

MINUTES OF THE MEETING
EDUCATION COMMITTEE
MONTANA STATE SENATE

March 31, 1977

The thrity-third meeting of the Senate Education Committee was called to order by Senator Chet Blaylock, Chairman, on the above date, in Room 402 of the State Capitol Building at 11:00 o'clock A. M.

ROLL CALL: All members of the Committee were present.

CONSIDERATION OF HOUSE JOINT RESOLUTION No. 75: A joint resolution urging local school districts to implement energy conservation programs to better educate students in the classroom to the relationship of diminishing nonrenewable energy supplies to man's present lifestyle, to enforce energy-saving measures in public school transportation, and to construct and maintain buildings in such a manner that a menimum amount of energy is consumed during the lifetime of the buildings.

Representative Esther Bengston, District 59, on behalf of the Natural Resources Committee, sponsor of the Resolution, was called on to present her testimony. She explained the procedure the House had followed to arrive at the decision to encourage energy conservation policies be offered to students in public schools and to urge local school districts to initiate programs in their transportation departments for conserving nonrenewable energy supplies. It was suggested this be integrated into the regular school curriculum rather than have a separate designation.

There were no further proponents to the Resolution, and no witnesses appeared in opposition.

A short discussion followed relating to classroom instruction, and Rep. Bengston stated Tom Ryan, from the OSPI, had suggested an amendment which she will see is forthcoming.

The Chair closed the hearing on HJR 75.

DISPOSITION OF HOUSE BILL No. 147: A short discussion of the effect of the amendments to the Bill allowing for lease of land for 99 yrs. after a vote of the people was held.

Senator Mathers moved that House Bill 147 AS AMENDED, BE CONCURRED IN; motion was seconded and by unanimous vote, carried. Senator Warden will carry the Bill in the floor. Amendments adopted are set forth in full on the attached Standing Committee Report.

DISPOSITION OF HOUSE BILL No. 410: Discussion centered on the cost of programs for the 3-5% of the state students who are gifted in comparison to the large amount of money spent on the handicapped. Senator Thomas voiced strong opposition, stating these programs can be established now without state support, and questioned the types of subjects taught as not being academic and intellectual.

Senator Dunkle moved that House Bill 410 BE CONCURRED IN; motion was seconded and carried by majority vote, with Senator Thomas voting "no". Senator Warden will carry the Bill on the floor.

DISPOSITION OF HOUSE BILL No. 653: Discussion related to the idea of taking student instructional time when staff time could be worked out presently without this legislation if the school administration would cooperate and coordinate programs better. Rep. Estenson remarked teachers would not stay after school hours for workshops under their present contracts.

Senator Fasbender moved that House Bill 653 BE NOT CONCURRED IN; motion was seconded and carried unanimously.

DISPOSITION OF HOUSE BILL No. 485: Senator Dunkle moved that the Bill be amended on page 2, line 6 as shown on the attached Standing Committee Report; motion was seconded and carried.

Senator Mathers moved that House Bill 485 AS AMENDED, BE CONCURRED IN; motion was seconded and carried by majority vote, with Senators Blaylock and Dunkle voting "no". Senator Murray will carry the Bill on the floor.

DISPOSITION OF HOUSE BILL No. 652: Senator McCallum moved that the proposed amendments as shown on the attached Standing Committee Report BE ADOPTED; motion was seconded and carried by majority vote, with Senator Dunkle voting "no".

Senator McCallum then moved that House Bill 652 AS AMENDED, BE NOT CONCURRED IN; motion was seconded and carried by majority, with Senators Smith and Warden voting "no".

DISPOSITION OF HOUSE JOINT RESOLUTION 30: Senator Mathers moved that HJR 30 BE NOT CONCURRED IN; motion was seconded and carried by majority vote, with Senator Warden voting "no".

FURTHER CONSIDERATION OF HOUSE BILL No. 816: The amendments proposed by the OSPI were discussed at great length. Senator Thomas felt mandating policy of travel was like a blank check the school district would have to pay. Also discussed were the federal requirements relating to special ed programs and funding policies.

Senator Thomas moved the amendments as shown on the attached copy of the Standing Committee Report to page 22, lines 24, 25, and on page 23, lines 2 through 6, BE ADOPTED; motion was seconded and carried by majority, with Senator Smith voting "no".

Bob Stockton, OSPI, explained the effect of the amendments proposed by that office to clear up confusion with terminology.

Senator Fasbender moved that the proposed amendments as shown on the attached copy of the Standing Committee Report offered by the OSPI, BE ADOPTED; motion was seconded and unanimously carried.

