

MINUTES

**MONTANA SENATE
54th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON EDUCATION

Call to Order: By **CHAIRMAN DARYL TOEWS**, on February 17, 1995, at
1:02 p.m.

ROLL CALL

Members Present:

Sen. Daryl Toews, Chairman (R)
Sen. John R. Hertel, Vice Chairman (R)
Sen. C.A. Casey Emerson (R)
Sen. Delwyn Gage (R)
Sen. Loren Jenkins (R)
Sen. Kenneth "Ken" Mesaros (R)
Sen. Steve Doherty (D)
Sen. Gary Forrester (D)
Sen. Barry "Spook" Stang (D)
Sen. Mignon Waterman (D)

Members Excused: N/A

Members Absent: N/A

Staff Present: Eddy McClure, Legislative Council
Janice Soft, Committee Secretary

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

Committee Business Summary:

Hearing: SB 396
Executive Action: SB 396, SB 370, SB 351, SJR 13

HEARING ON SB 396

Opening Statement by Sponsor:

SEN. ARNIE MOHL, SD 39, Kalispell, said the purpose of **SB 396** was to bring the junior colleges into the university system. He said enrollments were as follows: (1) Flathead Valley Community College in Kalispell had about 1,179 students; (2) Miles Community College in Miles City had about 603 students; (3) Dawson Community College in Glendive had about 484 students. **SEN. MOHL** said the cost of admitting the junior colleges to the university system was about \$2.1 million for 1997, which is the effective date.

He informed the committee Flathead College had a \$6.3 million campus debt, Dawson had about \$562,000 indebtedness and Miles had none. **REP. MOHL** stated the state would pick up \$350,000 and the students \$250,000 per year on Flathead Community College, and the cost for Dawson Community College would be \$71,000 per year.

He closed by saying when the five vo-techs became part of the system, an indebtedness of \$2.7 million in 1990 and \$2.7 million in 1991 was assumed.

Proponents' Testimony:

Jeff Baker, Commissioner of Higher Education, said integrating all segments of the higher education system seemed a worthy idea so the concept was explored. **Mr. Baker** said he had visited all three campuses to talk with the community college presidents and representatives from their boards of trustees, discussing issues such as local control. He said **SB 396** represents a synthesis of the entire process.

Mr. Baker stressed the fact this is an invitation to the junior colleges rather than a power play by the Regents. He explained the Regents had neither the authority nor desire to make this a power play; in fact, the Regents have differing opinions from the majority group who voted to extend the invitation.

Mr. Baker said it makes educational sense to proceed with the idea in **SB 396** and recounted the Board of Regents and Commissioner's Office support of Governor Racicot's budget provision for \$1.7 million for FY '97 to affect this merger. He said educationally he was a strong proponent of **SB 396**, but fiscally he was not a supporter because of the potential \$18 million cut to the university system. However, **Mr. Baker** expressed support for **SB 396** because the local autonomy is maintained while the management system is integrated.

SEN. ROBERT "BOB" BROWN, SD 40, Whitefish, said he was a co-sponsor of **SB 396** because prior to the vo-techs joining in 1990, the university system was disorganized. In 1994, the university system was divided into two universities (Montana State University and University of Montana, both with satellites) and what remains today are the three community colleges which are unattached. He said **SB 396** would implement the third and final phase of the university system reorganization. **SB 396** is the result of a long collaborative effort among faculty, students and administration of all three community colleges.

He said **SB 396** is designed to protect the community colleges' unique educational mission which focuses on the communities as well as students within the community. **SEN. BROWN** urged support for **SB 396** because the community colleges would become a part of a coherent system of higher education in Montana.

Judson Flower, President, Miles Community College, said SB 396 represents final resolutions to the identity concerns which Miles Community College had. He said one of the prime motivations for MCC joining the university system was the increase in out-of-county students; in fact, statistics for the last three years showed 43% of the students were not from Custer County. **Mr. Flower** explained Custer County bears the financial burden (40+ mills) of educating these out-of-county students; therefore, becoming part of the university system would be advantageous.

