#### MINUTES

# MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

# COMMITTEE ON EDUCATION & CULTURAL RESOURCES

Call to Order: By Chairman Ted Schye, on March 14, 1991, at 3:00 p.m.

# ROLL CALL

# Members Present: Ted Schye, Chairman (D) Ervin Davis, Vice-Chairman (D) Steve Benedict (R) Ernest Bergsagel (R) Robert Clark (R) Vicki Cocchiarella (D) Fred "Fritz" Daily (D) Alvin Ellis, Jr. (R) Gary Feland (R) Gary Forrester (D) Floyd "Bob" Gervais (D) H.S. "Sonny" Hanson (R) Dan Harrington (D) Tom Kilpatrick (D) Bea McCarthy (D) Scott McCulloch (D) Richard Simpkins (R) Barry "Spook" Stang (D) Norm Wallin (R) Diana Wyatt (D)

- Staff Present: Eddye McClure, Legislative Council Dianne McKittrick, Committee Secretary
- **Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion: CHAIRMAN SCHYE announced HB 940 would be researched in a subcommittee consisting of REP. STANG, Chair, REP. COCCHIARELLA and REP. HANSON.

# **HEARING ON SB 84**

# Presentation and Opening Statement by Sponsor:

SENATOR JUDY JACOBSON, Senate District 36, Butte, said SB 84 would define corporal punishment, abolish its use in schools and more clearly define what is meant by "restraint of a child". Physical abuse is banned in prisons, psychiatric hospitals, military schools, and the Department of Family Services does not allow its use in Mountain View School, Pine Hills School or its foster homes. Many parents and teachers are finding alternative methods such as "time-out" far more effective than a hand applied to a back-side.

There are few places where inflicting pain is an acceptable disciplinary method, and Montana schools stand out as an exception. Every state permits teachers the use of force for self protection or to restrain a violent child whose behavior is a threat to the teacher, other children, or themselves. Such is the case with SB 84. Corporal punishment is ineffective as shown by research compiled by the National PTA and in fact teaches children to use violence to solve problems. This type of discipline may suppress negative behavior temporarily, but over a period of time may increase aggression, delinquency, and It promotes the attitude of "go ahead, hit me and get vandalism. it over with". Corporal punishment also lets students off the hook by not requiring them to take responsibility for their actions. Students are not taught how to judge between right and wrong.

A clearly defined disciplinary plan, laid out in the beginning of the academic year, would be a far more positive approach since students would have a greater understanding and respect for the guidelines. If preschool children can understand "time out", school children can understand school rules and their consequences. The most effect discipline in all areas of human interaction is rooted in fairness, justice and concern for individual rights.

# Proponents' Testimony:

Phil Campbell, Montana Education Association, (MEA), said it is time the state goes on record that the intentional inflicting of pain is detrimental to Montana's youth and is not public policy. SB 84 provides sufficient protection for those working in the schools and provides for the use of physical restraint when necessary to maintain orderly conduct.

John Malee, Montana Federation of Teachers, (MFT), stated support for SB 84.

Nancy Cooper-Smith, Office of Public Instruction, (OPI), said corporal punishment interferes with the process of learning. It also interferes with a child's optimal development as a socially responsible adult. It is important to consider the emotional and physical health of Montana's youth and to support the adoption of alternative methods for the achievement of self-control and responsible behavior. Corporal punishment interferes with a learning environment and teaches children that hitting is an acceptable way of solving problems. It also teaches them that violence is permissible, pitting the weak against the strong. The OPI is determined to work with Montana educators to develop effective alternatives to corporal punishment. HOUSE EDUCATION & CULTURAL RESOURCES COMMITTEE March 14, 1991 Page 3 of 10

Debra Kehr, Vice-Chair, Helena School Board, stated hope that legislators, as representatives of the state, send a positive message regarding conflict resolution to students, families and communities. If physical harm is necessary to maintain control, there is no control!

Ann Gilkey, Chief Legal Counsel, Department of Family Services, submitted written testimony. EXHIBIT 1

Cliff Murphy, Mental Health Association of Montana, Chair, Montana Committee for the Emotionally Disturbed, stated support for SB 84.

Kathy McGowan, Montana Residential Childcare Association, (MRCCA), said the MRCCA is comprised of 24 facilities including shelter-care, group homes and residential treatment facilities. The MRCCA targeted SB 84 as a high priority on its short list of legislative priorities.

Judy Garrity, Montana Children's Alliance, presented written testimony. EXHIBITS 2 and 3

Eileen Morgan, Helena School Psychologist, said the body of research has shown corporal punishment is not an effective disciplinary method in school. Research has also shown there are effective alternative methods for schools to incorporate and many Montana schools are currently taking advantage of them. Corporal punishment not only affects the student being disciplined, but also affects those witnessing the act.

Dr. Thomas Carlin, Helena School Psychologist, said it is possible to control negative behavior without corporal punishment. Children who are severely emotionally disturbed, developmentally disabled, or those with conduct and character disorders can be controlled successfully without corporal punishment. Literature since 1983 finds corporal punishment has little or no positive effect as far as human behavior. A serious reduction in self-esteem results from its use and many children either fragile or "at risk" are open to the extreme possibility of suicide. There is the very real possibility of an escalation of negative behaviors and psychological processing disorders such as heightened anger, revenge, anxiety and school phobia resulting from corporal punishment.

Elizabeth Roeth, Director, Healthy Mothers-Healthy Babies, stated support for SB 84.

Kay McKenna, Montana Association County School Superintendents, (MACSS), said with the strengthening of the definition, the MACSS supports SB 84.

Jesse Long, School Administrators of Montana, (SAM), said the addition of language that allows for reasonable and necessary restraint makes SB 84 very workable.

