

		Date: No. AMENDMENT HB 445	Date: No.	Date: No.	Date: No.	Date: No.	Date: No.
DONALDSON	P	YES					
EUDAILY	P	YES					
HAMMOND	P	YES					
HANNAH	P	YES					
KADAS	P	YES					
KEENAN	P	NO					
KITSELMAN	P	YES					
LORY	P	YES					
MILLER	P	NO					
NILSON	P	YES					
NISBET	P	YES					
PECK	P	YES					
SANDS	P	YES					
SCHYE	P	NO					
YARDLEY	P	XXX					
KENNERLY	P	YES					
DAILY	P	NO					

## HOUSE EDUCATION COMMITTEE

March 9, 1983

The meeting was called to order by Chairman Fritz Daily in room 420 of the Capitol Building at 12:30 p.m., with all members present.

Chairman Daily opened the meeting to a hearing on Senate Bills: 157, 246, 308, and Senate Joint Resolution 21.

SENATOR HARRY BERG, District 21, Great Falls, opened by stating this resolution is a planning project for the state centennial celebration in 1989. This is not going to cost any money. We are probably going to have a party anyway, so maybe we ought to plan it well. There are lots of activities going on in the neighboring states and provinces of Canada. Maybe we can coordinate it with them and make a big display for Montana.

### PROPOSERS

MIKE CRONIN, Montana Bankers Association, said we have a historical preservations task force that has already begun collecting artifacts. We have hired a historical writer to create the genuine history of Montana. I would like to volunteer to be on any citizens committees to coordinate activities for this celebration.

DAVID NELSON, Montana Arts Council, said the centennial celebration will be as good as the planning. This resolution will involve the state agencies. There will be some real lasting effects beyond the celebration.

BOB ARCHIBALD, Montana Historical Society, said we were involved in the planning for the territorial celebration and the bicentennial celebration. In drawing from this experience, I can say that it is indeed not too early to begin planning the state's centennial celebration.

There were no opponents to Senate Joint Resolution 21.

Senator Berg closed.

Chairman Daily closed the hearing on Senate Joint Resolution 21 at 12:40 p.m.

### SENATE BILL 308

SENATOR PAT REGAN, District 31, Billings, opened by stating this is referred to as Montana's antiquities bill. Before 1979, there was no concurrence necessary in order to have, either by federal law or by state law, property included in the National Register of Historic Places. In 1979, Montana passed the Montana Antiquities Act, which required written concurrence of every single property owner in order to have a district nominated and forwarded to the register. One person objecting, or one person forgetting

HOUSE EDUCATION COMMITTEE MINUTES  
March 9, 1983, page 2

to send this in, can keep a district out of inclusion in the National Register of Historic Places. There are Montana communities that could use such districts for tourist promotion. There are buildings in historic districts which, while they do not qualify as such, can get investment tax credit if they rehabilitated their buildings. Montana loses when the central business district is denied the opportunity to be included in the National Register.

PROPOSERS

BOB ARCHIBALD, Montana Historical Society, said it is through the Montana Historical Society and the State Historic Preservation Office that the national program is administered. The National Register listing has no impact upon the rights of private property owners, except in those instances where they take advantage of federal tax incentives, or where they take advantage of federal dollars available for historic preservation. Senate Bill 308 was amended in the Senate. The original wording was to require the consent of the majority of the property owners. We remain convinced that this takes care of the concerns of a number of people who had objections. The bill was amended to provide for the concurrence of the majority of property owners, and the concurrence of the owners of the majority of the property.

ALAN NICHOLSON, Helena, said I own buildings in the historic district of Helena. I am an entrepreneur in the restoration of historic buildings. I have never run into a road block in the development of a historic district. There are no detrimental effects to people who do not choose to take advantage of the fact that they are in a historic district, and there are a lot of positive effects for the people who do. You might wish to consider amending the bill to make it even easier for a district to be considered as a historic district.