ADJOURNMENT:

There being no further business, the meeting adjourned at 12:40 P.M.

Chet Blaylock, Chairman

NAME: Ernest H. Bengtson

DATE: 3-4-77

ADDRESS: Shepherd Mt. Home Dist #57

PHONE: _____

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: HJR 75 - Sponsor

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

OFFICE OF THE STATE SUPERINTENDENT

HELENA 59601



DOLORES COLBURN
Superintendent of
Public Instruction

April 1, 1977

To: Representative Esther G. Bengtson
From: Ralph Hay *RGHay*
Re: HJR75

Tom Ryan has requested me to develop a proposed amendment to clause one on line five, page three of the bill. I believe the amendment Tom has in mind is as follows:

i.e., to delete the word "develop" and substitute the language "utilize multidisciplinary approaches in,"

thus, the entire clause would read as follows:

"utilize multidisciplinary approaches in classroom curricula to instill in the youth of the state an awareness and appreciation of the need for energy conservation, methods of achieving energy conservation, and the relationship of man's present lifestyle to diminishing nonrenewable energy supplies and his need to integrate and reconcile energy conservation into that lifestyle;"

If you have any questions about the amendment, Representative, please do not hesitate to call me at 449-3694.

RH/rr

*Encl
here is the
amendment for HJR75*

SENATE COMMITTEE EDUCATION

Date March 31, 1977 HOUSE Bill No. 147 Time _____

1) (m-20)
10) e

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman	✓	
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle	✓	
Senator Paul Boylan	✓	
Senator Larry Fasbender	✓	
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Senator Bill Mathers moved that House Bill No. 147

BE CONCURRED IN AS AMENDED; motion was seconded and carried
by unanimous vote.

Senator Warden will carry on the floor.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

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MR. PRESIDENT,

We, your committee on EDUCATION

having had under consideration HOUSE Bill No. 147,

Respectfully report as follows: That HOUSE Bill No. 147,

Third Reading Bill, be amended as follows:

1. Amend title, line 6.

Following: "BUILDINGS"

Insert: "OR LAND"

Following: "COUNTY,"

Insert: "MUNICIPALITY,"

2. Amend title, line 6.

Following: "PERSON"

Insert: "IF PRIOR APPROVAL OF THE QUALIFIED ELECTORS OF THE DISTRICT IS OBTAINED"

3. Amend title, line 8.

Following: "75-6801,"

Insert: "75-7414,"

DO PASS

House Bill 147

4. Amend title, line 9.
Following: "AND 75-8211"
Strike: "; REPEALING SECTION 75-7214"
5. Amend page 2, section 1, line 7.
Following: "fundy"
Insert: "housing and dormitory fund,"
6. Amend page 2, section 2, line 13.
Following: "buildings"
Insert: "or land"
7. Amend page 2, section 2, line 14.
Following: "buildings"
Insert: "or land"
8. Amend page 2, section 2, line 16.
Following: "building"
Insert: "or land"
Following: "county,"
Insert: "municipality,"
9. Amend page 2, section 2, line 18.
Following: "such"
Strike: "Such"
Insert: "The"
10. Amend page 2, section 2, line 19.
Following: "(3)"
Strike: "99"
Insert: "3"
Following: "years"
Strike: "and, when"
Insert: "unless prior approval of the qualified electors of the district is obtained in the manner prescribed by law for school elections; in which case the lease may be for a term of not more than 99 years. Whenever"
11. Amend page 3, section 3, line 2.
Following: "buildings"
Insert: ", land"

House Bill 147

12. Amend page 3, section 4, line 11.

Following: "Section 4."

Strike: "Repealer."

13. Amend page 3, section 4, line 12.

Following: line 11

Strike: "repealed."

Insert: "amended to read as follows:

"75-7214. Housing and dormitory fund. (1) The trustees of any district that provides pupil or teacher housing in district-owned buildings under a lease or rental agreement with pupils or teachers or receives moneys under the provision of section 75-8211 shall may establish a housing and dormitory fund. All moneys received from such lease or rental agreements shall may be deposited with the county treasurer to the credit of the housing and dormitory fund, general fund, or the debt service fund, or any other appropriate fund. Whenever the end-of-the-year cash balance of the a housing and dormitory fund is more than three-thousand-dollars { $\$3,000$ }, such cash balance in excess of three-thousand dollars { $\$3,000$ } shall be transferred to the general fund of the district.