HOUSE EDUCATION & CULTURAL RESOURCES COMMITTEE March 14, 1991 Page 4 of 10

Scott Creighton, Director, American Civil Liberties Union of Montana, presented written testimony. EXHIBITS 4 and 5

Kathy Seacat, Montana PTA, presented written testimony. EXHIBIT 6

Mike Males, Children's Trust Fund Board, stated support for SB 84.

**Opponents' Testimony:** None

## Questions From Committee Members:

**REP. WALLIN** asked **SEN. JACOBSON** if an incorrigible says, "you can't touch me", how would the teacher respond in lieu of this legislation. **SEN. JACOBSON** answered there are a number of tools available to handle an unruly student and many Montana teachers are currently using them.

**REP. SIMPKINS** asked **SEN. JACOBSON** if the truancy laws need to be strengthened along with the procedure for dismissing troublesome students. This should be discussed along with the corporal punishment issue. **SEN. JACOBSON** agreed there are many problems in schools with truancy that need to be addressed. SB 84 is here however, to stand on its own.

#### Closing by Sponsor:

SEN. JACOBSON thanked the committee and urged positive consideration of SB 84.

#### HEARING ON SB 320

# Presentation and Opening Statement by Sponsor:

SENATOR HARRY FRITZ, Senate District 28, Missoula, said SB 320 would establish the campus at the University of Montana as the state arboretum.

# **Proponents' Testimony:**

Mark Behan, Professor Emeritus of Botany, University of Montana, submitted various written testimony. EXHIBIT 7

Patrick McCleary, Associated Students, University of Montana, stated support for SB 320.

**Opponents' Testimony:** None

# Questions From Committee Members:

**REP. SIMPKINS** asked SEN. FRITZ if the Board of Regents can make the appointment without legislation. SEN. FRITZ said neither the board nor legal counsel for the Legislative Council were sure. HOUSE EDUCATION & CULTURAL RESOURCES COMMITTEE March 14, 1991 Page 5 of 10

Upon careful research and investigation, all decided to cover the bases and proceed with legislation.

# Closing by Sponsor:

SEN. FRITZ presented written testimony and said, "at the risk of making an <u>ash</u> of myself, there are those of us who <u>pine</u> for this bill". EXHIBIT 8.

# HEARING ON SB 17

### Presentation and Opening Statement by Sponsor:

SENATOR CHET BLAYLOCK, Senate District 43, Laurel, said SB 17 deals with general clean-up of HB 28 resulting from an interim study of the bill.

## **Proponents' Testimony:**

Bruce Moerer, Montana School Boards Association, (MSBA), said although the MSBA opposed HB 28 and continues to be unhappy with the current funding system, SB 17 does make improvements and is a good bill. One major improvement allows a budget amendment for emergencies and another allows exceeding the cap on a one-time basis for the purpose of spending protested taxes. A number of districts such as Deer Lodge and Superior were hit by the BPA tax protest and desperately need this assistance. This legislation allows those districts to pursue projects that were deferred due to the lack of money.

John Malee, Montana Federation of Teachers, (MFT), presented written testimony. EXHIBIT 9

Larry Blades, Superintendent, Joliet Schools, said operating under the Generally Acceptable Accounting Principles, (GAPP), requires districts to no longer run special education monies through one budget. The Joliet High School budget is capped at 104%. Since the Joliet School District previously ran special education dollars through the elementary budget, \$18,000 now needs to be transferred into the capped high school budget. If SB 17 is not passed, the district will lose that \$18,000 of General Fund authority given by the voters since the cap will be exceeded.

Mike Reynolds, Superintendent, Absarokee, said the Absarokee School District was alarmed when dealing with legislation that not only provided caps, but also required using GAPP. While operating under a 104% cap, the district had to roll \$30,000 into the high school budget from the elementary budget for special education. SB 17 addresses the problem in Section 50, page 98, allowing these costs to be entered into this year's budget figures, while at the same time calculating a new cap.

Jesse Long, School Administrators of Montana, (SAM), said SB 17

HOUSE EDUCATION & CULTURAL RESOURCES COMMITTEE March 14, 1991 Page 6 of 10

importantly addresses the problem of how to adequately spend protested taxes as they come back to the districts.

Pat Melby, Underfunded School Coalition, said although the coalition did not support HB 28 and continues to think it does not adequately address the school equalization issue, SB 17 makes crucial changes in the system. This legislation provides relief for districts caught in unusual financial difficulties.

Kay McKenna, Montana Association of County School Superintendents, (MACSS), stated support for SB 17.

Phil Campbell, Montana Education Association, (MEA), stated support for SB 17.

**Opponents' Testimony:** None

#### Informational Testimony:

Dori Nielsen, Office of Public Instruction, (OPI), said the OPI worked with the legislative oversight committee in the interim on HB 28. The committee was present when the changes were taking place and as a result SB 17 deals with many of the complications and imperfections that appeared upon implementation of HB 28. Several semantic language cleanups appear dealing with changes resulting from the GAAP and covering an expansive territory of clarification. SB 17 deals with tuition and unanticipated tuition from year to year, clarifying calculations for GTB, fixing and levying mills, clarifying the budget amendment process, and dealing with expenditures that are legitimate but above limit, including protested taxes.

## Questions From Committee Members:

REP. STANG asked Greg Groepper to discuss protested taxes and how SB 17 deals with them. Greg Groepper said very simply when back taxes are received districts would be allowed to spend the monies on deferred expenditures in excess of the cap. REP. STANG asked who decides on what these monies can be spent; the OPI, school boards, county commissioners? Mr. Groepper answered, if within the 104% budget limit it is the decision of the trustees, and if above the 104% budget cap a request for a budget amendment must be made to the Superintendent of Public Instruction. The request is then reviewed and if within the law proceeds to the school board and then to a public hearing for citizen input. Once due process is followed it becomes a board decision.