Mr. Flower listed other motivations for joining: (1) Uniformity of governance; (2) Improvement of the image of perceived troublesome transfer of credits; (3) Membership of a system instead of standing alone; (4) Student image enhancement.

He expressed support for SB 396 and for becoming a part of the university system.

Don Kettner, President, Dawson Community College, thanked **Jeff Baker** and the others who were instrumental in putting SB 396 together. He said 54% of their students came from outside Dawson County, which really makes DCC a state institution. **Mr. Kettner** declared even though the fiscal picture looks grim, DCC would pledge to continue dialogue concerning the merger.

Walt Nolte, Dean of Instruction, Flathead Valley Community College, said their board voted unanimously to accept the invitation to join the university system. He said only about 6% of the students come from outside the district; nevertheless, FVCC considers itself a state agency.

Pat Haffey, Senior Policy Advisor, Governor's Office, declared the Governor's Office supports both the policy and budget aspects of SB 396.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

SEN. MIGNON WATERMAN asked for clarification of SB 396 -- was the request for merger or courtship. **Jeff Baker** said the invitation was a merger with a governance structure within the university system.

SEN. WATERMAN asked about the infrastructure needs of the community colleges campuses as they related to the \$1.7 million cost and was told by **Rod Sundsted, Commissioner of Higher Education, Financial Affairs,** the \$1.7 million was made up of debt service and part of the local levy. He also said it was expected student tuition would be 30% of the expenditure-per-student, which would offset some of the cost. **SEN. WATERMAN** was concerned about staff and structure changes. **Mr. Sundsted** stated the changes in staff salaries would not be significant, and as for the structure changes, maintenance and operating costs were

included in the budget and he was unaware of any cost beyond that. **SEN. WATERMAN** asked whether the 1.5 mills would continue within the county, and was told it would.

SEN. LOREN JENKINS asked about the budget cut for the university system and **Jeff Baker** replied the budget was in the Education Appropriations Subcommittee and was reduced by \$18 million. **SEN. JENKINS** asked for further clarification and **Jeff Baker** said the '97 biennium state support was \$18 million less than the '94 base; however, when tuition was added, the budget was 4% above the '94 base.

SEN. JENKINS asked whether the community college employees would be part of the university retirement system. **LeRoy Schramm, Montana University System**, explained the ongoing faculty would have the option of staying with TRS or changing to the optional retirement program through the Regents. New employees would be required to join the retirement program through the Regents, unless they had been part of TRS in their former employment.

SEN. JENKINS asked if the changeover would require more money in the retirement fund and **Mr. Schramm** said the costs would remain about the same. **SEN. JENKINS** asked if there was an unfunded liability and **Mr. Schramm** said the state retirement system had an unfunded liability but the optional retirement program did not because it was an annuity rather than fixed benefit program.

SEN. DELWYN GAGE asked how much active student recruitment was being done. All three community college representatives said it was minimal. MCC's strongest programs are the registered nursing program and college preparation program while DCC's strongest programs are the two-year law enforcement, agri-science and parts management for Car Quest, etc. FVCC draws most of its students from within the district.

SEN. GAGE asked what percentage of the tuition costs cover the total and was told FVCC was 27%; DCC was 19% and MCC was between 18-20%. **SEN. GAGE** also wondered how the tuition dollar amount of the community colleges compared with that of the university system members. **Jeff Baker** said Bozeman or Missoula was about \$2,300. **Mr. Flower** said MCC's tuition structure was three-tiered: (1) District; (2) Out-of-state (full cost); (3) Out-of-district (50% of the cost). **Mr. Kettner** said DCC's tuition charge was \$840 in-district, \$1,200 out-of-district and \$4,163 out-of-state. **Mr. Nolte** said FVCC's tuition was \$1,008. **SEN. GAGE** commented the local support must have been very good and **Mr. Flower** said people in his district affirmed the advantages of a community college within the boundaries and the 40 mill tax levy didn't seem to be a problem.