MARGARET DAVIS, Helena, said many people prior to 1979, were included in the historic district of Helena. This is not to be confused with zoning. A property owner can tear down his property if he wishes. It offers a recognition for the people who have worked hard to preserve their property. It offers some tax incentives, particularly for those in the business districts. It does have the effect of stabilizing property values.

JIM RICHARD, Montana Association of Planning, said in recent years, we in the planning community have given some additional emphasis to downtown development, economic development, community development, etc., and this bill has furthered those goals.

HOUSE EDUCATION COMMITTEE MINUTES  
March 9, 1983, page 3

MARCELLA SHERFY, Historical Society, said let me make two documents available to you. One is the list of the historic districts in communities that could be listed in the register. (see exhibit 1) The other is a summary of Senate Bills 157, 246, and 308. (see exhibit 2)

J.D. HOLMS, Montana Arts Advocacy, said we are interested in improving the cultural resources in the State of Montana. This is an important bill in terms of our rich heritage.

There were no opponents to Senate Bill 308.

Senator Regan closed.

Questions from the committee. Rep. Peck asked what the real advantages to this bill are. Ms. Sherfy replied a list in the Federal Register allows taxpayers to seek federal tax incentives. There are also federal tax credits for restoration.

Rep. Peck asked Ms. Sherfy if this changes the tax situation regarding Montana law. The response was in no way.

Chairman Daily closed the hearing on Senate Bill 308, at 1:05 p.m.

The committee went into EXECUTIVE SESSION.

SENATE BILL 158

Rep. Nisbet moved Senate Bill 158, BE CONCURRED IN.

Rep. Hannah asked who's responsibility this is now. Hidde Van Duym, Board of Public Education, responded this is an on-going activity right now. The bill cleans up what is very old language with regard to the school for the deaf and blind. The Board of Public Education is responsible for this right now.

Rep. Nisbet's motion passed unanimously.

SENATE BILL 308

Rep. Keenan moved Senate Bill 308, BE CONCURRED IN, the motion passed unanimously.

SENATE JOINT RESOLUTION 21

Rep. Peck moved Senate Joint Resolution 21, BE CONCURRED IN, the motion carried unanimously.

The committee resumed the hearing on Senate Bills 246 and 157.

HOUSE EDUCATION COMMITTEE MINUTES  
March 9, 1983, page 4

SENATE BILLS 246 and 157

SENATOR ROBERT BROWN, District 10, Whitefish, opened by stating he would like to combine the hearings on Senate Bills 246 and 157.

There were no objections from the committee.

Senator Brown said Senate Bill 246 results from an action the 1979--1981 legislature took when the existing state law was passed that required state agencies to develop rules for dealing with historical property. It was talking primarily about the land management organizations such as the Department of State Lands, or the State Forest Service. They were to promulgate rules to deal with historical property. Not all state agencies have gone ahead and promulgated these rules. This bill is designed to give them the encouragement to do so. The bill provides, at the bottom on page 2, that the state agencies have to promulgate rules in conjunction with the Historical Society, and the Historical Society can go ahead and promulgate rules for the state agency, but the agencies do not make the rules themselves. Senate Bill 157 is an act to encourage state agencies to give consideration to heritage properties for new space needs in certain cases. It would set down in law that if a state agency intends to expand into new space, it would have to consider the historical aspect of where it is moving to or where it is moving from.

PROPONENTS

BOB ARCHIBALD, Montana Historical Society, said we appear here in support of both bills. We have amendments we would like to propose for both. (see exhibits 3 and 4) Mr. Archibald turned the explanation of the amendments over to Marcella Sherpy.

MARCELLA SHERFY, Montana Historical Society, said we tried to make the state agencies good stewards of the property they use. This would provide an example to the public. Senate Bill 157 is in reference to when state agencies look for new space to build, to lease, or to rent. Very frequently, they do not look to existing historically significant space in the communities in which they live and work. Doing so gives them the opportunity to reinforce a community sense of heritage. We think that the amendments are warranted, in that the agencies have to consider this space. In the course of Senate discussion on Senate Bill 246, an amendment was added to the existing language. This amendment suggested that state agencies who have to meet federal preservation requirements, need write no policies different than or in excess of the requirement with the federal policies. Because federal law is often considered stricter, we feel that the state agencies need to follow.

