✓	

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Education COMMITTEE BILL NO. SB 211
DATE 3/3/03 SPONSOR(S) SEN. YELLOWTAIL

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Bob Anderson	MSBA	✓	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Education

COMMITTEE

BILL NO. SB 250

DATE 3/3/93

SPONSOR(S) SENATOR YELLOWTAIL

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Chris Tweeten	Dept of Justice	X	

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HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Education COMMITTEE BILL NO. KB 540
DATE 3/3/93 SPONSOR(S) REP. BACHINI

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PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
FRED FREEDMAN	ASSOC. STUDENTS OF MSU	✓	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.