

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

February 4, 1985

The eighth meeting of the Senate Education and Cultural Resources Committee was called to order by the Chairman, Senator Chet Blaylock, on February 4, 1985, at 1:00 P.M. in Room 402, State Capitol Building.

ROLL CALL: Roll was called and all members of the committee were present.

FURTHER CONSIDERATION OF SENATE BILL 109

SENATOR FARRELL does not like the work "promptly" on page 6, line 2. He questions how you will determine promptly.

SENATOR REGAN made a motion to strike the word "promptly" on page 6, line 2, following "museum". THE MOTION PASSED UNANIMOUSLY.

SENATOR FARRELL made a motion to strike the word "promptly" on page 8, line 22. THE MOTION PASSED UNANIMOUSLY.

SENATOR REGAN stated that the word "promptly" on page 5, line 11 is there to notify some promptness is necessary and should be left there.

SENATOR REGAN referred to the sentence on page 6, lines 3, 4, and 5 and said it is almost like you lose your property by default.

SENATOR MAZUREK has the same concern.

SENATOR BLAYLOCK said the problem is that there is so much property thrust upon them and they run out of space and are responsible for getting everything back to the property owner.

SENATOR REGAN thinks that the sentence on page 6, lines 3, 4, and 5 can be stricken as the language on the same page, lines 15 and 16 deals with the situation.

SENATOR PINSONEAULT said he has talked with Mr. Archibald and there should be a contract with 90% of the property but there still are items to get rid of.

SENATOR SMITH asked if they want to dispose of the property for cash value.

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SENATOR PINSONEAULT explained that there is a problem of space. They would like to get rid of the stuff that is of questionable value and get it back into the hands of the lender.

SENATOR REGAN made a motion to strike the sentence beginning on page 6, line 3, "Failure to notify the museum of these changes may result in the owner's loss of rights in the property."  
THE MOTION PASSED UNANIMOUSLY.

SENATOR MAZUREK does not like the language at the top of page 4, "The museum need not retain a notice that does not meet the requirements set forth in subsection (1)". He feels if someone simply writes a letter saying this is my great grandmother's and I want to retain an interest in this, then they should be able to do just that.

SENATOR FARRELL asked if this is new language or existing law.

SENATOR PINSONEAULT said this is all new language and that California has a similar statute.

SENATOR FARRELL asked what is the Uniform Unclaimed Property Act.

SENATOR MAZUREK said that act allows for property that remains unclaimed for 7 years to escheat to the state. If a bank account is left untouched for 7 years the institution has to give that money to the state.

SENATOR HAFLEY referred to the testimony given by Dr. Archibald. Dr. Archibald stated that disposition by sale is not probable but there may be some property that they have to utilize Section 12 to dispose of it.

SENATOR HAFLEY asked who drafted the bill.

LEE HEIMAN said the bill may have been 99% drafted when the Council got it. He does not know.

CHAIRMAN BLAYLOCK closed the hearing on SB 109 until the subcommittee, Senators Pinsoneault and Mazurek, can come before the committee with some recommendations.

#### FURTHER CONSIDERATION OF HOUSE BILL 99

SENATOR REGAN referred to the amendments she furnished the committee (Exhibit 1) and stated that from the testimony on the bill, even if the bill is passed the technical engineers will have to wait 8 years to take the professional exam.

SENATOR BROWN said they did not ask for that in the original bill. Are you treating the technical engineers any differently than a regular engineer.

SENATOR REGAN said she talked with Representative Bradley on the amendment and she is delighted with the amendment and this was ultimately what they wanted.

SENATOR MAZUREK asked if we are eliminating any distinction between engineers and engineering tech students.

SENATOR REGAN said we are giving them the same opportunity to take the test as the engineers. When they graduate one is sort of a design engineer and one is an engineer that is out in the field supervising.

SENATOR BLAYLOCK asked if we pass this amendment what will keep the students at Bozeman from taking a technical engineer course as opposed to the more demanding engineer course.

