

MINUTES OF THE MEETING
SENATE COMMITTEE ON EDUCATION AND CULTURAL RESOURCES
MARCH 9, 1981

The Senate Committee on Education and Cultural Resources met Monday, March 9, 1981, in Room 402 of the Capitol Building. Senator Bob Brown, Chairman, called the meeting to order at 1:07 p.m.

ROLL CALL

Committee members present were Senators Brown, Smith, Mazurek, McCallum, Severson, Haffey, Hammond, and Blaylock. Senator Thomas was excused.

The committee heard the following bills:

HB 463
HB 367
HB 587
HB 662 .

CONSIDERATION OF HOUSE BILL 463

"AN ACT ALLOWING SECURITY GUARDS EMPLOYED BY THE MONTANA
UNIVERSITY SYSTEM WHO MEET MINIMUM TRAINING STANDARDS TO
CARRY FIREARMS."

Representative Wallin, District 76, sponsor of the bill, stated the bill was introduced by request of the Board of Regents as the current limits are so restrictive. There is a real concern during daylight hours when large amounts of money are being transported, such as during registration, that guards be armed. The House Education Committee amended the bill and felt with the safeguards in it the university units could establish their own guidelines.

PROPONENTS

Joe Sicotte, Director of Labor Relations, Montana University System, presented his written testimony in support of the bill (attachment #1).

Michael E. Kaelke, Assistant of Administrative Services for Montana State University, presented his testimony in support of the bill to the committee (written attachment #2). He also presented a statement of support from Bozeman Police Chief George Tate (attachment 2[a]).

Page 2

Minutes of the Meeting

March 9, 1981

Senate Education and Cultural Resources Committee

J. A. Parker, Director, University Facilities, University of Montana, presented his statement in support of the bill to the committee (written attachment #3).

Kenneth Willett, Safety and Security Manager, University of Montana, stated from January 1, 1980, - January 1, 1981, the following offenses had occurred on the University campus:

- 13 domestic disturbances
- 2 felony rapes (1 with a firearm)
- 22 indecent exposures
- 40-50 felony burglaries or thefts in housing and administration.

He felt they do need the firearm provision same as any other community police force.

Jim Morabee, representing the Associated Students of Montana State University, stated there have been several disturbances in the last few years at the University. They do support the bill, he added, but prefer the original language re hours firearms could be carried.

Terence Watters, representing the Associated Students of Eastern Montana College, stated they supported the bill in its original form but have some reservations about the amendments.

The Chairman suggested Mr. Watters should testify as an opponent if he didn't support the bill in its present form.

OPPONENTS

Terrence Watters, ASEMC, continued his testimony. He said his group supported the bill originally as the hours for carrying a firearm were exactly specified. He said he doesn't like the 24 hour provision and doesn't feel that will eliminate some of the problems on campus.

Michael Dahlem, representing the Associated Students of the University of Montana, stated he was reluctant to oppose the bill and agreed with Terry Watters in that the bill goes too far. He felt the discretion given to the Board of Regents goes too far.

The hearing closed and and Senator Brown opened the hearing on House Bill 367.

CONSIDERATION OF HOUSE BILL 367

"AN ACT TO INSURE THAT STATUTES THAT IMPOSE NEW DUTIES
ON SCHOOL DISTRICTS PROVIDE A SPECIFIC MEANS OF FINANCING."

Representative Dussault, District 95, sponsor of the bill, stated the bill sets into statute an extension of the "Drake Amendment" re local government which indicates that anytime new duties are imposed on local government there will also be provided a means of financing. This bill simply extends the same provision to school districts.

PROPOSERS

Wayne Buchanan, representing the Montana School Boards Association, said he supports Representative Dussault's testimony. He said it is important even though the effect is primarily advisory. He felt future legislatures are protected by actions of the current legislature if this bill passes. He cited the Indian Studies Bill of a past session as an example of where a bill of this nature would be effective.

There were no further proponents and no opponents to the bill. Representative Dussault closed and Senator Brown closed the hearing on House Bill 367.

CONSIDERATION OF HOUSE BILL 587

"AN ACT TO REVISE THE PROCEDURES FOR CREATION OF A
NEW ELEMENTARY DISTRICT; PROVIDING THAT A MAJORITY
OF THE ELECTORS OF THE PROPOSED NEW DISTRICT MUST
SIGN THE PETITION TO CREATE A NEW DISTRICT; PRO-
VIDING THAT THE TERRITORY TO BE INCLUDED IN THE NEW
DISTRICT MUST CONSIST OF PARCELS OF LAND THAT ARE
CONTIGUOUS; AMENDING SECTIONS 20-6-216 AND 20-6-
217, MCA."