HOUSE EDUCATION COMMITTEE MINUTES  
March 9, 1983, page 5

DENNIS HEMMER, Department of State Lands, submitted written copies of his testimony concerning Senate Bill 246, and amendments proposed for the same. (see exhibit 5)

ALAN NICHOLSON, Helena, said if all this bill does is encourage consideration, maybe it would be better done by writing a letter to these state agencies. Revitalization of our historic districts is a necessary component to the economic vitality of this state. There are federal laws which require federal agencies to look to historic renovations for space needs.

MARGARET DAVIS, Helena, said Montana citizens have traditionally taken pride in their historic buildings and property. We think this is a logical bill that makes sense economically.

DAVID NELSON, Montana Arts Council, said I see no difficulty in complying with Senate Bill 157, as amended. This issue of having the government be a good steward to this property is an important concept.

Written testimony on Senate Bill 246 was also submitted by JIM FLYNN, Department of Fish, Wildlife, and Parks. (see exhibit 6)

There were no opponents to Senate Bills 157 and 246.

Senator Brown closed.

Questions from committee. Rep. Peck asked Senator Brown if a state agency is looking for property, would they have to go through the State Historical Preservation Office to see if there is property available, suitable to their needs. Senator Brown replied they have to consider historic aspects before they make their move.

Ms. Sherfy replied agencies needing new space ask us for a list of property that might meet their needs. They are also required to report on why they made the decision one way or another. They would have to report back.

Rep. Miller asked Ms. Sherfy why these teeth have to be in the bill in such a way. The response was let's consider what the intent of the bill was, and what the most is that is being asked for. The intent is not to direct what an agency does, but to have them incorporate into their planning process for new space, a consciousness of the availability of historic space. Without the amendments, it is just a suggestion. It does not direct them to ask us what space is available. With the amendments, they would have to ask us what space is available and inform us of the final decision. This gives us the tool to document that thinking process.

HOUSE EDUCATION COMMITTEE MINUTES

March 9, 1983, page 6

Rep. Sands asked Ms. Sherfy what the remedy would be, under Senate Bill 157, if the agencies did not comply. The reply was there is no form of a remedy.

Chairman Daily said if the Senate added the amendments on page 3, line 15 through 19, why are we striking them. Senator Brown replied on Senate Bill 246, those amendments were put in at the request of the Montana Coal Council. The concern was that the coal companies didn't want to have to comply with two different sets of standards.

Mr. Hemmer responded under the Strip Mining Act, the federal standards are employed. In trying to make sure there was not a duplicate process, those standards were potentially imposed on us for managing our lands. That was not the intent. We have no problem with the federal standards through the Strip Mining Act, but in managing our lands, we are wearing a different hat.

Rep. Hannah asked Mr. Hemmer if they want to be able to manage their lands differently than some private outfit. The answer was this is only binding on a state lands agency. We are out to make money for the schools, so we are in a different status than the Bureau of Land Management. Let the State Antiquities Act apply to the state owned lands, and the federal statutes apply to strip mining.

Rep. Eudaily asked how the amendments would affect the bill. Ms. Sherfy replied the amendments proposed do not reutrn the bill exactly to it's original form. They remove the reference concerning consideration. It does return the reporting requirement, but not the grounds for that reporting requirement.

Chairman Daily closed the hearing on Senate Bills 246 and 157 at 1:45 p.m.

The committee resumed EXECUTIVE SESSION.

SENATE BILL 445

Rep. Peck moved Senate Bill 445, BE CONCURRED IN.