MICHELLE WING, MSU, said the professional engineer exam is no different between mechanical engineers, civil engineers, geological engineers, or whatever. Whatever the engineer, you are a mechanical engineer that has taken the professional engineer exam or an electrical engineer that has taken the professional engineers exam. Your educational background goes along with the exam on your resume. The test is the same regardless of how long you wait. If the examiner says you haven't advanced to the level they require they will refuse your application to take the test.

SENATOR HAFLEY said what you are saying is this bill was drafted with the intent to place engineering technology students, as they move into engineering training and professional certification, on the same time and testing as other people in the engineering group.

MICHELLE WING agreed with this summation.

SENATOR HAFLEY made a motion to move the amendment to HB 99.

SENATOR MAZUREK said his initial reaction was that this amendment was not a good idea but after having heard the testimony he is in favor of the amendment. Hopefully the students will take their curriculum course for what they want to do in the field and not with respect to taking the exam.

THE MOTION PASSED UNANIMOUSLY.

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SENATOR HAFLEY made a motion that HB 99 be concurred in as amended. THE MOTION PASSED UNANIMOUSLY.

FURTHER CONSIDERATION OF SENATE JOINT RESOLUTION 13

SENATOR REGAN said this is probably a good idea if it passes but it will need funding. Without the funding you virtually have nothing.

SENATOR HAFLEY is on the subcommittee relating to this and budget requests have been somewhat approved. If this resolution passes there are two or three places where they are seeking funds. He feels there is merit to the center.

Committee members related instances in their respective areas where ground water testing has been done or should have been done.

SENATOR YELLOWTAIL questioned why this bill was in the Education Committee. He wondered if the Department of Natural Resources may be considering some project that may have a bearing on this.

SENATOR SMITH asked if this will combine all the ground water information in one area.

SENATOR BLAYLOCK said the information would be at the Montana Bureau of Mines and will be available to the Department of Natural Resources.

SENATOR HAFLEY further explained that the hydrologists and other persons experienced in this field are also housed at the Montana Bureau of Mines and not at the Department of Natural Resources.

SENATOR PINSONEAULT made a motion that SJR 13 DO PASS. THE MOTION PASSED UNANIMOUSLY.

FURTHER CONSIDERATION OF SENATE BILL 168

SENATOR HAFLEY furnished the committee with an explanation of the transition amendment he furnished to the committee on Friday (Exhibit #2).

SENATOR HAFLEY made a motion to move the amendments to SB 168 (Exhibit #3). THE MOTION PASSED UNANIMOUSLY.

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SENATOR HAFHEY made a further motion to move the bill as amended.

SENATOR MAZUREK asked if there is a problem with county elected officials contracting from another county elected office.

LEE HEIMAN said that is done, coroners are a good instance, and is basically encouraged.

THE MOTION PASSED UNANIMOUSLY.

ADJOURNMENT: There being no further business, the meeting adjourned at 2:00 P.M.

  
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Senator Chet Blaylock, Chairman

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ROLL CALL

SENATE EDUCATION AND CULTURAL RESOURCES COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 2-4-85

| NAME                       | PRESENT | ABSENT | EXCUSED |
|----------------------------|---------|--------|---------|
| SENATOR PINSONEAULT        | ✓       |        |         |
| SENATOR BROWN              | ✓       |        |         |
| SENATOR REGAN              | ✓       |        |         |
| SENATOR SMITH              | ✓       |        |         |
| SENATOR HAFLEY             | ✓       |        |         |
| SENATOR YELLOWTAIL         | ✓       |        |         |
| SENATOR MAZUREK            | ✓       |        |         |
| SENATOR FARRELL            | ✓       |        |         |
| SENATOR McCALLUM           | ✓       |        |         |
| SENATOR BLAYLOCK, CHAIRMAN | ✓       |        |         |
|                            |         |        |         |
|                            |         |        |         |
|                            |         |        |         |
|                            |         |        |         |
|                            |         |        |         |

AMEND HOUSE BILL 99

1. Title, line 7.

Following: "ENGINEER-IN-TRAINING"