Representative Hanson, District 93, sponsor of the bill, said the bill deals with creating a new district out of an existing district and containing only contiguous parcels of land. The superintendent would be directed to consider the interests of both the new and old districts in the bill, rather than just the new districts. The superintendent sets the dates and provisions for an orderly transition and the bill further specifies the school must be operational in one year rather than the previously specified 8 months.

PROPOSERS

Dave Sexton, representing the Montana Education Association, strongly endorsed the bill. He said the law made sense in the early days of the state but now the trend is towards greater consolidation. He said the law as it stands can be used by a very small group to harass or cause trouble.

Jean Schmitt, representing the Save Our Schools Committee from Missoula, presented her testimony in support of the bill to the committee (written attachment #4).

Lyle Eggum, Co-Director, School Community Services Unit, OPI, presented his testimony in support of the bill to the committee (written attachment #5).

Mike Stephen, representing the Montana Association of Counties, said they support the bill as they compete for tax dollars and this bill uses those dollars economically.

Wayne Buchanan, representing the Montana School Boards Association, said the bill is a result of the Missoula attempt to create a new district. There now exists enough of a loophole that all the wrong reasons can be effectively used to create a new district. He felt there were other ways to accomplish resolution of such problems such as ethnic, social or monetary considerations.

Judy Schefinider, representing the Save Our Schools Committee, Missoula, presented her testimony to the committee in support of the bill (written attachment #6).

Charlene Kubichek, representing the Save Our Schools Committee, Missoula, presented her testimony to the committee in support of the bill (written attachment #7).

OPPOSERS

Senator Jan Johnson, District 49, said the bill is an overreaction to a problem within the specific district in Missoula. She said the bill is just a reaction to a reaction and there was no real thought given it.

Linda Campeau, Missoula, said she was a member of the redistricting movement in Missoula. She agreed with Senator Johnson and said it has further reaching effects than Missoula. She said parents can make an informed decision about what is in the best educational interests of their child. She stated larger urban areas are often non-contiguous and many school attendance areas cross boundaries. She presented as an example a map of the Missoula district (attachment #8).

Naomi M. Herbenson, a C.S. Porter School area parent from Missoula, asked that the bill be either amended or killed.

Betty Goodman, a C.S. Porter School area parent from Missoula, felt the bill should either be amended or killed as there is no reason the whole state should suffer because of the Missoula situation.

Representative Hanson closed by saying he felt the bill won't prevent formation of new school districts. He said there are other ways to make changes by either influencing the school board or electing new members to the school board. He strongly emphasized children's education shouldn't suffer from these situations.

The hearing was closed on House Bill 587.

CONSIDERATION OF HOUSE BILL 662

"AN ACT TO ALLOW THE TRUSTEES OF A SCHOOL DISTRICT TO USE A FOUR-WHEEL DRIVE VEHICLE FOR TRANSPORTATION UNDER CERTAIN CONDITIONS; PROVIDING THAT THE BOARD OF PUBLIC EDUCATION MAY GRANT PERMISSION FOR USE OF SUCH A VEHICLE; AND PROVIDING FOR A REIMBURSEMENT RATE; AMENDING SECTION 20-10-111, MCA."

Representative Burnett, District 71, sponsor of the bill, said the bill is quite simple and is needed to transport smaller numbers of children, i.e. 3-4 special education students; so a 12-16 passenger bus doesn't have to be used. The bill simply sets up the means to use less than a 12 passenger bus. He said the Board of Public Education sets the rules and standards if the bill passes.

PROPOSERS

Wayne Buchanen, representing the Montana School Boards Association, said this is a good bill. All the states surrounding Montana do this already, he noted. He pointed out the need

in cases of special education children who are delivered to their door and also the ease of negotiating country lanes in snowy winter.

There were no further proponents and no opponents to the bill. Senator Burnett closed and following a brief discussion the hearing was closed on House Bill 662.

DISCUSSION

Senator Brown, Chairman, expressed the committee's displeasure with the actions of the representatives of the Montana School Boards Association regarding Senate Bill 125 when it was heard by the House Education Committee. His remarks were directed toward Mr. Buchanan of the MSBA who responded by apologizing to the committee. He said there was a communication breakdown and they certainly deserved to be called on the carpet for their actions.

There being no further business, the meeting adjourned to reconvene Wednesday, March 11, 1981, at 1:00 p.m.