**REP. STANG** asked **Mr. Groepper** if the entire amount received would have to be spent in one year. **Mr. Groepper** said the money stays with the district. The district could deposit an amount in the reserves in excess of the 20% limit for future use. There is nothing in this legislation promoting a "spend it or lose it" philosophy. The only restriction is the money must be used on deferred expenditures. Districts are unable to set up a new set HOUSE EDUCATION & CULTURAL RESOURCES COMMITTEE March 14, 1991 Page 7 of 10

of obligations with this one time money.

**REP. STANG** asked **Mr. Groepper** if a district could use the money in one year to bond or pay a portion of the bonds to fund a capital improvement project that was put off for a number of years due to low tax base and protested taxes **Mr. Groepper** answered yes.

# Closing by Sponsor:

SEN. BLAYLOCK thanked the committee and passed out an amendment to SB 17. EXHIBIT 10

## HEARING ON SB 117

## Presentation and Opening Statement by Sponsor:

SENATOR BOB PIPINICH, Senate District 33, Missoula, said SB 117 allows security guards of the Montana University System to carry firearms upon completion of the basic course at the Montana Law Enforcement Academy. They would be allowed to carry firearms in accordance with the policies established by the Board of Regents and upon consultation with the governing student bodies on each university campus.

# **Proponents' Testimony:**

LeRoy Schramm, Legal Counsel, University System, testified in behalf of the Board of Regents, the Commissioner of Higher Education, and the six campuses of the University System. He said campuses tend to be thought of as idyllic places, but in the last few years some of the biggest news stories have been stories of incidents of violence on college campuses. College campuses are not immune to violence.

The campus security guards are in most cases former police officers, trained at the Law Enforcement Academy. They frequently face situations at married student housing and attest to the fact there is nothing more dangerous than a domestic dispute. The guards are capable of addressing a distraught armed spouse at night, but not during the day. To ask these guards to go into a situation with both arms tied behind their backs is unacceptable! The regents need flexibility to address this issue.

Tom Schneider, Montana Public Employees Association, (MPEA), said law currently allows security police to carry firearms at night so obviously this is not a question of being qualified. This legislation simply allows the decision to be one of local control and a campus to campus decision.

John Malee, Montana Federation of Teachers, (MFT), stated support for SB 117.

HOUSE EDUCATION & CULTURAL RESOURCES COMMITTEE March 14, 1991 Page 8 of 10

Fritz Behr, Senior Administrative Assistant - Governor's Office, 35 year law enforcement officer, teacher - Law Enforcement Academy, attorney, said the officers have been trained at the Montana Law Enforcement Academy, which is a ten week course covering 500 hours of training in criminal liability, civil liability, use of firearms and justifiable use of force. The guards carrying the firearms between 8 a.m. and 5 p.m. would only be permitted to do so if the Regents come up with specific guidelines and the student population agrees. The law now allows the use of firearms between 5 p.m. and 8 a.m. or whenever guarding money or other valuables. The lives of faculty, students and the general public on Montana campuses are at least as valuable as money.

Doug Chase, Missoula County Sheriff, presented written testimony. EXHIBIT 11

Bill Yeager, Association of Montana Highway Patrol, said security guards on the campuses are sworn officers who receive the same training as other law enforcement officers in Montana. They are responsible police officers who must be able to respond to any emergency. It is only logical that the Board of Regents authorize them to be fully equipped in order to protect the lives of others as well as their own.

Pat McCleary, Associated Students University of Montana, stated support on the basis of choice for each individual student population from campus to campus.

Ken Heikes, Eastern Montana College, stated support for SB 117.

**Chuck Gatewood, Patrolman, University of Montana,** asked for a fair decision and the opportunity to use acquired tools and knowledge to do the job.

**Opponents' Testimony:** None

#### Questions From Committee Members:

**REP. MCCARTHY** asked **LeRoy Schramm** which campuses would be affected by this legislation. **Mr. Schramm** said all six units of the University System, excluding the community colleges and votechs. Currently, the only three campuses that have personnel involved and meet the requirements are Eastern Montana College, Montana State University and the University of Montana.

**REP. HANSON** asked **LeRoy Schramm** to state specific need and rationale for this legislation. **Mr. Schramm** said every year officers face a number of domestic disputes, most frequently at the married student housing complexes. Officers have confronted students who brandish firearms and forcing them to walk into such situations unarmed is an invitation for trouble. Common sense dictates a police officer with a firearm is probably a deterrent to violence rather than an encouragement. **Ken Willett, Chief of**  HOUSE EDUCATION & CULTURAL RESOURCES COMMITTEE March 14, 1991 Page 9 of 10

Police, University of Montana, added there have been instances on campus in the evening where an officer is called to a dormitory and upon arrival the mere fact he was armed caused the individual to surrender his gun showing respect for the officer.

**REP. SIMPKINS** asked **Doug Chase** about officers hired from outside Montana who haven't been trained at the Montana Law Enforcement Academy. **Mr. Chase** answered all officers in Montana must attend the academy. An officer from out of state hired at the university must challenge the Montana test in order to become certified.

# Closing by Sponsor:

SEN. PIPINICH submitted an informational packet EXHIBIT 12 and thanked the committee for the hearing.

# **HEARING ON SB 127**

# Presentation and Opening Statement by Sponsor:

SENATOR CECIL WEEDING, Senate District 14, Jordan, said SB 127 is at the request of the Montana Association of Counties and asks for one more option by which the county commissioners can establish by law a contract for a part-time county superintendent of schools.