Rep. Sands moved to amend Senate Bill 445. (see exhibit 7)  
Rep. Sands stated the purpose of the amendments is to make the bill constitutional. It eliminates the distinctions between religious schools and other private schools. The Senate was concerned about the first amendment's instructions concerning freedom of religion. There is another clause in the first amendment which prohibits encouragement of religious freedom. By making this distinction, they have potentially created some problems with the establishment clause of the constitution. I think it is appropriate to clean this bill up by making the same provisions apply to private schools as to religious schools.

HOUSE EDUCATION COMMITTEE MINUTES

March 9, 1983, page 7

Rep. Peck said the last item on page 5 applies only to home schools. Private or parochial schools would not be required to report to the county superintendent of schools. Rep. Sands replied home schools are the only ones that would have to report.

Rep. Eudaily asked Rep. Sands if this would mean the the home school has to be housed in a building that complies with the state and federal regulations. The response was the home school would have to comply with the regulations concerning homes.

Rep. Keenan said I am concerned with striking, on page 4, section C. This is an attempt to have them meet the same qualifications that a church school would meet. In the standards for Montana schools, the requirement under 20-5-102, the minimum requirement is that they have to teach social sciences, mathematics, sciences, language arts, health, etc. You are more apt, in a formulative school of one type or another, to have some kind of a sequential educational process going on. This language gives no direction as to the specifics, or the sequential material required. There is nothing that says we go from first grade to second grade to third grade. I could decide that social studies is reading Tuesday's paper on the economy. The child would not be getting a sequential education. I think that home schools need the direction that says you start on page 1 and move on.

Rep. Sands asked HIDDE VAN DUYM, Board of Public Education, to distinguish between the two provisions on page 4. Lines 9 through 11, verses lines 19 and 20.

Mr. Van Duym responded when you look at lines 9 through 11, it applies to the parochial and church affiliated schools. This is also applied to home schools. Lines 19 and 20 are taken out because the situation is already covered.

ROD SVEE, Office of Public Instruction, stated it depends upon the weight that is put on the word organized. If organized means sequential, then you have one in the same thing. There would be very little difference between the basic instructional program identified by the board as being sections 2 and 3, and the organized course of study.

Mr. Van Duym said there is a potential difference in the intent. Lines 9 through 11 talk about the subjects. Lines 19 and 20 talk about the overall program.

Rep. Lory said speaking practically, I don't think we will ever get them to comply with lines 19 and 20, we may get them to comply with lines 9 through 11.



HOUSE EDUCATION COMMITTEE MINUTES  
March 9, 1983, page 8

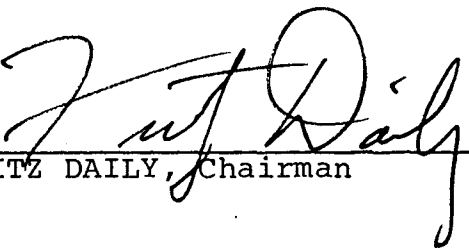
Rep. Kadas said I think we are changing the intent, but there is no way the intent could be followed.

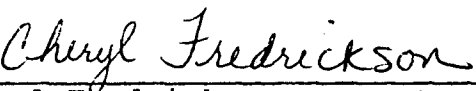
Rep. Sand's amendments passed 12 to 4, with Representatives Keenan, Miller, Schye, and Daily voting no.

Rep. Hammond moved to amend the bill to include an effective date, and to amend the title. The motion carried unanimously.

Rep. Sands moved Senate Bill 445, BE CONCURRED IN as amended, the motion carried 15 to 1, with Chairman Daily voting no.

Chairman Daily adjourned the meeting at 2:15 p.m.