Senator Bob Brown, Chairman

jdr

DATE March 9, 1981COMMITTEE ON EDUCATION & CULTURAL RESOURCES HOUSE
BILLS NO. 463

367

587

662

VISITOR'S REGISTER

NAME	REPRESENTING		Check One	
			Support	Oppo
Lyle Eggum	Public Instruction	587	✓	
Joe Suetto	Commissioner of Higher Educ.	463	✓	
Mike Laelle	MSU	463	✓	
Jim Parker	UM	463	✓	
Ken Wittet	UM	463	✓	
Linda Compson		587		✓
Karen Stenerson		587		✓
Naomi M. Necker		587		✓
Betty C. Goodman	messiah	587		✓
Robert Dodge	Trinidad	587		✓
Jim Marabe	ASMSU		46.3	✓
Mike Steph	MT Assoc / Co.	587	✓	
Ian Schmidt	Trinidad	587	✓	
Charles Kubicki	Trinidad	587	✓	
Mike Schuler	Trinidad	587	✓	
KIRK L. MERS	MT Assoc	463	✓	
Joyce Brooks	MEA	587	✓	
David Sexton				
Mike Dahlem	ASUM	463		✓
		463	✓	
Wayne Buchanan	MT School Board Rep	587 662 367	✓	

(Please leave prepared statement with Secretary)

ROLL CALL

SENATE EDUCATION COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 3/27

NAME	PRESENT	ABSENT	EXCUSED
Senator Ed Smith			
Senator George McCallum			
Senator Elmer Severson			
Senator Swede Hammond			
Senator Chet Blaylock			
Senator Bill Thomas			
Senator Joseph Mazurek			
Senator Jack Haffey			
Senator Bob Brown, Chairman			

Each day attach to minutes.

SENATE COMMITTEE ON EDUCATION AND CULTURAL RESOURCES
BILL SUMMARY
MONDAY, MARCH 9, 1981

HOUSE BILL 367 - Representative Dussault

This bill contains much the same language as 1-2-112, MCA, the statute that governs laws that mandate new duties on local governments. This bill will require that funding for any new activity, service, or facility must be by means of a remission of state money rather than a new local levy or burden on the general fund budget. The House Education Committee added the amendment that allows a school board to appeal to the Board of Education for relief from compliance with any law that appears in violation of this act. There are several amendments that should be made to clarify the House amendment (attached).

HOUSE BILL 587 - Representative Hanson

This bill revises the statutes that govern the creation of a new elementary district from an existing district. The amendment to 20-6-216 requires that all parcels of land to be included in the new district must be contiguous. 20-6-217, MCA, is amended to :

- (1) require that a majority of the electors of the proposed new district who are qualified to vote in school elections must sign the request petition. At least 10% of the voters signing the petition must reside more than 3 miles from an existing school;
- (2) delete the language that allowed a majority of the electors to submit a petition protesting the creation. A valid protest petition conclusively denied the creation of a new district. Language is added to make it clear that the county superintendent must consider the intents of the residents of both the proposed district and the remaining district in granting the creation. The House Education Committee amended subsection 6 to require that the order for creation is null and void if the new district does not begin operation within 1 year after the order date.

HOUSE BILL 463 - Representative Wallin

This bill will allow university system security guards to carry firearms if they have successfully completed the basic course in law enforcement conducted by the Montana Law Enforcement Academy. The House Education Committee struck the limitations outlining when security guards may carry firearms.

BILL SUMMARY

PAGE 2

HOUSE BILL 662 - Representative Burnett

This bill allows the Board of Public Education to grant permission to the trustees of a district to use a four-wheel drive vehicle for school transportation. The vehicle must be capable of transporting eight passengers or less, but the vehicle must not be used to transport more than eight pupils daily. The reimbursement to the district shall be based on the on-schedule rate of 20 cents per mile.

There is a statement of intent allowing the Board of Public Education to promulgate rules prescribing minimum standards for four-wheel drive vehicles used as school buses. These standards must relate to safety considerations and equipment requirements to insure student safety.

Proposed amendments: House Bill 367

1. Page 2, line 7.

Strike: "BELIEVE"

Insert: "of a school district believes"

2. Page 2, line 8.

Strike: "THEY"

Insert: ", the board"

3. Page 2, line 9.

Strike: "STATE"

4. Page 2, line 12.

Strike: "STATE"

5. Page 2, line 13.

Strike: "STATE"

6. Page 2, line 16.

Following: line 15

Strike: "SIGNIFICANT"

Insert: "substantial"

Following: "DISTRICT"

Insert: "that cannot be readily absorbed as provided in sub-
section (5)"

HOUSE BILL #463

STATEMENT BY: MONTANA UNIVERSITY SYSTEM
SENATE COMMITTEE: SENATE EDUCATION
SUBMITTED BY: JOE SICOTTE, DIRECTOR OF LABOR RELATIONS

The Board of Regents, Council of Presidents, and the Commissioner of Higher Education support House Bill 463.