Insert: "AND AS A PROFESSIONAL ENGINEER"

2. Title, line 8.

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS 37-67-306 AND"

3. Page 2.

Following: line 9

Insert: "Section 2. Section 37-67-306, MCA, is amended to read:

37-67-306. Qualifications of applicant for registration as professional engineer. The following is considered minimum evidence satisfactory to the board that the applicant is qualified for registration as a professional engineer:

(1) A graduate of an engineering or engineering technology curriculum of 4 years or more approved by the board as being of satisfactory standing, with a specific record of an additional 4 years or more of progressive experience on engineering projects of a grade and character which indicate to the board that the applicant may be competent to practice engineering, shall be admitted to an 8-hour written examination in the fundamentals of engineering and an 8-hour written examination in the principles and practices of engineering. Upon passing such examinations, the applicant shall be granted a certificate of registration to practice engineering in this state provided he is otherwise qualified.

(2) A graduate of ~~an engineering or a~~ related science curriculum of 4 years or more, other than ~~the ones approved by the board as being of satisfactory standing~~ engineering or engineering technology, with a specific record of 8 years or more of progressive experience on engineering projects of a grade and character which indicate to the board that the applicant may be competent to practice engineering, may be admitted to an 8-hour written examination in the fundamentals of engineering and an 8-hour written examination in the principles and practices of engineering. Upon passing such examinations, the applicant shall be granted a certificate of registration to practice engineering in this state provided he is otherwise qualified.

(3) A graduate of an engineering or related science curriculum of 4 years or more with a specific record of 20 years or more of progressive experience on engineering projects, of which at least 10 years have been in charge of important engineering

projects, of a grade and character which indicate to the board that the applicant may be competent to practice engineering shall be admitted to an 8-hour written examination in the principles and practices of engineering. Upon passing such examination, the applicant shall be granted a certificate of registration to practice engineering in this state provided he is otherwise qualified.

(4) Engineering teaching in a college or university offering an approved engineering curriculum of 4 years or more may be considered as engineering experience in these requirements provided research, product development, or consulting has been a concurrent activity."

Renumber: subsequent sections

HB99.022

PC5



Lee Heiman  
February 4, 1985

Effect of Transition Amendment to SB 168

The amendment does not affect office consolidation, but merely provides a method to phase in the new requirements of the bill. Only counties currently having a consolidated office are affected by the transition provision.

It basically provides that the new procedures in the bill only apply:

1. At the end of the current term of the applicable county office, or
2. At the end of any contract, now allowed by law, that extends part of the term of office.

Examples:

1. If the office of county superintendent of schools has been consolidated into the office of the clerk and recorder, and the clerk and recorder's next term begins January 1987, then that's when the restrictions of the bill apply.
2. Under the same circumstances, the clerk and recorder has hired a person under contract to do the superintendent's duties. If the contract expires at the end of the 1986-87 school year, for instance June 15, 1987, then the restrictions in the bill apply on June 16, 1987.

Amendments to SB 168

1. Page 2.

Following: line 14

Insert: "Section 2. Transition. The amendment to 20-3-201 made by this act is effective in each county in which, prior to the effective date of this act, the office of county superintendent of schools had been consolidated with another office upon:

(1) the beginning of the next term of office after the effective date of this act of the county officer with which the office of the county superintendent of schools has been consolidated; or

(2) if a contract was entered into under the provisions of 20-3-201, as it read prior to its amendment by this act, and the contract extends into the next term of the officer set forth in subsection (1), then upon the expiration of such contract."

