

MINUTES

**MONTANA SENATE
57th LEGISLATURE - REGULAR SESSION
SUB-COMMITTEE ON EDUCATION AND CULTURAL RESOURCES**

Call to Order: By **SUB-COMMITTEE CHAIRMAN JACK WELLS**, on February 2, 2001 at 11:05 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jack Wells, Chairman (R)
Sen. Alvin Ellis Jr. (R)
Sen. Don Ryan (D)

Members Excused: None.

Members Absent: None.

Staff Present: Linda Ashworth, Committee Secretary
Eddy McClure, Legislative Branch

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

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 65, 1/11/2001

Discussion:

CHAIRMAN JACK WELLS opened the sub-committee meeting on SB 65 to discuss amendment (SB006508.aem), **EXHIBIT(eds27a01)**, offered by **SEN. DUANE GRIMES**.

SEN. DUANE GRIMES, SD 20, Clancy, stated the concerns of his community regarding SB 65. He contended the community was concerned with the new cap the bill would provide and the fairness that would be reflected across the state. The other concerns would involve children crossing county lines.

SEN. GRIMES informed the sub-committee that the amendment would attempt to develop a more equitable solution to tuition

agreements. The amendment would allow parents to adjust the tuition amounts based on the taxable value of the house in the receiving district. **SEN. GRIMES** explained that a \$100,000 house in Jefferson County would be charged \$200 with the current discretionary mills in Lewis and Clark County.

SEN. ALVIN ELLIS asked if this would be for high school students and **SEN. GRIMES** agreed.

SEN. GRIMES purported that his community thought this would be a fair tuition payment. He contended that he had discussed the amendment with school officials in Helena and maintained the amendment would not jeopardize the compromises in SB 65.

SEN. ELLIS wondered if the amendment referred to the discretionary levy, which would be everything above 80%. **Eddy McClure** surmised the money would be everything over the 80% level.

SEN. ELLIS indicated that **REP. GRIMES** should talk to the Lewis and Clark County Treasurer. **REP. GRIMES** reported that he had not talked to the Treasurer.

SEN. ELLIS voiced his concerns that the entity that would compute the tuition would not know the valuation of the property. **SEN. GRIMES** reasoned that the parents would have to send a copy of their tax bill to the office making the calculation. He guessed that most schools would default the cost of tuition.

SEN. ELLIS questioned the idea that **SEN GRIMES'** amendment would require less work than the standard tuition level. **SEN. GRIMES** theorized that his idea would require more work. He suggested that tuition could be waived under the proposal.

SEN. DON RYAN felt that different taxable values between homes could result in different tuition levels for different children. **SEN. GRIMES** agreed with the assessment. **SEN. ELLIS** guessed that most property value would not push tuition above the suggested rate. He stated his concern that the proposal would be very complicated.

SEN. RYAN postulated that a base rate could be set for tuition or the tuition could be figured on the property tax multiplied by the mills. **SEN. GRIMES** agreed as long as the tuition would not be waived.

SEN. GRIMES suggested the intention of the amendment would be per household, not per child.

SEN. ELLIS wondered if Boulder sent a school bus to North Jefferson County. **SEN. GRIMES** said that Boulder did run a bus to Montana City.

SEN. GRIMES reported that the tuition for the student crossing county lines would be one amount, regardless of the number of children in the household. **SEN. WELLS** affirmed the wording in the amendment would refer to each child. He questioned whether **SEN. GRIMES** should suggest additional wording that would change the wording from, "per child" to "per household". **SEN. GRIMES** stated that he would leave it to the discretion of the committee.

SEN. GRIMES argued that the amendment would open up school choice. He stated his belief that people with larger families should not be penalized. **SEN. WELLS** offered a third alternative that would be an average decreasing rate for additional children in the household. **SEN. GRIMES** felt the idea would be complicated to draft.

SEN. ELLIS asked how many students cross the county line from Jefferson County to attend grade school in Lewis and Clark County. **SEN. GRIMES** advised the committee that no elementary students cross the line.

SEN. ELLIS speculated that problems would develop for the school districts because the amendment would substantially lower tuition payments. He wondered if the school district could charge a smaller tuition rate or waive a portion of the tuition. **Eddy McClure** reminded the committee that a school district could charge up to 20% of the ANB entitlement. She reiterated that the same rate must be charged for all entities involved.

SEN. ELLIS maintained that the school districts could already charge less for tuition. **SEN. GRIMES** agreed.

SEN. RYAN alleged that problems could arise because of the different mills and taxable evaluations between districts.

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SEN. GRIMES referred to section (b), stating that it was already in statute and suggested that the section be withdrawn from the amendment.

SEN. RYAN wondered what the impact would be to the Helena School District. **SEN. GRIMES** reminded the committee that the Helena district was not charging tuition.

SEN. ELLIS felt the Helena district would be better off by charging tuition. He asked **SEN. GRIMES** if he had talked to Superintendent Messinger. **SEN. GRIMES** affirmed that Mr. Messinger did not have a problem with the amendment because they had not intended to charge tuition.

SEN. ELLIS clarified that the Helena district was currently receiving tuition from the state. **SEN. GRIMES** concurred. **SEN. ELLIS** rationalized the Helena district would feel a financial impact from this amendment.

Eddy McClure suggested that she would make a presentation to the committee explaining the differences between mandatory and discretionary approval. She explained the previous amendments and stated that she would insert **SEN. GRIMES'** amendment into the gray bill.

{Tape : 1; Side : B; Approx. Time Counter : 0 - 20}

ADJOURNMENT

Adjournment: 11:50 A.M.

SEN. JACK WELLS, Chairman

LINDA ASHWORTH, Secretary

JW/LA