SEN. CASEY EMERSON asked for affirmation of his understanding of the change in tuition rates when the merger takes place. **Mr. Kettner** said the rise in tuition would be substantial for the in-district student. **SEN. EMERSON** asked how long it would

ultimately take to solve the problem of credit transfer. **Mr. Kettner** said articulation agreements were in place for every campus.

SEN. BARRY "SPOOK" STANG asked about FVCC's arrangement with Libby regarding the assessment of mills. **Mr. Nolte** replied Libby was assessed a separate millage rate. **SEN. STANG** asked if the entire Lincoln county would be assessed 1.5 mills and **Mr. Nolte** replied in the affirmative, adding the whole county is presently assessed 1 mill.

SEN. STANG wondered if the tuition on the Libby campus would be raised and **Mr. Nolte** replied tuition was presently about \$1,000 and would be raised to about \$1,300.

SEN. STEVE DOHERTY asked how the mill reduction would translate into dollars. **Mr. Flower** said it would be approximately \$1.7 million. **SEN. DOHERTY** asked what would happen if the merger were approved but paid by the local communities at the same mill level. **Mr. Flower** said it would be difficult to sell local control which included finances but omitted governance. **Mr. Kettner** and **Mr. Nolte** both concurred.

SEN. DOHERTY asked for verification of his understanding of the property tax reduction of \$1.3 million in Flathead County. **Mr. Nolte** affirmed.

Closing by Sponsor:

SEN. ARNIE MOHL said the total reduction would be \$2.8 million. He said since comments regarding the merger of vo-techs and the university system have been positive, it would seem community colleges joining the university system would be positive also. **SEN. MOHL** ended his closing statement by distributing copies of Amendments SB039601.ACE. **EXHIBIT 1**

EXECUTIVE ACTION ON SENATE 396

Motion/Vote: **SEN. DELWYN GAGE** MOVED TO ADOPT AMENDMENTS SB039601.ACE. MOTION CARRIED BY UNANIMOUS VOICE VOTE.

Motion: **SEN. GARY FORRESTER** MOVED DO PASS SB 396 AS AMENDED.

Discussion: **SEN. WATERMAN** stated she could not cast a vote unless she saw a fiscal note, which was not yet ready, and she understood the contingent voidness was \$2.1 million instead of \$1.7 million. She asked for verification of her understanding even if SB 396 passed both Houses, if the funding were not there, SB 396 would die. Several committee members concurred.

SEN. DOHERTY commented if the university system does not receive its funding, it should be possible for them to void the invitation for merger to the community colleges.

SEN. STANG asked why the university system needed \$18 million to accomplish this merger, when it is supposed to cost between \$1.7 and \$2.1 million. **CHAIRMAN DARYL TOEWS** said the university system wants a certain amount of money and the assimilation of the community colleges would partially use those funds. The university system is unwilling to use their money for that purpose.

SEN. STANG wondered about the \$1.7 million and **SEN. TOEWS** said it referred to building.

{Tape: 1; Side: B;}

Vote: Motion to DO PASS SB 396 AS AMENDED FAILED 6-4 by voice vote, with **SEN. EMERSON, SEN. FORRESTER, SEN. GAGE AND SEN. MESAROS** voting "Yes."

Motion/Vote: **SEN. MIGNON WATERMAN** MOVED TO TABLE SB 396 AS AMENDED. Motion PASSED 9-1 on a voice vote, with **SEN. FORRESTER** voting "No."

EXECUTIVE ACTION ON SENATE BILL 370

Eddy McClure distributed and explained copies of Amendments SB037001.AEM. (EXHIBIT 2).

Motion/Vote: **SEN. JOHN HERTEL** MOVED TO ADOPT AMENDMENTS SB037001.AEM. Motion CARRIED UNANIMOUSLY by voice vote.

SEN. TOEWS explained Amendments Sb037002.AEM. (EXHIBIT 3).