(2) Any expenditure of moneys from the a housing and dormitory fund shall be made for the maintenance and operation of the district-owned buildings to which the lease or rental agreements apply or for the acquisition of additional housing or dormitory facilities. The financial administration of the housing and dormitory fund shall be in accordance with the financial administration provisions of this title for a nonbudgeted fund." "

AND AS SO AMENDED, BE CONCURRED IN

Chet Blaylock, Chairman

SENATE COMMITTEE EDUCATION

Date March 31, 1977 HOUSE Bill No. 410 Time 4:10 - 10:20

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman	✓	
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle	✓	
Senator Paul Boylan	✓	
Senator Larry Fasbender	✓	
Senator Bill Thomas		✓
Senator Margaret Warden	✓	

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Senator Frank Dunkle moved that House Bill No. 410
BE CONCURRED IN; motion was seconded and carried by
majority vote, with Senator Thomas voting "no".
Senator Warden will carry on the floor.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

March 31 19 77

MR. PRESIDENT

We, your committee on EDUCATION

having had under consideration HOUSE Bill No. 410

Respectfully report as follows: That HOUSE Bill No. 410

Third Reading Bill,

~~DO NOT~~

BE CONCURRED IN

Chet Blaylock

Chairman.

SENATE COMMITTEE EDUCATION

Date March 31, 1977 HOUSE Bill No. 653 Time 5) (not in -

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman	✓	
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle	✓	
Senator Paul Boylan	✓	
Senator Larry Fasbender	✓	
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Senator Larry Fasbender moved that House Bill No. 653
BE NOT CONCURRED IN; motion was seconded and carried by
unanimous vote.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

March 31 1977

MR. PRESIDENT,

We, your committee on EDUCATION

having had under consideration HOUSE Bill No. 653,

Respectfully report as follows: That HOUSE Bill No. 653,

Third Reading Bill,

DO: PASSEX

BE NOT CONCURRED IN

SENATE COMMITTEE EDUCATION

Date March 31, 1977 HOUSE Bill No. 485 Time _____

Handwritten notes:
 1) (m - 9...)
 8) 20

NAME	YES	NO
Senator Chet Blaylock, Chairman		✓
Senator Ed Smith, Vice Chairman	✓	
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle		✓
Senator Paul Boylan	✓	
Senator Larry Fasbender	✓	
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Senator Bill Mathers moved that House Bill No. 485

BE CONCURRED IN AS AMENDED; motion was seconded and carried
by majority vote with Senators Blaylock and Dunkle voting "no".

Senator Murray will carry on the floor.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

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MR. PRESIDENT,

We, your committee on EDUCATION

having had under consideration HOUSE Bill No. 485,

Respectfully report as follows: That HOUSE Bill No. 485,

Third Reading Bill, be amended as follows:

1. Page 2, section 1, line 6.

Following: "cause"

Insert: "and to administer corporal punishment in the presence of a witness, without undue anger"

DB:PASSX

AND AS SO AMENDED, BE CONCURRED IN

Chat Blaylock
Chat Blaylock

Chairman. *BM*

SENATE COMMITTEE EDUCATION

Date March 31, 1977 HOUSE Bill No. 652 Time 1-11-0

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman		✓
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle	✓	
Senator Paul Boylan	✓	
Senator Larry Fasbender	✓	
Senator Bill Thomas	✓	
Senator Margaret Warden		✓

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Senator George McCallum moved that House Bill No. 652

BE NOT CONCURRED IN AS AMENDED; motion was seconded and carried
by majority vote, with Senators Smith and Warden voting "no".

(include enough information on motion--put with yellow copy of committee report.)

① R.
Amendment

SENATE COMMITTEE EDUCATION

Date March 31, 1977 HOUSE Bill No. 652 Time 11:55 AM

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman	✓	
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle		✓
Senator Paul Boylan	✓	
Senator Larry Fasbender	✓	
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Senator George McCallum moved that House Bill No. 652
BE AMENDED as proposed; motion was seconded and carried by
majority vote, with Senator Dunkle voting "no".

