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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
Senate Chambers

Date Meeting Held: 2/8/72
Hour Meeting Held: 9:45 P.M.

Committee Chairman: Richard Champoux

MINUTES OF THE TWENTY-FIRST MEETING OF THE EDUCATION AND
PUBLIC LANDS COMMITTEE

SUBJECT OF MEETING: Delegate Proposal #146 - Investments - Financing

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

Daphne Bugbee - Delegate proposal #146
James Howeth - Board of Investments
Mrs. King - Board of Regents
Mr. French - Board of Regents
Mr. Mielke - Board of Regents
Lloyd Markell - MEA
Raymond Hokanson - Montana Assoc. of School Admin.
John Campbell - MSBA
Dolores Colburg - State Superintendent
Mr. Billings - Office of Public Instruction
Mike Meloy - Office of Public Instruction
C. R. Anderson - Dillon, Montana
John Ray - Hamilton, Montana

The first order of business was delegate proposal #146 presented by Daphne Bugbee. Her proposal provides for a 12 member board of Regents appointed by the Governor from a list submitted by a nominating committee.

The next order of business was a hearing on Investments.

Mr. James Howeth, from the Board of Investments was first to testify. He said executive re-organization created this Department in August. This centralized all the investments for the State. He said if something on investments were to be put into the constitution the Board would lean toward the prudent man, but they would prefer no mention at all. The investment aspects change so rapidly that he would hate to see something restrictive in it in a few years. He said he would like to see the Trust and Legacy Fund out of the Constitution as it has never been set up to operate under the constitution. Three funds were established by the Constitution, school fund, revenue fund and state fund, and only the school fund is really considered. He stated that the Board consisted of five members. When asked what he felt about Article 11, section 3 he said he doesn't think it is too restrictive, but doesn't think it is needed in the constitution. Before this Board was established the individual agencies handled the investments on their own.

Next, the chairman introduced several members of the Board of Regents. Mr. French spoke on the matter of boards. He felt it would be better to keep it as one board. He felt there would be lack of coordination if there were two boards; He felt the present board could be a little larger. He would have no objections to not having ex-officios on the board, or to the board appointing the Superintendent.

Mrs. King: She said she was concerned that if we have two boards that we may end up with three boards because of Vo-Tech. One problem that could be avoided is to not have elected officials as voting members.

Lloyd Markell representing the Montana Education Association testified next. He restated the MEA's position, which was to retain the present provision. They do not want the legislature to set the funds.

At 1:30 P.M. the committee convened in the Senate Chambers for a hearing on Revenue and Finance joint with the Revenue and Finance Committee.

The first speaker was Ray Hokanson representing the Montana Association of School Administrators. A copy of his statement is attached.

Next, to speak was John Campbell representing the Montana School Boards Association. He said allow the legislature freedom in taxation. Give them the latitudes to do their job well. He felt in section 1 and 6 the words the Legislature must provide money for maintenance of free public schools should be retained. He felt the flat grants of the I & money is obsolete and should be deleted and to add this money to the equalization money to disperse it. He felt the permanent school funds should be retained.

Mr. Lloyd Markell representing the Montana Education Association spoke again. He said the main problem is to provide for Montana an equal educational opportunity. He felt the barriers for funding had to be removed, which are the 2 mill levy property tax and the statewide tax for local use.

He suggested that the 3 month limit be deleted in Section 6. He felt the distribution of the money should remain the same but to lower the age limit to 5.

The State Superintendent, Dolores Colburg testified next along with Mr. Billings from her office. She said there is a working draft on alternate methods of financing education. She said this is mainly a legislative matter. Delete what now is in the constitution if will hinder the legislature. She felt that in article 5 the distribution of the I & I funds should be deleted and left to the legislature, and to leave the maintenance of the 95 -5% to the legislature. They felt that in Section 6-3 months should be deleted and to add as prescribed by law. Section 9 - remove 2 mill state wide in article 12.

Next to speak was Mike Meloy also from the Office of Public Instruction. His statement dealt with the existing foundation program. Article 12, Section 9 is unequal because it is easier for the rich to get the money than the poor.

Mr. C. R. Anderson from Dillon spoke on the inequality of property taxes. He said everyone is entitled to the foundation program, and the state has basic educational responsibilities as it is their duty to fund.

Mr. John Ray from Hamilton spoke next. He said the Catholics money go to support public schools and he felt they should have a kick back to support their own schools. He felt Section 9 should remain as is. He felt the right of the minorities should and must be protected.

The next order of business was to hear testimony on Delegate Proposals.

Marian Erdmann spoke first. The proposal #29 dealt with the combining of elections. She said Local Government was already dealing with this.

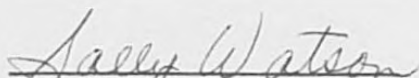
David Hoffman, State Librarian testified next on proposal #130. His statement is attached. Lucille Speer also spoke to this proposal. She said public libraries are very important institutions for continuing education.

Mr. Chet Blaylock spoke on his proposal #49. He said the distribution of I & I monies is grossly unfair since larger cities are getting more than their fair share. He felt the legislature could write into the Foundation Program some way to equalize the program.

Mae Nan Robinson spoke next on Delegate Proposal #128 which deals with the Board of Regents. In this she deleted the ex officio members. She wanted a student on the Board with voting powers. She felt most definitely that a student should have some say on this board.

George Rollins spoke next on #85 concerning corporate body on the Board of Regents. His statement is attached.


Chairman


Secretary