Discussion: **SEN. WATERMAN** asked how the second amendment of Sb037002.AEM could be effective if the charter school began in the second year of the bargaining agreement. **SEN. TOEWS** said it couldn't unless a waiver could be negotiated with the bargaining unit. **SEN. WATERMAN** said she favored the first amendment because if the teachers are sold on the idea of a charter school, the union could not deny them their request.

SEN. EMERSON commented the local school board should be allowed to decide which they would like to use.

SEN. GAGE wondered for whom the provisions would have to be waived -- all teachers or just the teachers in the charter school. **SEN. TOEWS** said it would affect only the charter school teachers, but 51% of the union would have to agree.

SEN. WATERMAN asked if the language could be combined to leave the intent that as long as the charter is in effect, the waiver for the teachers is also in effect, i.e. could the waiver affect the next bargaining agreement.

Motion/Vote: **SEN. MIGNON WATERMAN MOVED TO ADOPT AMENDMENTS Sb037002.AEM WITH ADDED LANGUAGE.** Motion **CARRIED** 9-1 by voice vote, with **SEN. TOEWS** voting "No."

(EXHIBITS 2 & 3 are rewritten and combined into **EXHIBIT 4**).

Motion/Vote: **SEN. MIGNON WATERMAN MOVED DO PASS SB 370 AS AMENDED.** Motion **CARRIED** by **UNANIMOUS** voice vote.

EXECUTIVE ACTION ON SENATE BILL 351

Discussion: **SEN. STANG** said Amendments SB035101.AEM (**EXHIBIT 5**) address the allocation concept as opposed to the grant concept, which was how **SB 351** was originally written. He reminded the committee of the concern expressed by the rural schools during the hearing. **SEN. STANG** then deferred to **Madalyn Quinlan, OPI**, for further explanation of the amendments.

SEN. TOEWS asked how the individual school district allocation was calculated. **Ms. Quinlan** said the BASE budgets of each school district were added together for a total of \$576 million. The allocation was figured on the ratio of the individual district's BASE budget to the entire BASE budgets. That percentage was multiplied by the available funds.

SEN. WATERMAN clarified this was one-time money which would be distributed over four years, and asked what the per-pupil distribution would be. **Ms. Quinlan** said it was approximately \$30/student, based on \$4.5 million.

SEN. WATERMAN also asked for clarification if schools would need to submit a plan in order to receive the funds, and when received, would it be mandatory that the monies be used for technology. **Ms. Quinlan** replied a plan would not have to be submitted but the monies would have to be spent on technology, according to New Section 3.

SEN. EMERSON wondered what would happen to the money if **SB 351** did not pass. **Ms. Quinlan** said it would go into the state General Fund budget.

SEN. GAGE said he understood these funds were already in the Governor's proposal for funding the BASE program; therefore, if the technology fund monies come from the BASE program, it will be necessary to replace them with more General Fund monies.

SEN. WATERMAN said she favored the grant concept because schools are forced to think about and plan how the money will be used before applying for the grant. She said it was her experience the application was not a burdensome process.

SEN. STANG commented the pros of the grant concept is the mandatory plan and application while the cons are OPI must administer the grant which may result in small schools getting nothing.

Motion: SEN. BARRY "SPOOK" STANG MOVED DO PASS SB 351.

Discussion: SEN. GAGE asked if SB 351 needed a contingent voidness and SEN. STANG said if one of the House Bills did not pass, SB 351 would be void. On the other hand, if both bills pass, \$5 million would have to be taken from the General Fund to place into the equalization fund. The schools would be mandated to spend this money on technology.

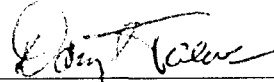
Vote: Motion DO PASS SB 351 FAILED 5-5 on a roll call vote.

EXECUTIVE ACTION ON SENATE JOINT RESOLUTION 13

Motion/Vote: SEN. BARRY "SPOOK" STANG MOVED SJR 13 DO PASS.
Motion CARRIED by UNANIMOUS voice vote.

ADJOURNMENT

Adjournment: The meeting adjourned at 2:50 p.m.