  
FRITZ DAILY, Chairman

  
Cheryl Fredrickson, secretary

# VISITOR'S REGISTER

HOUSE Education

COMMITTEE

BILL STR 21

DATE 3/9

SPONSOR Berg

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

# VISITOR'S REGISTER

HOUSE

## Education

COMMITTEE

BILL

SB # 246

DATE \_\_\_\_\_

3/9

**SPONSOR**

Brown

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

# VISITOR'S REGISTER

HOUSE Education

COMMITTEE

BILL SB# 157

DATE 3/9

SPONSOR Brown

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

# VISITOR'S REGISTER

HOUSE

## Education

COMMITTEE

BILL

308

DATE \_\_\_\_\_

3/9

**SPONSOR**

Regan

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

A number of potential historic district nominations have resulted from the systematic community surveys which have occurred during the past three years. One hundred percent owners' concurrence has just been secured for a small portion of the Red Lodge Commercial Historic District and the Oregon Shortline Terminus Historic District in West Yellowstone. These nominations may now be forwarded to the National Register of Historic Places. The following historic district nominations have been on file at the Preservation Office, some for as long as two years, pending the receipt of the written concurrence of each property owner.

Billings Westside Historic District  
Billings Southside Historic District  
Dillon Commercial Historic District  
Dillon Residential Historic District  
Fort Benton Historic District (adjustment of 1976 Boundaries)  
Kalispell Eastside Residential Historic District  
Kalispell Commercial Historic District  
Kalispell Courthouse Historic District  
Kalispell Westside Residential Historic District  
Missoula Eastside Residential District  
Missoula Westside Residential Historic District  
Red Lodge Eastside Residential Historic District  
Red Lodge "Hi-bug" Historic District  
Red Lodge Fountain Park Historic District  
Red Lodge Commercial Historic District (extended boundary)

Survey is currently underway in a number of Montana communities.

We expect that additional potential historic districts will be identified as a result of the building inventories in the following cities and towns:

Great Falls  
Bozeman  
Hot Springs  
Deer Lodge  
Libby  
Philipsburg

SB157 An Act to Require State Agencies to Consider Heritage Properties for New Space Needs.

This act requires state agencies in need of additional space to consider systematically the use of existing, historically significant properties. Note that the bill does not create a blanket requirement that historic space be used. Rather, it requires that an agency (1) check with the Historical Society to learn what historic space might be available, (2) evaluate the appropriateness of using that space for the desired purpose, and (3) inform the Society of its decision as a result of that evaluation. The benefits of the act are:

- to demonstrate to Montanans the state's intent to be a conscientious steward of the state's past and of the heritage of Montana communities;
- to bring to the attention of state agencies opportunities to save money which are not now routinely considered;
- to give to the state another method to contribute to the economic revitalization of existing commercial centers in Montana communities.

---

SB246 An Act to Require State Agencies to Adopt, in Consultation with the Montana Historical Society, Rules Outlining Procedures for the Identification and Preservation of Heritage Properties and Paleontological Remains or to follow Rules for that Purpose Adopted by the Historic Preservation Officer

This amendment reinforces and realizes--but does not alter or increase--the responsibility for heritage property consideration as outlined in the 1979 Montana Antiquities Act. The amendment identifies the specific method (i.e. regulations) by which state agencies will formalize and document their procedures for considering heritage properties on state land. Further, it gives the Historic Preservation Office the authority to write regulations for that same purpose, should an agency choose not to write its own. The benefits of the act are:

- to clarify the format in which agency procedures are written and presented;
- to insure that the format used by agencies includes a public-comment process--open to development industries, to the lay public, and to professional historians;
- to insure that the procedures used by state agencies are accessible and clearly known to anyone whom they might affect;
- to assure Montanans that--even if a state agency does not choose to prepare procedures for heritage property consideration--the agency still must legally adhere to a standard for heritage property stewardship.

"An Act to Require Concurrence of a Majority of the Property Owners [and Owners of One-Half of the Property] in a Historic District for Nomination of the District to the National Register of Historic Places, Amending Section 22-3-431, MCA"

---

This amendment to the Montana State Antiquities Act will make it feasible for Montana to nominate historically significant districts to the National Register of Historic Places. Existing law requires the written concurrence of every owner within a district to seek nomination. Hence, the silence, forgetfulness, or disagreement of a single person may deny district designation to an entire qualifying historic commercial center or neighborhood.