Currently state statute authorizes security guards to carry firearms while on campus with some restrictions. We believe that the statute needs clarification and expansion. The current state statute reads:

M.S.A. 20-25-324. "Firearms. Security guards be authorized to carry firearms between sunset and sunrise at any time when acting as guards for transportation of money or other valuables."

Currently the Board of Regents requires all security guards to successfully complete the basic course in law enforcement conducted by the Montana Law Enforcement Academy (MLEA), and support the inclusion of this language into the bill.

With the language in this bill, security guards will be more able to protect and assist students and in the case of married students, their families when such an emergency exists.

The Board of Regents, in considering this specific change of statute, was firm and united in the position that when this bill becomes statute they would immediately establish strict policies and procedures for all campuses.

In conclusion, the Board of Regents, Council of Presidents, and Commissioner of Higher Education ask for your favorable support of House Bill #463.

TESTIMONY OF MICHAEL E. KAEKE
SENATE EDUCATION COMMITTEE OF THE 47TH LEGISLATIVE SESSION
RE: HB463

I am Mike Kaelke and I serve as Assistant of Administrative Services for Montana State University. A portion of my responsibilities are management of the Physical Plant which includes Campus Safety and Security. MSU is the fourth campus where I have had direct involvement with such a program. All previous campuses have followed the practice of officers wearing firearms.

Montana State University welcomes the clarification and additional definition in statutes as it relates to the current language of campus law enforcement agents wearing firearms.

There are three primary motivations for campus officers carrying firearms. First and foremost is the health and welfare of people. Weapons are considered tools to protect the safety of people. Secondarily is the visual image portrayed by an officer carrying a firearm as a standard part of the total uniform and badge which can serve as source of respect and a deterrent to the potential offender. Finally, a low priority is assigned to the use of a firearm in the apprehension of a lawbreaker on the campus. Current practice and policy at Montana State University concerning officer's discretionary possession of firearms at selected events will continue. For example, officers do not wear firearms at concerts or other selected activities attended by a large number of spectators. Likewise it should be pointed out that it is current policy that new officers who have yet to complete the Basic Law Enforcement Academy course are prohibited from the carrying of firearms.

I could describe innumerable specific instances where campus officers are called upon to respond to incidents which may involve the use of deadly weapons by offenders. Rather than to dramatize, it should suffice to say that these officers are trained and are called upon to handle situations which are typical of any community comprised of approximately 14,000 people. This medium sized city includes such typical elements as: sizable physical plant and its necessary equipment; large money exchanges; burglar alarm systems; students and staff personal property valued in the millions; and large numbers of transients and visitors. Thus, one must anticipate incidents which range from domestic quarrels to robberies to assault and battery conflicts.

In addition, MSU officers are called upon by the county sheriff and state police to assist or answer approximately twelve calls per month in areas off of the campus. In this regard, I would like to submit the testimony of Mr. George Tate, chief of the Bozeman City Police Department, in support of this proposed legislation as he was unable to be here today.

#2/a

CITY OF BOZEMAN

34 NORTH ROUSE • BOX 640
STATE OF MONTANA 59715

RADIO KOA 404
TELETYPE BZ
AREA CODE 406
586-3311



Police Department

January 30, 1981

The Honorable Jack Yardley
Chairman, House Judiciary Committee
State Capital Building
Helena, Montana

Sir:

I would like to address HB-463—the carrying of firearms by university security guards.

It is my belief that the bill as presented is inadequate as it restricts university guard personnel to the carrying of weapons primarily to the hours of darkness (5 P.M. - 8 A.M.).

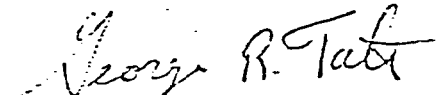
As these people are recognized by state statute as peace officers and are expected to execute the same control as municipally sworn police officers, it seem incongruous that they are not allowed to be fully armed at all hours of the clock as the university area is not in itself immune from criminal activity occurring within its bounds. They not only have the direct university population to work with but the city, county and state population as well during the course of the many functions which occur on the university campus.

We rely heavily on the university security system to handle their own affairs as we are not always physically able to respond immediately upon receiving a call from someone in distress. We have enjoyed close cooperation between the city and university police units. Since we often request their assistance at any hour of the day, I strongly feel that they should be allowed the defense of weapons, not only for their protection, but ours as well, as they are looked upon by the honest citizenry and by the criminal element as police officers. Therefore, they should be extended the authority to be fully armed.