# STANDING COMMITTEE REPORT

February 4, 1985

MR. PRESIDENT

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

having had under consideration **HOUSE BILL** No. **99**

**third** reading copy (**blue**)  
(Regan will carry bill) color

## **ENGINEERING TECHNOLOGY GRADUATE, EXAMINATION FOR ENGINEER-IN-TRAINING**

Respectfully report as follows: That **HOUSE BILL** No. **99**

Be amended as follows:

1. Title, line 7.

Following: "ENGINEER-IN-TRAINING"

Insert: "AND AS A PROFESSIONAL ENGINEER"

2. Title, line 8.

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS 37-67-306 AND"

3. Page 2, line 10.

Following: line 9

Insert: "Section 2. Section 37-67-306, MCA, is amended to read:

"37-67-306. Qualifications of applicant for registration as professional engineer. The following is considered minimum evidence satisfactory to the board that the applicant is qualified for registration as a professional engineer:

(1) A graduate of an engineering or engineering technology curriculum of 4 years or more approved by the board as being of satisfactory standing, with a specific record of an additional 4 years or more of progressive experience on engineering projects of a grade and character which indicate to the board that the applicant may be competent to practice engineering.

XXXXXX  
DO PASS

XXXXXXXXXX  
DO NOT PASS

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(cont.)

Chairman.

February 4,

1985

shall be admitted to an 8-hour written examination in the fundamentals of engineering and an 8-hour written examination in the principles and practices of engineering. Upon passing such examinations, the applicant shall be granted a certificate of registration to practice engineering in this state provided he is otherwise qualified.

(2) A graduate of an engineering or a related science curriculum of 4 years or more, other than the ~~ones approved by the board as being of satisfactory standing~~ engineering or engineering technology, with a specific record of 8 years or more of progressive experience on engineering projects of a grade and character which indicate to the board that the applicant may be competent to practice engineering, may be admitted to an 8-hour written examination in the fundamentals of engineering and an 8-hour written examination in the principles and practices of engineering. Upon passing such examinations, the applicant shall be granted a certificate of registration to practice engineering in this state provided he is otherwise qualified.

(3) A graduate of an engineering or related science curriculum of 4 years or more with a specific record of 10 years or more of progressive experience on engineering projects, of which at least 10 years have been in charge of important engineering projects, of a grade and character which indicate to the board that the applicant may be competent to practice engineering shall be admitted to an 8-hour written examination in the principles and practices of engineering. Upon passing such examination, the applicant shall be granted a certificate of registration to practice engineering in this state provided he is otherwise qualified.

(4) Engineering teaching in a college or university offering an approved engineering curriculum of 4 years or more may be considered as engineering experience in these requirements provided research, product development, or consulting has been a concurrent activity."

Remember: subsequent sections

HB99.022

PC5

AND AS AMENDED  
BE CONCURRED IN

CHET BLAYLOCK, Chairman

# STANDING COMMITTEE REPORT

February 4, 1985

MR. PRESIDENT

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

having had under consideration **SENATE JOINT RESOLUTION** No. **13**

**first** reading copy ( **white** )  
color

**JOINT RESOLUTION TO ESTABLISH AND FUND GROUND WATER INFORMATION CENTER**

Respectfully report as follows: That **SENATE JOINT RESOLUTION** No. **13**

DO PASS

~~DO NOT PASS~~  
~~XXXXXX~~

**CHET BLAYLOCK,**

Chairman.

# STANDING COMMITTEE REPORT

February 4, 1995

MR. PRESIDENT

## EDUCATION AND CULTURAL RESOURCES

We, your committee on.....

having had under consideration..... **SENATE BILL** No. **168**

first reading copy ( white )  
color

**REQUIREMENTS WHEN OFFICE OF CO. SUPT IS CONSOLIDATED WITH  
ANOTHER CO. OFFICE**

Respectfully report as follows: That..... **SENATE BILL** No. **168**

be amended as follows:

1. Page 2.

Following: line 14

Insert: "Section 2. Transition. The amendment to 20-3-201 made by this act is effective in each county in which, prior to the effective date of this act, the office of county superintendent of schools had been consolidated with another office upon:

(1) the beginning of the next term of office after the effective date of this act of the county officer with which the office of the county superintendent of schools has been consolidated; or

(2) if a contract was entered into under the provisions of 20-3-201, as it read prior to its amendment by this act, and the contract extends into the next term of the officer set forth in subsection (1), then upon the expiration of such contract."

AND AS AMENDED

DO PASS

~~DO NOT PASS~~

CHET BLAYLOCK,

Chairman.