# **Proponents' Testimony:**

Linda Stoll-Anderson, Lewis & Clark County Commissioner, Chair, Montana Association of Counties Legislative Committee, said this bill came from a resolution passed at the annual convention in Kalispell in 1990, which passed unanimously with 53 counties in attendance. In a number of rural counties and specifically where school districts are being consolidated the need for full-time county superintendents is sometimes not necessary. This legislation provides the legal ability to hire a part-time county superintendent of schools.

REP. ALVIN ELLIS, JR., House District 84, representing the Carbon County Commissioners and County Superintendent of Schools, said SB 127 would legalize what is already being done.

# **Opponents'** Testimony:

Kay McKenna, Montana Association of County School Superintendents, (MACSS), presented written testimony. EXHIBIT 13

# Questions From Committee Members:

**REP. SIMPKINS** asked **Kay McKenna** if the constitution currently gives the authority to merge any two or more offices to county commissioners. Ms. McKenna answered yes, that had always been

HOUSE EDUCATION & CULTURAL RESOURCES COMMITTEE March 14, 1991 Page 10 of 10

her understanding. SB 127 would give that authority by resolution.

# Closing by Sponsor:

SEN. WEEDING thanked the committee and said the duties of superintendent are being neglected due to the lack of somebody to perform the functions. These counties would be better served by a part-time qualified superintendent than by a non-qualified consolidated office. This is a local issue. If there is a need for a full-time superintendent this wouldn't even be considered. This legislation would be a definite benefit in many cases.

# ADJOURNMENT

Adjournment: 6:00 p.m.

hair Secretary

TS/dMcK

# HOUSE OF REPRESENTATIVES

# EDUCATION AND CULTURAL RESOURCES COMMITTEE

# ROLL CALL

DATE 3-14-91

NAME	PRESENT	ABSENT	EXCUSED
REP. TED SCHYE, CHAIRMAN			
REP. ERVIN DAVIS, VICE-CHAIRMAN			
REP. STEVE BENEDICT			
REP. ERNEST BERGSAGEL			
REP. ROBERT CLARK	$\checkmark$		
REP. VICKI COCCHIARELLA	V		
REP. FRED "FRITZ" DAILY			
REP. ALVIN ELLIS, JR.			
REP. GARY FELAND	$\checkmark$		
REP. GARY FORRESTER			
REP. FLOYD "BOB" GERVAIS	V		
REP. H.S. "SONNY" HANSON			
REP. DAN HARRINGTON			
REP. TOM KILPATRICK			
REP. BEA MCCARTHY			
REP. SCOTT MCCULLOCH			
REP. RICHARD SIMPKINS			
REP. BARRY "SPOOK" STANG			
REP. NORM WALLIN	V		
REP. DIANA WYATT			
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# DEPARTMENT OF FAMILY SERVICES





STAN STEPHENS, GOVERNOR

(406) 444-5900

P.O. BOX 8005 HELENA, MONTANA 59604

March 14, 1991

# TESTIMONY IN SUPPORT OF SB 84 AN ACT PROHIBITING CORPORAL PUNISHMENT OF A PUPIL

Submitted by Ann Gilkey Chief Legal Counsel for the Department of Family Services

The Department of Family Services strongly supports SB 84 and the prohibition of corporal punishment of any pupil by a person employed by a school district. DFS prohibits the use of corporal punishment of students at both Pine Hills School and Mountain View School. Licensed foster parents are also prohibited from using corporal punishment on any foster child. It is the agency's philosophy that there are better, more effective and humane alternatives for discipline than use of physical force. Figures of authority in a school setting should not be granted legal sanction for the use of corporal punishment against Montana's youth.

The Department of Family Services urges your support of SB 84.



Montana Children's Appliance

P.O. Box 876, Helena, Montana 59624

(406) 449-8611

EXHIBIT\_

TESTIMONY FOR THE HOUSE COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

Thursday, March 14, 1991

RE: SB 84, to Prohibit Corporal Punishment of Students

The Montana Childrens Alliance is in strong support of abolishing corporal punishment in the schools and has included this issue in the 1991 Children's Agenda. The Children's Agenda has, in turn, been supported by forty-seven organizations and associations.

Things have changed since many of us were children. During the 1950's, physical punishment in family life (such as spanking or hand-slapping) and physical punishment in schools were widely accepted forms of discipline.

Societal knowledge and awareness has grown immensely during the past decades. There is now an extensive body of literature which demonstrates that corporal punishment is not only <u>ineffective</u> but <u>counterproductive</u> in the long run.

We now know that the use of corporal punishment teaches children that violence is the way to solve problems and that "might is right."

- . Corporal punishment occurs more frequently in the <u>primary</u> and <u>intermediate</u> levels when children are smaller than the adults in charge.
- . Boys are hit much more frequently than girls, socializing them to be more physically aggressive than their female peers.
- Poor white children and minority group children are four to five times more frequently hit than middle and upper class white children, again underscoring the message that those in power positions have the right to physically abuse those who are not.
- . There is evidence that corporal punishment creates resentment and vindictiveness within students and is a cause of school vandalism.

Research substantiates that certain non-punitive approaches to discipline can be extremely effective -- approaches which treat students with dignity, allow them to retain their self esteem, teach them that they are responsible for their own behavior, and that resolution to problems can come about through non-violent methods.