The Honorable Jack Yardley
Chairman, House Judiciary Committee
State Capital Building
Helena, Montana

I openly solicit your consideration as a committee to revive HB-463 to allow university security personnel to carry weapons full time rather than part time. These people are as well schooled in the use of weaponry as are others in the law enforcement field and I have no reservations about their qualifications. This would ease the mind of those empowered to enforce the laws of the land.

Sincerely,

A handwritten signature in cursive script that reads "George R. Tate". The signature is written in dark ink and is positioned above the printed name and title.

George R. Tate
Chief of Police



University of Montana
Missoula, Montana 59812

March 9, 1981

Senate Education Committee
Montana Legislature
State Capitol
Helena, Montana

Dear Mr. Chairman and Committee Members

SUBJECT: HB 463

History:

Today's University of Montana Security Officers are armed in accordance with Montana Codes Annotated, 20-25-324:

"Security guards shall be authorized to carry firearms between sunset and sunrise and at anytime when acting as guards for transportation of money or other valuables."

Our history of bearing arms goes back to the 1950s when security officers were deputized by the County Sheriff. On July 1, 1971, the Montana Legislature mandated the official formulation of University security departments and granted the status of "peace officer" to individuals at the various Montana University System campuses.

A partial listing of the problems experienced follows:

1. The peril of unarmed response to burglar alarms or distress calls.
2. A reluctance by the officers to respond to domestic disturbances while unarmed. (Please note: Student living areas allow the full time possession of firearms by the student resident.)
3. In the past year the division has responded to various incidents where knives or firearms were present.
4. A felony rape occurred during daylight hours on Mount Sentinel. The suspect, who was later apprehended, was armed with a loaded pistol.

5. A campus Security Officer disarmed an individual who was holding a hostage in one of the dormitories. Because the incident took place at night, the officer was armed and able to respond effectively.
6. An unarmed officer does not have the deterrent effect equivalent to that of the presence of an armed officer.
7. As a recognized peace officer, the campus security officer is obligated by law to respond to a "Mutual Aid Request" of any law enforcement officer, which is not possible during the time when University officers are not armed.
8. U of M Security Officers have been directly involved in the identification and apprehension of known felons. Some had been listed as armed and were considered dangerous.
9. Currently, University Security Officers are the only peace officers in the State of Montana required to perform their duties without being armed. Unarmed peace officers pose an inherent danger to the officers as well as those they are charged to protect.
10. The University puts an employee in a distinctive uniform, provides him with a badge of enforcement authority, places him in a totally equipped and highly visible patrol vehicle, and then directs him to preserve the peace through his powers of arrest. To deny the officer protection under these circumstances impairs his capacity to protect others and exposes him to unreasonable risk.

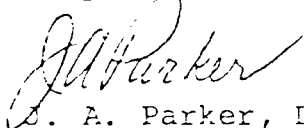
Qualifications:

In today's world of vicarious and civil liability, each Law Enforcement Agency is asked to provide fully trained and qualified peace officers. This includes the special areas of firearms certification. Each campus Security Officer is required to qualify on an annual basis. This training is conducted at the local police ranges or at the Montana Law Enforcement Academy. The standard tactical proficiency course of firing is basically the same for all Montana Law Enforcement Agencies.

Senate Education Committee
HB 463
March 9, 1981
Page 3

To date, the University of Montana has not been involved in a single incident where a firearm has been discharged by a peace officer. However, there have been a number of instances involving discharge of firearms by offenders. This is an exceptional record when one considers that our campus population is much larger than most Montana towns, and we are part of a major Montana community.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "J. A. Parker".

J. A. Parker, Director
University Facilities
Responsible for Safety and Security
at the University of Montana

NAME: Michael Doherty DATE: 3-9-81

ADDRESS: 1024 N. Park

PHONE: 442-6988

REPRESENTING WHOM? A.S.U.M.

APPEARING ON WHICH PROPOSAL: HB 463

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

COMMENTS: This bill goes too far in granting
discretion to the Board of Regents. Because
of the potential of abuse we would
prefer the bill in its original form.

NAME: Joan Schmidt

DATE: 3/9/81

ADDRESS: 5428 North Ave W.

PHONE: 549-4678

REPRESENTING WHOM? Low Over School Committee, Low Missouri

APPEARING ON WHICH PROPOSAL: 587

SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

I am Jean Schmidt, a
barren and water from
Missoula. As one of about
ten people who fought the
secession of C.S. Porter and
Hawthorne schools, I saw
only negative effects of
such a move by a small
minority of people. A
surprise meeting was held
at both schools to inform
us of the move with no
prior information whatever.
We asked for another
information meeting, with
more facts and figures,
but they inturn filed it
before the next meeting
was held.