This amendment, in its original form, would give Montana owner consent requirements that duplicate those in Federal statute. At either level, owner consent provisions exist not because Register listing is a legal taking. Unless a private property owner uses Federal preservation tax dollars or tax incentives, he may do anything he wants with his property, including demolition. Owner consent provisions exist to insure that owners are informed of and understand the process and results of Register listing.

#### Benefits:

Passage of the amendment will offer Montanans a set of preservation/revitalization incentives that its absence denies:

1. Significant collections of historic buildings, along with the owners who have carefully maintained them, can receive deserved attention. Register recognition for historically significant districts fosters pride, public consciousness, and interest that--more than any other incentives--result in good maintenance, an enthusiasm to rehabilitate, a willingness to invest.
2. National Register recognition for districts is especially important to communities who publicize their historic values to tourists. Register designation adds credibility to the claims of historic value in promotional literature. Four Montana communities have used historic districts as the basis for walking tours and walking tour brochures that direct visitors throughout their business sections.
3. Income-producing buildings which contribute to the value of historic districts but would not qualify themselves for the Register become eligible to use the 25% Federal investment tax credit available for substantial rehabilitation work. Since 1979, in Montana, 14 million dollars of rehabilitation work--spurred by Federal preservation tax incentives--has been accomplished. 12½ million dollars of that was spent on buildings in previously listed historic districts.
4. Community pride, visitor promotion, and the availability of substantial preservation tax credits have a demonstrated record for promoting property maintenance and employment that is less likely to occur otherwise.



Changes for consideration to Senate Bill 157

1. Page 1 line 4

Following: "TO" on line 4

Strike: "ENCOURAGE"

Insert: "REQUIRE"

2. Page 1 line 6

Following: "NEEDS" on line 6

Strike: line 6 in its entirety

3. Page 1 line 12

Following: "involved" on line 12

Strike: "may"

Insert: "shall"

4. Page 1 line 23

Following: "director" on line 23

Strike: "may"

Insert: "shall"

5. Page 1 line 25

Page 2 lines 1 through 4

Following: "officer" on line 25

Strike: line 25 in its entirety

lines 1 through 3 on page 2 in their entirety

line 4 on page 2 to "to"

Insert: "and submit written explanation of a decision to use or  
not to use available heritage property"

1. Page 1 line 5

Following: "ADOPT," on line 5  
Strike: "WITH THE CONCURRENCE OF"  
Insert: "IN CONSULTATION WITH"

2. Page 3 lines 15 through 19

Following: "22-3-423." on line 15  
Strike: lines 15 through 19 in their entirety

Statement of Intent

1. Page 2 lines 20 through 21

Following: "differences" on lines 20 and 21  
Strike: "between the agency and the Historical Society"

2. Page 2 lines 22 through 24

Following: "high." on line 22  
Strike: lines 22 through 24 in their entirety

## DEPARTMENT OF STATE LAND'S TESTIMONY ON SB 246

## BEFORE THE HOUSE EDUCATION AND CULTURAL RESOURCES COMMITTEE

The Department of State Lands requests that SB 246 be amended to clear up some confusion caused by a Senate amendment on page 3, lines 15 through 19. The purpose of this amendment was to avoid a duplication of effort when state and federal rules both apply. However, since the rules required by this bill are only for land owned by the state, federal rules will not apply and no duplication will occur. Thus, the amendment is not necessary. However, since some state agencies such as State Lands do act in conjunction with a federal agency on matters other than on lands owned by the state, the amendment could require that federal rules be used for state lands. This is not the intent of the bill and would require unnecessary and costly delays and problems in managing state land.

In addition to striking this language from the bill, the department also requests that the Statement of Intent be amended. On page 2, lines 20 through 24 an adjudication method is suggested. The requested amendment would delete the suggested method and simply allow the agency adopting the rules to determine an adjudication method. Each agency should have the ability to determine the best method of adjudicating differences of opinion.