As adults we do not like nor do we respect those who rule through force and intimidation. <u>Children</u> who are ruled this way do not develop the internal

Children's Agenda



Montana Council

The Voice of the Next Generation in Montana's State Capitol

2030 11th Ave., Suite 10

Helena, MT 59601

(406) 443-1674

EXHIBIT\_#

# TESTIMONY FOR THE HOUSE EDUCATION AND CULTURAL RESOURCES COMMITTEE March 14 F<del>riday, March 8</del>, 1991

# Re: SB 84, to Prohibit Corporal Punishment of Students

The Montana Council for Maternal and Child Health, a non-profit public policy research, education, and advocacy organization, supports the provisions of SB 84, to prohibit the corporal punishment of students. The Council recognizes that corporal punishment not only creates a climate of fear and teaches students that force is an acceptable method of controlling the behavior of others, but inflicts actual physical harm endangering the health and in some cases the lives of children.

The American Academy of Pediatrics, which has long opposed the use of corporal punishment in schools, has published a research and policy analysis of corporal punishment in the February 2, 1991 edition of <u>Pediatrics</u>. This study concludes that corporal punishment is not administered with equanimity: it is inflicted more on male, minority, rural, and small-school students than on female, white, urban and large-school students. Internationally, the United States is one of only three nations in the developed world still allowing corporal punishment; we share this distinction with the Australian outback and South Africa.

According to the <u>Pediatrics</u> study, 1 million students are corporally punished in the United States each year, and 1-2%, or 10 to 20 thousand each year, require medical evaluation or treatment. Some actually die from their injuries. Many cf them exhibit regression, rather than improvement in school behavior in the long run. And all of them, and their observant and impressionable peers, are exposed to the use of force as a problem-solving tactic in everyday life.

Montana cannot afford to let even one student be seriously injured at the hands of a teacher. We struggle daily with the results of child abuse in the home. We spend millions of dollars to protect children from relatives and strangers who seek to harm them. It is time to protect them in our schools. The banning of corporal punishment will encourage the use of tested and effective alternatives. These alternatives are already successful in disciplining institutionalized problem youth. If they work at Pine Hills and Mountain View, they will work in our public schools.

Thank you for your attention.

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Paulette Kohman Executive Director



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March 8, 1991

BOX

Mr. Chairman, Members of the Committee:

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For the record, my name is Scott Crichton, Executive Director s of the American Civil Liberties Union of Montana. Our organization has more than 800 dues paying members- many of which are families with children. I am here today to rise in support for EB 84.

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We support Senate Bill 84 prohibiting corporal punishment in Montana schools for three reasons.

First, current law reinforces what we need to view as a questionable principle- that the solution to problems, that the resolution of conflict, is best met with violence. Young people who have been victimized by corporal punishment learn an early lesson about state sanctioned violence.

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Second, in my two and a half years with the ACLU, we have received numerous complaints from parents with concerns about their kids, alleging that they have been victimized by corporal punishment. In the occassion that these allegations are true, there seems to be a disturbing pattern that the willful infliction of pain on students is administered in a descriminatory fashion. Minorities and low income people are often the ones who are the targets of corporal punishment. In my opinion, they have the least ability to be able to repsond legally or to be able to affect political remedies.

Third, corporal punishment in most cases seems to be hastily applied. This legislation would provide clarity about the boundaries and limits for using force with students and would provide incentives for school district employees to think twice before resorting to violence.

33 34 deserves support not only because it prohibits inflicting corporal punishment on students, but also because it makes clear situations in which school district employees may use physical restraint when reasonable and necessary.

We urge your thoughtful consideration on this bill. Respectfully submitted,

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Scott Crichton Executive Director

"Eternal vigilance is the price of liberty"

State Office 335 Stapleton Building Billings, Montana 59101

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BOB ROWE President

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SCOTT CRICHTON Executive Director

JEFFREY T. RENZ Litigation Director

EXHIBIT # DATE 3-14

# TESTIMONY ON S.B. 84

an Act to Prohibit Corporal Punishment House Education Committee March 14, 1991

MA: Chairman, members of the Committee, my name is Judith H. Carlson representing the Montana Chapter, National Association of Social Workers. The Montana Chapter strongly endorses this bill and urges you to pass it into law. Discipline, yes. Order, yes. Beatings and physical punishments, no. It is clear that better alternatives exist. 90% of corporal punishment is inflicted by only 5% of educators. The other educators have found better ways.

Social workers are involved in the investigation of neglect and abuse by parents of their children. Other social workers are involved in treatment of children who have been the victims of abuse" We see that corporal punishment can inflict bodily harm bruises, broken bones. Even death. When teachers inflict physical punishment on children, it teaches children that it is o.k. to hit someone who is smaller and weaker. That is not what we want to teach our children. All our experience as social workers shows us that there is no benefit in the use of corporal punishment, but there is much long term harm.

There may be some arguments here today which sound reasonable on the face of it. One has to bring back to mind the central issue: do we want to beat our children into submission? We say no to corporal punishment but yes to SB 84. We appreciate your consideration of our concerns and opinions.

Submitted by: Judith H. Carlson, ACSW



TESTIMONY S.B. 84

EXHIBIT\_\_\_\_\_ DATE\_\_\_\_\_/4-91\_\_\_\_ HB\_\_\_\_\_SB\_\_84\_\_\_\_\_

House Education & Cultural Resources Committee

March 14, 1991

Chairman Schye and members of the House Education and Cultural Resources Committee

I am Kathy Seacat, member of the Helena Area Legislative Team for the Montana Congress of Parents and Teachers and a representative for our 10,000 members. Today I am here to urge you to support Senate Bill 84.

The Montana PTA is the largest child advocacy organization in the state and our parent organization, the National PTA, is the largest child advocacy organization in the nation. One of our objects is to secure adequate laws for the care and protection of children and youth in our state and nation. In 1988, the Montana PTA delegate convention passed a resolution that supports banning corporal punishment in Montana schools (copy attached).