This put an extra
burden on us as we
had less time to prepare
a protest petition. The
secessionists had months
to plan. To find our facts

figures, draw up a petition, organize, and obtain about 1500 signatures we had only forty. At no time did we have an exact number of signatures needed on our petition as the election board was busy formulating a new tally after the November election.

This also took place during Thanksgiving and Christmas when it was hard to find people home. We tried to contact every home but during these holidays it was almost an impossible task.

We secured over 1450 signatures but fell short by about 125 of the needed number, because of a percentage of inaccurate signatures.

We feel this was disruptive to the community, district, teachers, parents and

- 3 -

children. After all our main concern should be our children and their education.

We had no directives as to what a new school district could or would offer us. The format of curriculum, budget, school board and teachers could not be predetermined until after a new district was, in fact, formed.

There are recourse dissatisfied people can take ~~beide~~ within an organization without hurting and disrupting the whole district.

In a democratic society there should be a process, when such a radical move is to take place, involving so many people. The burden should be placed on the ~~lower~~ shoulders of the people wanting change.

We spent time away

-4-

from our families, hundreds
of dollars and disrupted
our lives during ~~the~~ this time.

We are in full support
of house Bill 587. I have
been asked to speak for
the complete "Save Our Schools"
Committee, who could not be
here today.



OFFICE OF PUBLIC INSTRUCTION

STATE CAPITOL
HELENA, MONTANA 59601
(406) 449-3095

Ed Argenbright
Superintendent

March 9, 1981

To: Senator Bob Brown, Chairman
Senate Education Committee

From: Lyle A. Eggum, Co-Director *Lyle*
School/Community Services Unit

Re: H.B. 587

Chairman Brown and committee members, I am Lyle Eggum, Co-Director of the School/Community Services Unit in the Office of Public Instruction. House Bill 587 introduced by Representative Hanson provides clarification and direction to both the petitioners and the county superintendent who must process the petition to create a new elementary school district.

It makes good common sense to require that all parcels of land be contiguous in the creation of a new district. The transfer of land from one district to another in all other cases requires that it touch borders in some manner. Annexation of districts, consolidation of two or more districts, and personal land transfer requests are examples which require this provision. Withdrawal of noncontiguous parcels of land to create a new district in the center of an existing district makes administration by all officials a confusion that can only be classed as a disaster.

Requiring a majority of the electors to sign the request petition provides long needed strength to the decision making process of creating a new district. Annexation and consolidation actions both require a majority vote of the affected area to be transferred as an indication of the will of the people. It certainly seems reasonable that transferring land in the creation of a new district ought to also show a majority consent of the people.

Once a valid petition is presented for action it deserves to be heard. The deletion of the protest petition and assurance of a hearing are excellent improvements to the process. The majority of the people in a given area should be granted the opportunity to voice their views. It is a difficult task for the county superintendent to determine what is advisable and particularly evasive is what is in the best interest of the residents. This change insures both sides of the question will be heard.

Senator Bob Brown
March 9, 1981
Page Two

Subsection 6 of 20-6-217 M.C.A. identifies an eight (8) month limitation on the new district which can create confusion. A three and one-half ($3\frac{1}{2}$) month limitation of time is imposed by 20-6-202 M.C.A. for boundary changes in elementary districts. The second Tuesday in August through December 31 is the only allowable time for a new district to be created. If the county superintendent issues an order creating a new district on the second Tuesday in August it is entirely possible that the new district would expire and revert back to the original district in April, long before it has the opportunity to operate a school. The language in subsection six (6) states that the district must open and operate a school within eight (8) months of the county superintendent's order. An August order provides no manner of budgeting the new district until the new cycle occurs. Therefore, it is impossible for the new district to operate until the beginning of a new budget and school year. Because of this situation there is a need to provide the county superintendent the flexibility to establish the date of creation. The new district must be afforded an orderly transition period without endangering the opportunity to function.

The eight month limitation has been amended to one year on page five (5), line eleven. This is a good amendment since it provides a full year for the new district to meet all budgeting cycles. Combined with the setting of the creation date by the county superintendent, the guidelines for transition are clarified.

In summary, H.B. 587 is good for everyone involved. It deserves your favorable consideration. I urge you to give this bill a "do pass" vote.

NAME: 110 S. 1st St. DATE: 9/11/71

ADDRESS: 110 S. 1st St. (apartment)

PHONE: 502-5409

REPRESENTING WHOM? San Luis Obispo County

APPEARING ON WHICH PROPOSAL: H.B. 581

DO YOU: SUPPORT? ✓ AMEND? OPPOSE?