The Department of State Lands urges the Committee to adopt these amendments which are attached to the written testimony.

AMENDMENTS

SENATE BILL 246

THIRD READING - BLUE COPY

Ex. 5  
OK May be

Page 3, lines 15 through 19

Following: "22-3-423." on line 15

Strike: remainder of line 15 through line 19

STATEMENT OF INTENT

Page 2, lines 20 through 24

Following: "differences" on line 20

Strike: remainder of line 20 through "instances" on line 21

Following: "high." on line 22

Strike: remainder of line 22 through line 24

SB 246

Testimony presented by Jim Flynn, Department of Fish, Wildlife & Parks

March 9, 1983

Through the legislative mandate given to our Department in creating the State Park System, we have responsibility for preserving our historical and paleontological heritage. We feel that state agencies should make certain that these values are given proper consideration.

We support Senate Bill 246 as amended. Consultation with the Historical Society will improve the rules adopted by each agency for the identification and preservation of heritage properties.

We appreciate the quality of the Montana Historical Society's program and will cooperate with them in carrying out SB 246's intent to improve the preservation of Montana's historical and paleontological values.

Amendments to SB 445 (third reading copy)

1. Title, line 8.  
Strike: "PAROCHIAL OR CHURCH"  
Insert: "NONPUBLIC OR HOME"
2. Title, lines 13 through 15.  
Strike: line 13 through "AND" on line 15
3. Title, line 15.  
Following: "THAT"  
Insert: ", FOR STUDENTS IN HOME SCHOOLS,"
4. Page 2, lines 12 through 17.  
Strike: subsection (a) in its entirety  
Renumber: subsequent subsections
5. Page 3, line 10.  
Strike: "private"  
Insert: "nonpublic"
6. Page 3, line 11.  
Following: "section 2"  
Strike: "(2)"
7. Page 3, line 12.  
Following: "subsection"  
Strike: "(g)"  
Insert: "(f)"
8. Page 3, line 13.  
Following: "residence"  
Insert: "and a nonpublic school includes a parochial, church, religious, or private school"
9. Page 3, line 24.  
Strike: "(1)"
10. Page 4, line 1.  
Strike: "parochial or church"  
Insert: "nonpublic or home"
11. Page 4, line 2.  
Strike: "(a)"  
Insert: "(1)"
12. Page 4, line 5.  
Strike: "(b)"  
Insert: "(2)"
13. Page 4, line 7.  
Strike: "(c)"  
Insert: "(3)"

14. Page 4, line 8.

Following: "regulations;"

Strike: "and"

15. Page 4, line 9.

Strike: "(d)"

Insert: "(4)"

16. Page 4, line 11.

Following: "20-7-111"

Strike: "."

Insert: "; and"

17. Page 4, lines 12 through 16.

Strike: lines 12 through 16 in their entirety

18. Page 4, line 17.

Strike: "(b)"

Insert: "(5) in the case of home schools,"

19. Page 4, line 18.

Following: "school"

Strike: "; and"

20. Page 4, lines 19 and 20.

Strike: line 19 through "20-7-111" on line 20

WITNESS STATEMENT

Name Marcell Shaff Committee On Education  
Address \_\_\_\_\_ Date \_\_\_\_\_  
Representing West Security Support ✓  
Bill No. 157,246,308 Oppose )  
Amend and amend

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.



WITNESS STATEMENT

Name Robert Archibald Committee On Educ.  
Address Helena Date 3-9-83  
Representing MT. Hist Society Support ✓  
Bill No. 152,246,308 Oppose \_\_\_\_\_  
Amend ✓

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

WITNESS STATEMENT

Name Dennis Hemmer Committee On Education  
Address Helena Date 3-9-83  
Representing Dept of State Lands Support \_\_\_\_\_  
Bill No. 246 Oppose \_\_\_\_\_  
Amend ✓

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

# STANDING COMMITTEE REPORT

March 9, 1983

MR. **SPEAKER:**

We, your committee on **EDUCATION AND CULTURAL RESOURCES**

having had under consideration **SENATE JOINT RESOLUTION** ~~XX~~ **21**  
Bill No.

