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### Minutes of the fourteenth meeting of the Education and Public Lands Committee

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# MONTANA CONSTITUTIONAL CONVENTION

STATE CAPITOL • HELENA, MONTANA 59601 • TELEPHONE 406/449-3750

## EDUCATION AND PUBLIC LANDS COMMITTEE

Place of Meeting: Room 436

Date Meeting Held: 2/2/72  
Hour Meeting Held: 11:00 A.M.

Committee Chairman: Richard Champoux

### MINUTES OF THE FOURTEENTH MEETING OF THE EDUCATION AND PUBLIC LANDS COMMITTEE

SUBJECT OF MEETING: Community College - Vocational Rehab  
Office of State Superintendent

#### Roll Call:

Richard Champoux	<u>Present</u>
Robert Noble	<u>Present</u>
Lloyd Barnard	<u>Present</u>
William Burkhardt	<u>Present</u>
Marjorie Cain	<u>Present</u>
Max Conover	<u>Present</u>
Carl Davis	<u>Present</u>
Gene Harbaugh	<u>Present</u>
Dan Harrington	<u>Present</u>
Robert Woodmansey	<u>Present</u>

#### INTERESTED PERSONS TESTIFYING

Dr. Larry Blake - Flathead Valley Community College  
Vern Kailes - Miles City Community College  
Jim Hoffman - Dawson County Community College  
Arthur Hart - Vocational Rehabilitation  
Dolores Colburg - State Superintendent  
Jack Gunderson - Power, Montana  
Leroy Corbin - Montana Federation of Teachers  
Chadwick Smith - Montana School Board Association  
Rosemary Boschert - Billings, Montana

Dr. Larry Blake, President of the Flathead Valley Community College was introduced as the first speaker. He introduced the other two Community College Presidents who were present. He said at present there are approximately 1100 community colleges in the United States. He said there is a movement toward universal higher education. He stated vocational education is the prime role. He said they were in favor of two boards, one for elementary and secondary and one for post secondary under which community colleges would fall. He felt that instead of the State Board having governance of the school it should be left to the local board. He felt the community colleges and the Vo Tech schools along with the universities could all function under one board if they keep their uniqueness.

Next, Mr. Vern Kailes from Miles City Community College spoke. He essentially agreed with Dr. Blake.

Mr. James Hoffman, Dawson County Community College also agreed with what Dr. Blake had said. He said his major concern was not with the number of boards but with the clear delination of their powers and duties.

Mr. Arthur Hart, representing Vocational Rehabilitation Services Division testified next. He said this division gives service to handicapped people of employable age. In the present constitution there is no mention of vocational rehabilitation. He read a proposal written by the division which they would like to see included in the constitution. A copy of this is attached.

The hearing on community colleges and vocational rehabilitation was concluded at this time.

Mr. Davis said he would like to have it in the record that the Chairman is doing a tremendous job.

The meeting was then recessed until 1:30 p.m.

Upon resuming the chairman asked what the committee thought about the Convention recessing. There was a general discussion on having a recess before the debate but with a tentative draft. Mr. Davis felt that we should speed up our schedule so we have a little time at the end. The committee was pretty well divided as far as the recess goes. Three for a recess, six against a recess and one had no preference.

At this time the committee moved to the Senate Chambers for a public hearing on the office of the State Superintendent.

First to speak was Jack Gunderson, State Representative from Power, Montana. He supported the election of the State Superintendent with the Board to be appointed. The Governor would appoint one person to represent the universities, one for vocational education and one for higher and elementary education. The Superintendent would have veto power over the Board. He said there must be a decision made on the financing of education in Montana, because no more money can come from taxes. He felt the Board should have the same term of office as the Governor. When a new Governor is elected so is a new board appointed.

Dolores Colburg, State Superintendent of Public Instruction was next to testify. A copy of her statement is attached. She felt the superintendent should be on the Board, but not as a voting member. She said the chief goal of the Board was to promote coordination and communication.

Mr. Leroy Corbin representing the Montana Federal of Teachers spoke next. He felt the appoint of a State Superintendent was appalling. He felt it was the right of the people to vote for the future of their children. He felt the board should be appointed .

Mrs. Rosemary C. Boschert, a housewife from Billings testified next. A copy of her testimony is attached.

Mr. Chadwick Smith, Helena attorney representing the Montan School Board Association spoke next. He was in favor of the appointment of the State Superintendent by the State Board of Education. He felt that by appointing the superintendent you would get the highest quality available. The Board should make the policies and the superintendent should administer them.

This concluded the hearing. The committee then went into deliberations.

There was general discussion on delegate proposals. Mr. Woodmansey volunteered to work with the Executive Committee on the election or appoint of the State Superintendent.

The committee then started through Article 11, section by section.

Section 1. Proposal # 68 was read. They got rid of section 7 entirely, and they eliminated the age limit in section 1. The chairman made a presentation of some points he felt were left out of the present constitution. It was felt that primary and secondary education should be included.

Section 2 - no change.

Section 3 - so far as possible, in public securities within the state, including school district bonds, should be deleted. The word possible may be misintpreted.

Section 4 - the word "exchange" should be added. The question was asked if anyone else should be on the board. The State Lands Commissioner or the Investment Commissioner were suggested. Mr. Harbaugh felt that the term public lands should maybe be called school lands.

Section 5 - the changes in proposal #68 and #49 were read. The question was asked if the committee should do anything about the 2 1/2%, since there is no mention of it in the present constitution. If there is no mention of it in a few years the legislature may raise it further. Mr. Harbaugh felt that all school lands would not be improved. It was felt the age limit should be deleted and also "six months" should be deleted. Mr. Davis also felt the word "several" in line 4 should be omitted, since some school districts shouldn't get any money.

Lacey Watson  
Secretary

Richard Harbaugh  
Chairman