COMMENTS: I have completed a fact information to me

concerning the fact concerning the fact that the House

should be made available

to be made available to the public

and it is a fact that the House

should be made available to the public

and it is a fact that the House

should be made available to the public

and it is a fact that the House

should be made available to the public

and it is a fact that the House

should be made available to the public

and it is a fact that the House

should be made available to the public

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Barbara K. Smith DATE: March 9, 1951

ADDRESS: 600 West Ninth Street - Missoula Mt 59801

PHONE: (406) 251-4523

REPRESENTING WHOM? I am on the Missoula County Board of Education

APPEARING ON WHICH PROPOSAL: HB 587

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: I am in favor of HB 587. I am
especially in favor of the part relating
to form a new district covering the area
that the majority of the people ^{in that area} are in favor
of.

In the 10 years since we have much
time and effort was spent by parents teachers
and district in getting information and
opposing the measure that could have been
settled structurally in the institution of the children

NAME: Naomi M. Herberson DATE: Mar 9 1981

ADDRESS: 3030 W Central Ave Missoula MT

PHONE: 728-4089

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: 587

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

COMMENTS: I recommend for 587 to be amended
if not then vetoed

It was brought up that if we
want to redirect our activities
should go to our Nit Hill School Board
When you have such a limited
school board as ours you cannot
get anything done through the school
board. They (the school board) consider
all parent as dinosaurs. The school
board members are used to what
is right. Because they have a higher
education than most of the parents.

S
A
M

School Administrators of Montana
501 North Sanders
Helena, MT 59601
(406) 442-2510

March 9, 1981

To: Bob Brown, Chairman
Senate Education Committee
From: Jesse W. Long, Exec. Sec. *gwl*
School Administrators of Montana

Re: HB 587 An act to revise the procedure for the
creation of a new elementary district.

The School Administrators of Montana speak in favor of
House Bill 587.

The provision in HB 587 that identifies all lands in the
newly established district as being contiguous would make
a reasonable administrative unit and would provide a most
reasonable situation for the transportation of students.

Lines 23-25, page 2 is an assurance that the creation of
a new district is important to the people in that community
and not a disruptive action on the part of a few.

The interests of both the new and the remaining district
are addressed in HB 587 as well as providing for an adequate
implementation time.

We urge your concurrence in HB 587.

NAME:

DATE :

ADDRESS:

PHONE:

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

.....

[illegible]

Abstract: This paper examines the impact of the 1997 Asian financial crisis on the performance of the Korean stock market. The study uses a panel data approach to analyze the performance of 100 Korean firms from 1995 to 1999. The results show that the performance of the Korean stock market declined significantly during the crisis period. The study also finds that the performance of the Korean stock market is positively affected by the performance of the Korean economy. The study concludes that the Korean stock market is highly sensitive to the economic conditions of the Korean economy.

.....

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: John J. ... DATE: 3-4-51

ADDRESS: 1111 1st St. N. N. Minneapolis, Minn.