SEN. DARYL TOEWS, Chairman



JANICE SOFT, Secretary

DT/jes

MONTANA SENATE
 1995 LEGISLATURE
 EDUCATION AND CULTURAL RESOURCES COMMITTEE

ROLL CALL

DATE 2/17/95


NAME	PRESENT	ABSENT	EXCUSED
SEN. JOHN HERTEL, VICE CHAIRMAN	✓		
SEN. DELWYN GAGE	✓		
SEN. KEN MASAROS	✓		
SEN. STEVE DOHERTY	✓		
SEN. MIGNON WATERMAN	✓		
SEN. BARRY "SPOOK" STANG	✓		
SEN. LOREN JENKINS	✓		
SEN. GARY FORRESTER	✓		
SEN. C.A. CASEY EMERSON	✓		
SEN. DARYL TOEWS, CHAIRMAN	✓		


SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 17, 1995

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration SJR 13 (first reading copy -- white), respectfully report that SJR 13 do pass.

Signed: 
Senator Daryl Toews, Chair


SA Amd. Coord.
Sec. of Senate

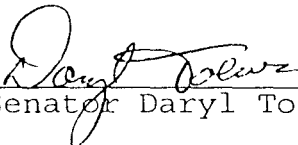
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SENATE STANDING COMMITTEE REPORT

Page 1 of 3
February 17, 1995

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration SB 370 (first reading copy -- white), respectfully report that SB 370 be amended as follows and as so amended do pass.

Signed: 
Senator Daryl Toews, Chair

That such amendments read:

1. Page 2, line 13.

Following: "school"

Insert: "that operates under the control of the trustees but is independent from other school programs of the district"

2. Page 2, line 22.

Page 3, lines 4 and 16.

Strike: "collective bargaining provisions,"

3. Page 2, line 27.

Following: "education"

Insert: ", including accreditation standards"

Strike: "collective bargaining provisions,"

Insert: "or"

4. Page 2, lines 28 and 29.

Following: "20-7-111" on line 28

Strike: remainder of line 28 through "5]" on line 29

5. Page 3, line 1.

Following: "school"

Insert: "and when the full-time teachers in the proposed charter school demonstrate support for the charter by a majority vote"

6. Page 3, line 2.

Following: ";"


Strike: "and"

7. Page 3, line 5.

Following: "charter"

Insert: "; and

(c) on behalf of the charter school, apply to and seek approval from the recognized exclusive representative for a waiver of the collective bargaining provisions that conflict with


Amd. Coord.
80 Sec. of Senate

411628SC.SRF

a provision of the charter. Waiver of any provision of the collective bargaining agreement regarding the certified employees of the charter school must be by the mutual consent of the parties prior to submitting the petition to the board of public education"

8. Page 3, line 8.

Strike: "may"

Insert: "shall"

9. Page 3, line 24.

Following: " ;"

Strike: "and"

10. Page 3, line 26.

Following: "employees"

Insert: " ; and"

(c) retain any right to just cause contained in school district policy, a collective bargaining agreement, or an individual contract entered into between the employee and the school district before the establishment of the charter school"

11. Page 3, line 30 through page 4, line 2.

Strike: subsection (3) in its entirety

12. Page 4, line 10.

Following: "(a)"

Insert: "(i)"

Following: "at"

Strike: "any time"

Insert: "the end of a school year if notification is given to the board of public education and affected parties before May 1; or"

(ii) discontinue the operation of a charter school at any time during the year if the board of public education grants approval following a determination by the board that circumstances justify discontinuation"

13. Page 4, line 14.

Following: "school"

Strike: "-- appeal"

Strike: "(1)"

14. Page 4, line 17.

Strike: "(a)"

Insert: "(1)"

15. Page 4, line 18.

Strike: "(b)"

Insert: "(2)"