Irin A. Hyman, Professor of School Psychology and Director of the National Center for the Study of Corporal Punishment and Alternatives in Schools, has stated that "After fifty years of research, corporal punishment is not effective. Corporal punishment hurts children. Corporal punishment promotes aggression in the recipient (which increases vandalism in schools). Corporal punishment teaches that force and violence are ways of solving problems. Corporal punishment causes humiliation, anxiety and fear which impede the learning process."

It is important that our schools are role models for appropriate behavior. Montana schools should set the highest possible standards. Corporal punishment does not make children accountable for their choices. It is a quick fix. Dr. Delores Inniss, Principal, Hungerford Elementary School, Eatonville, Florida, has stated "Children would rather be paddled and then move on. It hurts for just a minute, and then the student can forget about the whole thing. It's easy. And quick. They hate discipline that makes them accountable for their choices." The point of discipline in not to punish the child, but to show him what he has done wrong and offer him ways to solve the problem. Discipline should leave the child's dignity intact.

As members of the Montana PTA, we promote the welfare of all children and youth in our schools. We feel that a state law is needed to prohibit corporal punishment. We think Senate Bill 84 is this needed state law. Not only does it protect the welfare of Montana's public school children by prohibiting corporal punishment, it also protects school staff by providing quidelines for use of physical restraint instead of corporal punishment.

Kathy Seacat 2472 Spokane Creek Road East Helena, MT 59635

EXHIBIT.

#### CORPORAL PUNISHMENT

Whereas, The first object of the PTA is to promote the welfare of children and youth in home, school, community and place of worship; and

Whereas, The third object of the PTA is to secure adequate laws for the care and protection of children and youth; and

Whereas, Corporal punishment has been abolished in many developed countries of the world and in several areas of the United States; and

Whereas, Even the U.S. Supreme Court has supported the legality and constitutionality of "reasonable force" while eliminating corporal punishment from many institutions other than schools; and

Whereas, Many school districts in Montana do not have policies prohibiting corporal punishment nor viable alternatives in place; and

Whereas, Many alternatives to corporal punishment as a disciplinary measure are available, and for the most part have a more beneficial effect; therefore be it

RESOLVED That the Montana Congress of Parents and Teachers make available to units and councils information on corporal punishment laws, procedures, and alternatives; therefore be it further

RESOLVED That the Montana Congress of Parents and Teachers establish a position opposing corporal punishment in accordance with the Health and Welfare Policies of the National PTA; and be it further

RESOLVED That the Montana PTA through its local units and councils work with school districts to develop disciplinary procedures which will result in positive behavior of students and utilize positive alternative techniques.



Division of Biological Sciences • Missoula, Montana 59812-1002 • (406) 243-5122 Fax (406) 243-4184 14 March 1991



Representative Ted Schye, Chairman, House Education and Cultural Resources Committee Montana State Capital Helena, Montana



Re: Senate Bill Bill 320 - Designation of the University of Montana campus as the State Arboretum



An arboretum is a living laboratory or library of trees and shrubs, and as such requires extensive areas for cultivation and maintainence. University campuses provide this opportunity, and in our region the campuses of the University of Washington, Utah, and Idaho provide examples.

The functions of the arboretum proposed at the University of Montana are to:

1. Landscape Planning.

Work with the campus grounds department in the development of the campus landscape plan. The arboretum should conform with general landscape design for individual buildings, and yet introduce diversity in the selection of educationally significant woody specimens.

2. Education and Public Service

The major role of the arboretum will be to educate students and the public on the proper use, identification, and cultural appreciation of woody plants. This role is currently being accomplished informally by using the campus as a laboratory for botany and forestry classes, and continuing education institutes for agencies such as the U.S. Forest Service. Establishment of an arboretum would expand this role by planting and organizing more educationally significant specimens, encouraging elementary and secondary school student use of the campus, as well as Montana adults and tourists. This latter, role would be aided by preparation of booklets describing the kinds, values, identifying characteristics, and locations of specimens and perhaps making guided tours available for groups.

3. Research

Arboreta are often used as trial areas for the introduction untested varieties. The results of such introductions are made available to the public, shade tree commissions, garden clubs,

Graduate Degree Programs

Biochemistry Biological Sciences (Teaching) Botany Microbiology Wildlife Biology Zoology

EXHIBIT\_ DATE 3-14-91 HB SR .320

nurserymen, etc. The easy availability of specimens promotes student and faculty research in plant chemistry, diseases, and propagation.

Enactment of this legislation provides the authority for the University of Montana to represent itself as a State Arboretum, and the responsibility to properly develop it. This development rests on a good, but informal, foundation of tree and shrub plantings that go back to the origin of the University in which the native woody species of western Montana are well represented. But because of oversight and lack of organization there are significant omissions including such important species as lodgepole and whitebark pines. An arboretum plan would correct such deficiencies.

Arboreta are generally economically self-sufficient. The UM grounds department has a nursery where woody plants are grown for transplanting as needed. The arboretum would modify this facility by incorporating seedlings and saplings because their educational as well as ornamental value into the transplanting scheme.

Specimens are obtained by transplanting from the wild, donations from nurseries, exchange with other arboreta, and donations from individuals. Specimens donated as memorials are a means of fund raising, as is the sale of booklets. Organizations such as the Nature Conservancy and garden clubs make funds available for arboretum development. The arboretum committee or board would serve without compensation. The labor required for planting and maintenance is already budgeted for by the campus grounds department. The cost of identification labels and maps could be offset by the sale of booklets or by donations.

