

MINUTES OF THE MEETING
EDUCATION AND CULTURAL RESOURCES COMMITTEE
MONTANA STATE SENATE

March 18, 1983
9:00 a.m.

The meeting of the Senate Education and Cultural Resources Committee was called to order by Chairman Bob Brown on March 18, 1983, at 9:00 a.m. in Room 402, State Capitol.

ROLL CALL: All committee members were present.

The committee met in Executive Session.

ACTION ON HOUSE BILL 794: Senator Blaylock moved to reconsider action on House Bill 794. The motion carried unanimously.

Senator Blaylock moved to amend the bill by adding an immediate effective date. The motion carried unanimously.

Senator Blaylock moved House Bill 794 BE CONCURRED IN AS AMENDED. The motion carried unanimously.

ACTION ON HOUSE BILL 879: Senator Berg moved the amendments 1-3 and 1 and 2 on page 1 of the proposed amendments to House Bill 879 (exhibit #1). The motion carried unanimously.

Rick Bartos, Office of Public Instruction, asked the committee to remove "eliminate" and insert "prohibit" throughout the bill as "eliminate" becomes a legislative presumption that discrimination exists which could and would be used in court cases. He noted you can prohibit, but you can't guarantee or legislate elimination.

Senator Berg moved to strike "eliminate" and insert "prohibit" throughout the bill. The motion carried unanimously.

Senator McCallum moved the rest of the amendments as per the attached proposed amendments (exhibit #2).

Senator Berg made a substitute motion to amend page 2, lines 7, 8, 9 by striking "Violations of rights have had a deleterious effect on the individual involved and on society". The motion carried with Senator Severson voting no.

Page 2
Education and Cultural Resources
March 18, 1983 9:00 a.m.

Senator Berg moved to amend page 4, lines 12-15. The motion failed on a tie roll call vote.

Senator Elliott moved to table House Bill 879.

ADJOURN: Senator McCallum made a substitute motion to adjourn. The motion carried.

A handwritten signature in cursive script that reads "Bob Brown". The signature is written in dark ink and is positioned above a horizontal line.

Senator Bob Brown, Chairman

jdr

ROLL CALL

EDUCATION AND CULTURAL RESOURCES

COMMITTEE

48th LEGISLATIVE SESSION -- 1983

Date 3/18
9:00am

NAME	PRESENT	ABSENT	EXCUSED
<u>Senator Bob Brown, Chairman</u>	X		
<u>Senator Ed Smith, V. Chairman</u>	X		
<u>Senator Roger Elliott</u>	X		
<u>Senator Delwyn Gage</u>	X		
<u>Senator George McCallum</u>	X		
<u>Senator Elmer Severson</u>	X		
<u>Senator Harry Berg</u>	X		
<u>Senator Chet Blaylock</u>	X		
<u>Senator Jack Haffey</u>	X		
<u>Senator Joseph Mazurek</u>	X		

LX 71011
3/18/83

AMENDMENTS TO HB 879

1. Page 2, line 1.

Following: "."

Strike: "inequality"

Insert: "Sex-based inequality"

2. Page 2, line 2.

Strike: "afforded women and girls at all levels"

Insert: "at any level"

3. Page 7, line 9.

Strike: "or guideline"

1. p. 1, line 14

Following: DISCRIMINATION

Strike: "IN PUBLIC SCHOOL EMPLOYMENT,"

2. Statement of Intent, line 10

Following: ":"

Strike: "public school employment"



OFFICE OF PUBLIC INSTRUCTION

STATE CAPITOL
HELENA, MONTANA 59620
(406) 449-3095

Ed Argenbright
Superintendent

AMENDMENTS TO HB 879

Statement of Intent

Page 1, Line 7 - strike "guidelines" insert "rules"

Page 1, Line 7 - strike "eliminate" insert "prohibit"

Page 1, Line 10 - strike "eliminate" insert "prohibit"

Page 1, Line 10-11 - Strike "public school employment"

Page 1, Line 16 - strike "guidelines" insert "rules"

Page 1, Line 16-17 - strike "but would not be required to state
such guidelines as administrative rules"

House Bill 879

Page 1, Line 13 - strike "and guidelines"

Page 1, Line 14 - strike "eliminate" insert "prohibit"

Page 1, Line 14 - strike "in public school employment"

Page 2, Line 7,8,9 - strike "Violations of rights have had a deleterious
effect on the individuals involved and on society."

Page 2, Line 14 - strike "eliminate" insert "prohibit"

Page 2, Line 15 - strike "and guidelines"

Page 2, Line 15 - strike "eliminate" insert "prohibit"

Page 2, Line 20 - strike "and guidelines"

Page 4, Line 12,13,14,15 - strike "except that school districts may
consider the public and student interest in attending and
participating in various recreational and athletic activities
in scheduling games and practice times."

Page 5, Line 3 - strike "or during gym classes."

Amendments to HB 879
Page Two

Page 5, Line 7 - strike "guidelines" insert "rules".

Page 5, Line 21 - strike "guidelines" insert "rules".

Page 6, Line 5 - strike "and guidelines"

Page 7, Line 9 - strike "or guidelines".

STANDING COMMITTEE REPORT

March 17, 19 83

MR. **PRESIDENT:**

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

having had under consideration **HOUSE** Bill No. **794**

Daily

Respectfully report as follows: That **HOUSE** Bill No. **794**

third reading copy, be amended as follows:

1. Title, line 9.

Following: "MCA"

Insert: "; PROVIDING AND IMMEDIATE EFFECTIVE DATE"

2. Page 4.

Following: line 5

Insert: "NEW SECTION. Section 3. Effective date. This act is effective on passage and approval."

And, as so amended, BE CONCURRED IN

XXXXXX

DO PASS

y.c.

SENATE COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

Date 3/18/83 House Bill No. 879 Time _____

NAME	YES	NO
_____	_____	_____
_____ Senator Bob Brown, Chairman	_____	<u>X</u>
_____ Senator Ed Smith, Vice Chairman	_____	<u>X</u>
_____ Senator Roger Elliott	<u>X</u>	_____
_____ Senator Delwyn Gage	<u>X</u>	_____
_____ Senator George McCallum	<u>X</u>	_____
_____ Senator Elmer Severson	_____	<u>X</u>
_____ Senator Harry Berg	<u>X</u>	_____
_____ Senator Chet Blaylock	_____	<u>X</u>
_____ Senator Jack Haffey	<u>X</u>	_____
_____ Senator Joseph Mazurek	_____	<u>X</u>
_____	_____	_____
_____	_____	_____

Jill Robyans
Secretary JILL ROBYANS

Senator Bob Brown
Chairman SENATOR BOB BROWN for

Motion: by Senator Berg To amend page 4,
lines 12-15, House Bill 879.
motion failed

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