16. Page 4, lines 19 and 20.

Strike: subsection (2) in its entirety

-END-

MONTANA SENATE
 1995 LEGISLATURE
 EDUCATION AND CULTURAL RESOURCES COMMITTEE
 ROLL CALL VOTE

DATE 2/17/95 BILL NO. SB 351 NUMBER 1

MOTION: DO PASS SB 351

NAME	AYE	NO
SEN. JOHN HERTEL, VICE CHAIRMAN		✓
SEN. DELWYN GAGE		✓
SEN. KEN MASAROS	✓	
SEN. STEVE DOHERTY	✓	
SEN. MIGNON WATERMAN	✓	
SEN. BARRY "SPOOK" STANG	✓	
SEN. LOREN JENKINS		✓
SEN. GARY FORRESTER	✓	
SEN. CASEY EMERSON		✓
SEN. DARYL TOEWS, CHAIRMAN		✓

Amendments to Senate Bill No. 396
First Reading Copy

Requested by Senator Mohl
For the Senate Committee on Education and Cultural Resources

Prepared by Connie Erickson
February 15, 1995

1. Page 1, line 23.
Strike: "certification"
Insert: "certificate"

2. Page 6, line 20.
Following: "Helena,"
Strike: "and"
Following: "Kalispell"
Insert: ", and Libby"

3. Page 22, line 5.
Strike: the first "and"
Following: "Kalispell"
Insert: ", and Libby"

4. Page 23, line 23.
Following: "Kalispell,"
Insert: "Libby,"

Amendments to Senate Bill No. 370
First Reading Copy

Requested by Senator Toews
For the Senate Committee on Education and Cultural Resources

Prepared by Eddy McClure
February 16, 1995

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5. Page 3, line 1.

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Insert: "and when the full-time teachers in the proposed charter school demonstrate support for the charter by a majority vote"

6. Page 3, line 8.

Strike: "may"

Insert: "shall"

7. Page 3, line 24.

Following: " ; "

Strike: "and"

8. Page 3, line 26.

Following: "employees"

Insert: " ; and

(c) retain any right to just cause contained in school district policy, a collective bargaining agreement, or an individual contract entered into between the employee and the school district before the establishment of the charter school"

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Insert: "(i)"

Following: "at"

Strike: "any time"

Insert: "the end of a school year if notification is given to the board of public education and affected parties before May 1; or

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Strike: "(a)"

Insert: "(1)"

13. Page 4, line 18.

Strike: "(b)"

Insert: "(2)"

14. Page 4, lines 19 and 20.

Strike: subsection (2) in its entirety

Amendments to Senate Bill No. 370
First Reading Copy

Requested by Senator Toews
For the Senate Committee on Education and Cultural Resources

Prepared by Eddy McClure
February 16, 1995

1. Page 3, line 2.
Following: ";"
Strike: "and"

2. Page 3, line 5.
Following: "charter"
Insert: "; and

(c) apply on behalf of the charter school to and seek approval from the recognized exclusive representative for a waiver of the collective bargaining provisions that conflict with a provision of the charter. Waiver of any provision of the collective bargaining agreement must be by mutual consent of the parties prior to submitting the petition to the board of public education"

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February 16, 1995

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Insert: "the end of a school year if notification is given to the board of public education and affected parties before May 1; or

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Strike: "-- appeal"

Strike: "(1)"

14. Page 4, line 17.

Strike: "(a)"

Insert: "(1)"

15. Page 4, line 18.

Strike: "(b)"

Insert: "(2)"

16. Page 4, lines 19 and 20.

Strike: subsection (2) in its entirety

Amendments to Senate Bill No. 351
First Reading Copy

Requested by Senator Stang
For the Senate Committee on Education and Cultural Resources

Prepared by Eddy McClure
February 17, 1995

1. Title, line 6.

Strike: "PROVIDE GRANTS"

Insert: "ALLOCATE FUNDS"

2. Title, lines 8 and 9.

Following: "TAX;" on line 8

Strike: remainder of line 8 through "FORCE" on line 9

Insert: "ESTABLISHING A DISTRICT TECHNOLOGY ACQUISITION FUND;
PROVIDING LIMITS ON THE USE OF FUND MONEY AND REQUIRING
TRANSFERS TO THE FUND TO BE WITHIN THE ADOPTED GENERAL FUND
BUDGET"