PHONE: 251-1171

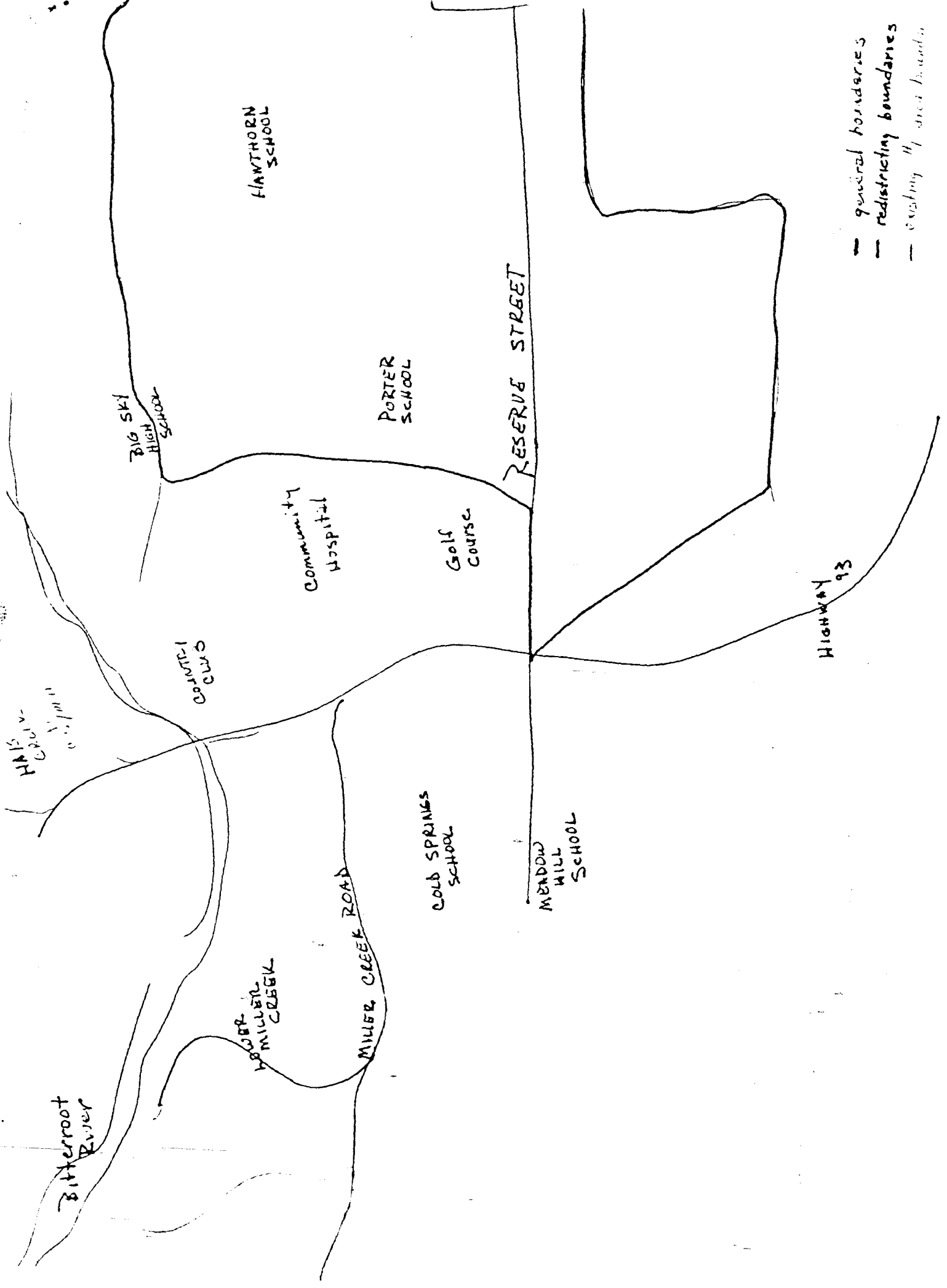
REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

[illegible]

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY



- general boundaries
- - - redistricting boundaries
- ... existing area boundaries

NAME: John J. Williams DATE: 3-9-71

ADDRESS: 955 N. 1st St. Phoenix, Ariz.

PHONE: 254-2100

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: 5-507

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

COMMENTS: 1st time I heard of it and I liked it

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Jim Burnett DATE: _____

ADDRESS: _____

PHONE: _____

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: _____

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

COMMENTS: _____

S
A
M

School Administrators of Montana

501 North Sanders

Helena, MT 59601

(406) 442-2510

March 9, 1981

To: Bob Brown, Chairman
Senate Education Committee
From: Jesse W. Long, Exec. Sec.
School Administrators of Montana
Re: HB 367 An act to insure that statutes that impose
new duties on school districts provide a specific
means of financing.

The School Administrators of Montana speak in favor of
House Bill 367.

HB 367 is a step in the right direction. To often laws
impose a burden on school districts that cost time and
money, detracting from the limited resources of the
school district. An example is the recently established
law concerning Immunization of school age children.

It is unfortunate that this bill can not be applied
to an agency such as the State Board of Public Education,
who often impose rules and regulations (by way of
Accreditation Standards) without adequate funding.

We ask your concurrence in HB 367.

S
A
M

School Administrators of Montana

501 North Sanders

Helena, MT 59601

(406) 442-2510

March 9, 1981

To: Bob Brown, Chairman
Senate Education Committee
From: Jesse W. Long, Exec. Sec.
School Administrators of Montana
Re: HB662. An act to allow the trustees of a school district to use a four-wheel drive vehicle for transportation under certain conditions; providing that the Board of Public Education may grant permission for use of such a vehicle; and providing for a reimbursement rate.

The School Administrators of Montana speak in favor of House Bill 662.

During the House Education Committee hearings the School Administrators of Montana spoke in opposition to HB 662. It was our concern that pupils should be transported in vehicles that meet minimum requirements as outlined in Section 1 (a)(i) & (ii) in Section 20-10-111, MCA, not as HB 662 language originally indicated on line 12-13 page 3.

It is our hope that the new language in lines 13-16 page 3 is sufficiently strong to direct the Board of Public Education to prescribe minimum standards adopted by the National Commission on Safety Education and the National Highway Safety Bureau.

With this assumption we would ask your concurrence in HB 662.