Lists of woody species already present on and near campus have been prepared for the Nature Conservancy, and the University has an out-dated arboretum plan that could be used as a starting point for a new development plan.

Your support for the establishment of the State Arboretum at the University of Montana will add an educational and cultural resource to our State, and it is fitting that it be considered by your committee.

Sincerely, AL/ISPA Mark Behan, Ph. D.

Professor Emerítus, Botany

EXHIB: T DATE 3 HB\_SR

# ATTACHMENTS

Letters of Support for the designation of the University of Montana campus as a State Arboretum from: Gary G. Brown, State Forester David R. Crabtree, County Horticulturist, MSU Extension Service Donald Jennie, Associate Dean, UM Division of Biological Sciences Robert A. Petty, President, Montana Natural History Center Sidney S. Frissell, Dean, UM School of Forestry Scott L. Miles, President, Clark Fork Chapter, Montana Native Plant Soc. Peter F. Stickney, Plant Ecologist, U. S. Forest Service Robert B. Campbell, Botanist, U. S. Forest Service President, Montana Native Plant Society

# EXHIBIT\_77 DATE\_3-14-91 HB\_SB\_320

# DEPARTMENT OF STATE LANDS

FORESTRY DIVISION



709

Representative Ted Schye, Chairman House Education & Cultural Resources Committee Montana House of Representatives Capitol Station Helena, Montana 59620

Dear Representative Schye:

I am writing in support of Senate Bill 320, which establishes a State Arboretum on the campus of the University of Montana. There are many fine specimens of native Montana trees and shrubs on the campus already. The excellent care and maintenance provided by the University grounds people indicates that they have the expertise to handle such an arboretum.

The School of Forestry is qualified to provide the necessary expertise to determine which species should be planted in the arboretum, as well as how they should be planted and maintained. As the climate in Missoula is somewhat more temperate than other parts of Montana, the arboretum could also contain many exotic species not normally found here. The educational value as well as the scientific value of the arboretum would be enhanced by its location on the University of Montana campus.

For these reasons I support and would like to see the State Arboretum established on the University of Montana campus.

Sincerely,

GARY<sup>'</sup>G. BROWN STATE FORESTER

REB:GGB:hm

cc: Dr: Mark Behan; Division of Biological Sciences University of Montana Missoula, Montana 59812



Extension Service Missoula County Extension Office 126 West Spruce Missoula, Montana 59802 406-721-4095

February 21, 1991

Chairman, House Education and Cultural Resources Committee House of Representatives State Capitol Helena, MT 59601

Dear Chairman;

I would like to offer my support for Senate Bill 320 designating the University of Montana campus as a state arboretum.

As an educator and County Horticulturist with Missoula County Extension Service I have first hand knowledge of the value of the wide assortment of trees and shrubs on the campus. I often take classes, garden clubs, horticultural professionals, and others for tours of the campus. They are generally appreciative of the chance to see the wide assortment of woody plants that can be cultivated in Missoula.

I believe that designation of the campus as a state arboretum may open doors for the improvement of the campus through grants, donations, and other funding not now available. This sort of recognition is deserved given the existing plant materials on campus. I would anticipate such recognition would indirectly promote further improvements.

Yours,

David R. Craftie

David R. Crabtree, Ph.D Missoula County Horticulturist

DC:elb

cc: Dr. Mark Behan Rep. Harry Fritz



Division of Biological Sciences • Missoula, Montana 59812-1002 • (406) 243-5122 Fax (406) 243-4184

February 15, 1991



Senate Committee for Education and Cultural Resources Room 402 Capital Station Helena, Montana

Honorable Members of the Committee:



Senate Bill 320 to establish the University of Montana as state Arboretum deserves full support. It would be useful to the University of Montana from both educational and public service viewpoints. It would be of benefit to the State Of Montana and the tourists who visit western Montana.

We rely on the campus collection of trees in teaching of Botany courses that deal with plant classification and the School of Forestry also uses the campus for courses in tree identification.

Official designation will encourage that new plantings be planned around native Montana species rather than exotic species.

Designation as an Arboretum will be attractive to the growing number of tourists interested in native plants. Interest in native plants is growing across America with many new local clubs being formed.

We see this as a good bill and recommend your positive consideration.

Respectfully,

Germ Sinal G.

Donald A. Jenni, Associate Dean Division of Biological Sciences

Graduate Degree Programs

Biochemistry Biological Sciences (Teaching) Botany Microbiology Wildlife Biology Zoology





P.O. Box 2535 • Missoula, MT 59806 • (406) 728-4704

Senate Committee for Education and Cultural Resources Room 402 Capital Station Helena, Montana 15 February 1991

Honorable Members of the Committee:

I am writing in support of Senate Bill 320 which proposes the designation of the University of Montana Campus as a state Arboretum. Such an arboretum would offer both the public and academic communities of Montana a significant teaching resource. The mission of the Montana Natural History Center is to provide Natural History education both to the general public and, principally, to the elementary and secondary schools in the State. I cannot emphasize enough what a considerable addition such an arboretum would make to our efforts, and to the efforts of all who seek to educate about the natural world.

The members of the Board of Directors strongly urges your positive consideration of Senate bill 320.

Respectfully,

Robert A. Petty, President Montana Natural History Center

# University of **Montana**

School of Forestry / Montana Forest & Conservation Experiment Station Missoula, Montana 59812-1063 February 15, 1991 (406) 243-5521 FAX (406) 243-4510

To: Senate Education Committee

From: Sidney S. Frissell, Dean Robert D. Pfister, Associate Director

Coburt

Subject: Senate Bill 320 Testimony

Formal designation of a campus arboretum would be beneficial to the education program of the School of Forestry. Several classes regularly use the existing wide variety of trees for field identification and discussion of comparative features.