3. Title, line 10.

Strike: "PROVIDE GRANTS"

Insert: "ALLOCATE FUNDS TO A DISTRICT"

4. Page 1, lines 13 through 20.

Strike: lines 13 through 20 in their entirety

5. Page 1, line 30.

Strike: "3"

Insert: "2"

6. Page 2, lines 4 through 12.

Strike: section 2 in its entirety

Renumber: subsequent sections

7. Page 2, line 14.

Following: "technology"

Strike: "grants"

Insert: "allocations"

Following: "purpose"

Strike ~~Insert: "-- application for grants"~~

8. Page 2, lines 22 through 29.

Strike: subsections (2) and (3) in their entirety

Renumber: subsequent subsection

9. Page 3, line 1.

Following: "(a)"

Strike: remainder of line 1 through "process"

Insert: "allocate the funds available from the educational
technology trust fund to each school district based on the
ratio that each district's BASE budget amount bears to the

statewide BASE budget amount for all school districts multiplied by the amount of funds available for distribution in the education technology trust fund"

10. Page 3, lines 2 and 3.

Following: "(b)"

Strike: remainder of line 2 through "proposals" on line 3

Insert: "distribute the funds available by November 30 of the school year to each district that has submitted a final budget to the superintendent of public instruction pursuant to the provisions of 20-9-130. The funds distributed under this subsection (2)(b) must be deposited in the district's technology acquisition fund"

11. Page 3, line 5.

Insert: "NEW SECTION. Section 3. District technology acquisition fund -- limitations. (1) The trustees of a district may establish a technology acquisition fund for school district expenditures for:

(a) acquisition, through rental or purchase, of computer equipment and services, telecommunications services and equipment, and educational software materials;

(b) training of school district personnel in the use of educational technologies to enhance teaching and learning; and

(c) site preparation related to the use of educational technology in school districts.

(2) The trustees of a district shall fund the budget for ~~the technology acquisition fund~~ by transferring money from the district fund, within the adopted budget, and with the state money received under [section 2].

(3) Whenever the trustees of a district determine that an amount of revenue is required for a technology acquisition fund budget, the trustees shall:

(a) when the trustees establish the fund, adopt a resolution stating the reasons and purpose for financing a technology acquisition fund budget;

(b) adopt a budget for the technology acquisition fund that does not exceed 2% of the school district's ~~total~~ ^{total} general fund budget ~~adopted for the ensuing school fiscal year~~; and

(c) report the technology acquisition fund budget to the county superintendent on the regular budget form prescribed by the superintendent of public instruction in accordance with 20-9-103.

(4) The trustees of a district may not use revenue in the technology acquisition fund to finance contributions to the teachers' retirement system, the public employees' retirement system, or the federal social security system or for unemployment compensation insurance."

Renumber: subsequent sections

12. Page 5, line 14.

Following: "districts"

Strike: "for educational technology grants"

13. Page 5, line 15.

Following: "fund" *to deposit in*

Insert: "~~and~~ the district technology acquisition fund"

Strike: "through"

Insert: "and"

14. Page 5, lines 22 and 23.

Following: "**Codification**" on line 22

Strike: "**instruction**"

Insert: "**instructions**"

Following: "." on line 22

Insert: "(1)"

Following: "1" on lines 22 and 23

Strike: "through 3"

Insert: "and 2"

15. Page 5, line 24.

Insert: "(2) [Section 3] is intended to be codified as an integral part of Title 20, chapter 9, part 5, and the provisions Title 20, chapter 9, part 5, apply to [section 3]."

DATE 2-17-95

SENATE COMMITTEE ON Education

BILLS BEING HEARD TODAY: SB 396,

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Check One

Name	Representing	Bill No.	Support	Oppose
VADSON H. FLOWER	MILES COMMUNITY COL.	SB 396	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DON KETTNER	Dawson Com College	SB 396	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Walt Nolte	Flathead Valley C.C.	SB 396	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pat Haffey	Laramie Office	SB 396	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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