Third reading copy (Blue)  
color

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF MONTANA RECOGNIZING MONTANA'S STATEHOOD CENTENNIAL  
IN 1989; URGING THE GOVERNOR TO BEGIN PLANNING AND COORDINATION;  
AND REQUESTING THE GOVERNOR TO MAKE RECOMMENDATIONS TO THE 49TH  
LEGISLATURE ON THE ADMINISTRATION OF CENTENNIAL ACTIVITIES.

Respectfully report as follows: That **SENATE JOINT RESOLUTION** ~~XX~~ **21**  
Bill No.

~~XXXXXX~~  
DO PASS

BE CONCURRED IN

# STANDING COMMITTEE REPORT

.....March 14, 19 23.....

MR. SPEAKER:.....

We, your committee on.....EDUCATION AND CULTURAL RESOURCES.....

having had under consideration .....SENATE Bill No. 157.....

third reading copy ( blue )  
color

A BILL FOR AN ACT ENTITLED: "AN ACT TO ENCOURAGE STATE AGENCIES  
TO GIVE CONSIDERATION TO HERITAGE PROPERTIES FOR NEW SPACE NEEDS  
IN CERTAIN CASES."

Respectfully report as follows: That.....SENATE Bill No. 157.....

BE CONCURRED IN  
DO PASS

# STANDING COMMITTEE REPORT

1 of 2

March 14, 1933

MR. SPEAKER:

We, your committee on Education and Cultural Resources

having had under consideration SENATE Bill No. 246

third reading copy ( blue )  
color

A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE STATE AGENCIES TO ADOPT, WITH THE CONCURRENCE OF THE MONTANA HISTORICAL SOCIETY, RULES OUTLINING PROCEDURES FOR THE IDENTIFICATION AND PRESERVATION OF HERITAGE PROPERTIES AND PALEONTOLOGICAL REMAINS OR TO FOLLOW RULES FOR THAT PURPOSE ADOPTED BY THE HISTORIC PRESERVATION OFFICER; AMENDING SECTIONS 22-3-423 AND 22-3-424, MCA."

Respectfully report as follows: That SENATE Bill No. 246

be amended as follows:

1. Title, line 5.

Strike: "WITH THE CONCURRENCE OF"

Insert: "IN CONSULTATION WITH"

2. Page 3, lines 15 through 19.

Following: "22-3-423."

Strike: lines 15 through line 19 in their entirety

AND AS AMENDED

BE CONCURRED IN

DO PASS

March 14, 1983

SENATE BILL 246STATEMENT OF INTENT

be amended as follows:

1. Page 2, lines 20 and 21.

Following: "differences"

Strike: line 20 through "society" on line 21

2. Page 2, lines 22 through 24.

Following: "high."

Strike: lines 22 through line 24 in their entirety

# STANDING COMMITTEE REPORT

March 9, 1933

MR. **SPEAKER:**

We, your committee on **EDUCATION AND CULTURAL RESOURCES**

having had under consideration **SENATE** Bill No. **308**

Third reading copy ( Blue )  
color

A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE CONCURRENCE BY A MAJORITY OF THE PROPERTY OWNERS AND OWNERS OF MORE THAN ONE-HALF OF THE PROPERTY IN A HISTORIC DISTRICT FOR NOMINATION OF THE DISTRICT TO THE NATIONAL REGISTER OF HISTORIC PLACES; AMENDING SECTION 22-3-431, MCA."

Respectfully report as follows: That..... **SENATE** Bill No. **308**

XXXXXX BE CONCURRED IN  
DO PASS

STATE PUB. CO.  
Helena, Mont.

FRITZ DAILY, Chairman.

COMMITTEE SECRETARY