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

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MR. PRESIDENT,

We, your committee on EDUCATION

having had under consideration HOUSE Bill No. 652,

Respectfully report as follows: That HOUSE Bill No. 652,

Third Reading Bill, be amended as follows:

1. Amend title, lines 4 through 6 and 7.
Following: "ENTITLED: "AN ACT"
Strike: lines 4 through 6 in their entirety
Following: line 6
Strike: "BE ENFORCED"
Insert: "AUTHORIZING THE BOARD OF PUBLIC EDUCATION TO GRANT ANNUAL EXEMPTIONS FROM THE STATE NEPOTISM LAWS TO SECOND- AND THIRD-CLASS SCHOOL DISTRICTS ON A CASE-BY-CASE BASIS"
Following: "AMENDING"
Strike: "SECTION"
Insert: "SECTIONS"
Following: "59-519"
Insert: "AND 59-520"

~~DO NOT~~

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House Bill 652

2. Amend page 1, section 1, line 19.

Following: "degree"

Strike: "I except"

3. Amend page 1, section 1, lines 21 and 22.

Following: "attendants"

Strike: "as provided in subsection (2)"

4. Amend page 2, section 1, lines 9 and 10.

Following: "This"

Strike: "act"

Insert: "section"

Following: "to"

Strike: ": (a)"

5. Amend page 2, section 1, lines 11 through 13.

Following: "attendants"

Strike: lines 11 through 13 in their entirety

Insert: "."

6. Amend page 2, section 1, line 14.

Following: line 13

Insert: "(3) The board of public education may grant exemptions from the provisions of this section to second- and third-class school districts on a case-by-case basis. An exemption granted under the provisions of this subsection may not be for a period longer than 1 year but may be renewed annually."

7. Amend page 2, section 2, line 23 through line 9 on page 3.

Following: line 22

Strike: line 23 on page 2, through line 9 on page 3, in their entirety

Insert: "Section 59-520, R.C.M. 1947, is amended to read as follows:

"59-520. Penalty for violation of nepotism law. Any Unless exempted from the provisions of 59-519, a public officer or employee, or any member of any board, bureau or commission of this state or any political subdivision thereof who shall, by virtue of his office, have the right to make or appoint any person to render services to this state or any subdivision thereof, and who shall make or appoint to such services or enter into any agreement or promise with any other person or employee, or any member of any board, bureau or commission of any other department of this state or any of its

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subdivisions to appoint to any position any person or persons related to him or them, or connected with him or them by consanguinity within the fourth degree, or by affinity within the second degree, shall thereby be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not less than fifty dollars nor more than one thousand dollars, or by imprisonment in the county jail for not less than six months, or by both such fine and imprisonment." "

AND AS SO AMENDED, BE NOT CONCURRED IN


Chet Blaylock, Chairman

SENATE COMMITTEE EDUCATION

Date March 31, 1977 HOUSE JOINT RESOLUTION No. 30 Time 6:10 - 7:00

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman	✓	
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle	✓	
Senator Paul Boylan	✓	
Senator Larry Fasbender	✓	
Senator Bill Thomas	✓	
Senator Margaret Warden		✓

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Senator Bill Mathers moved that House Joint Resolution
No. 30 BE NOT CONCURRED IN; motion was seconded and carried
by majority vote, with Senator Warden voting "no".

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

March 31 1977

MR. PRESIDENT

We, your committee on EDUCATION

having had under consideration HOUSE JOINT RESOLUTION Bill No. 30

Respectfully report as follows: That HOUSE JOINT RESOLUTION Bill No. 30,

Third Reading,

DO PASS

BE NOT CONCURRED IN

Chat Blaylock

Chairman

RE: HOUSE JOINT RESOLUTION No. 30

Excerpt from March 31, 1977, executive session:

Senator Thomas commented he thought there was a problem with the funding of the study and there was no fiscal note.

Senator Mathers Moved that House Joint Resolution No. 30 BE NOT CONCURRED IN; motion was seconded.

Discussion was called for.

Senator Murray stated English was not his native language, but felt it was adequately handled at home and that he didn't like this sort of a program; if there is difficulty learning English, then probably the home is not doing its part. I think this is directed at mainly the Indian children.

Senator Smith questioned the Resolution on page 2, lines 7 to 11, relating to schools needing a study and programs for training of teachers and supervision and felt this could be a very expensive matter.

Question was called for, and on roll call vote, Senator Mathers' motion carried by majority vote, with Senator Warden voting "no".

SENATE COMMITTEE EDUCATION

Date March 31, 1977 HOUSE Bill No. 816 Time 1:09 - 4:22

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman		✓
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle	✓	
Senator Paul Boylan		
Senator Larry Fasbender	✓	
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind
Secretary

Chet Blaylock
Chairman

Motion: Senator Bill Thomas moved the amendments to H.B. 816 on page 22, lines 24 & 25, & page 23, lines 2, 3, 4, 5 & 6 BE ADOPTED; motion was seconded and carried by majority vote, with Senator Smith voting "no".

(include enough information on motion--put with yellow copy of committee report.)