Formal designation would also lead to greater use by the Missoula community and help foster better University relationships with the community.

Formal designation would lead to greater use, protection and improvement of a valuable asset.

We recommend passing Senate Bill 320.



**EXHIBIT** 

# 2/17/91

To the members of the Montana State Senate:

I am writing in support of Senate Bill 320 which would designate the University of Montana campus as a state Arboretum. The University has the requisites of a great arboretum in the diverse trees and shrubs found on its grounds. The Montana Native Plant Society (MNPS) is a non-profit organization of approximately 300 members, which was organized to preserve, conserve, and study the native vegetation of Montana and to educate the public to the values of this native flora. In conjunction with these goals, the Clark Fork Chapter of the MNPS uses the University campus as a demonstration area of Montana's trees. We are currently converting an area on campus into a native plant garden. In time, we hope to do this with other parts of the campus.

Apart from my connections with MNPS, I have been associated with the University for 9 years. I received Bachelor and Master's degrees in Botany here and am currently employed on campus as a botanical researcher in the School of Forestry. Almost constantly during the years, I have either been a student in classes, helped teach classes or have observed other classes and groups using the campus and its trees as a teaching laboratory. On many occasions I've been told by visitors that the UM campus is one of the nicest they've seen and that its trees are the major reason for their feelings.

In summary, I think the vegetation on the University of Montana campus is a state treasure. I feel strongly that it deserves the recognition you are considering giving it.

Thank You

Lott L. miles

Scott L. Miles, President Clark Fork Chapter, Montana Native Plant Society PO Box 8783 Missoula, MT 59807



United States Department of Agriculture Forest Service Intermountain Research Station

Reply to: 6300

Date: Janauary 15, 1991

Chairman, Senate Education and Cultural Resources Committee Montana Senate Helena, Montana

Dear Chairman:

This letter is written in support of Senate Bill 220 designating the University of Montana Campus as an arboretum.

The current assemblage of trees and shrubs on the University of Montana Campus has been used as an education and teaching resource for courses in tree identification and Montana forest habitat-types in connection with the School of Forestry and Continuing Education Program. Representation of the native trees of Montana and adjacent Northern Rocky Mountain areas is far from adequate and instructors have had to make do with what was available. Living trees are far superior for as aids for teaching and training in comparison to slides, photographs, or specimens.

An arboretum constitutes a valuable resource of long standing for both education and research purposes and also for heightened public awareness and appreciation for the improvements that trees contribute to our environment. Expanding and improving the assemblage of living trees on the University of Montana Campus enhance both the University's instruction capability and opportunities for public service with little if any added expense.

Sincerely,

eter F. Stickney

Peter F. Stickney Associate Plant Ecologist Wildlife Habitat Research Work Unit





United States Department of Agriculture Forest Service Intermountain Research Station

Missoula, MT

Reply to: 6300

Date: February 15, 1991

Chairman, Montana Senate Education and Cultural Resources Committee State Capitol Helena, MT 59620

Subject: SB320-Designation of University of Montana Campus as a State Arboretum

## Dear Chairman:

I was pleased to hear that SB320 had been submitted by Senator Harry Fritz for consideration in this legislative session. As a botanist/plant ecologist working on the University of Montana campus and as a resident of Missoula, I express my support for the designation of this campus as an official state arboretum. Certainly university campuses across this great land represent a valuable resource in the magnitude and variety of woody vegetation. The University of Montana is no exception. Because of the foresight of those that have gone before, this campus has in the trees present, a living legacy which spans decades. The trees on this campus represent native species as well as exotic species some of which may not be found growing anywhere else in the state. Also, this resource allows the extension of the educational experience from the classroom to actual trees in the "field."

In the past couple of years, I have been disappointed to see individual trees, one of which was reported to have been the only representative of that species on this campus, cut and removed for the sake of parking lots and "modern landscaping." Hopefully, the designation of the campus as an arboretum would raise the level of awareness for all of us, and help us to appreciate this unique natural resource just outside the office and classroom windows.

Sincerely,

Campbell

Robert B. Campbell Botanist/Plant Ecologist Wildlife Habitats Research Work Unit



r -	Post-It* brand fax trans	mittal memo 7671 # of pages > /
Montana Native Plant Society	То <u>SENATOR HAPPY</u> Co. Dept. Fox 5.444 - 4105	
Valley-of-the-flowers Chapter	P.O. Box 992	<ul> <li>To observe - conserve - educate</li> <li>Bozeman, MT 59771</li> </ul>
Hon. Harry Fritz Montana Senate State Capital Station		February 15, 1991

HB XR 370

Dear Senator Fritz,

I am writing on behalf of the Montana Native Plant Society in support of House Bill 320, "Designation of the University of Montana Campus as an Arboretum". It was very exciting to learn of your introduction of this Bill to the Montana Legislature. I have personally seen the grounds of the Universities of Idaho and Washington which serve as arboreta. This Bill will give the U of M campus the same opportunity to become a showcase for trees, not just for their aesthetic value, but as a outdoor classroom. The collection would not be a simple museum, but a living laboratory where experiments would succeed or fail, continuously adding to our knowledge of plant adaptation.

An arboretum would draw the community to the campus grounds and attract outside visitors. Besides its usefulness to college instructors, the arboretum would be an educational resource for elementary students from Missoula and the surrounding region. The donation of a tree is a very attractive idea to many who wish to leave a token of appreciation for their time spent at the U of M.

The Montana Native Plant Society is a state-wide organization of people sharing a common interest in the native plants of our State and their preservation. As such, we are primarily motivated by the possibility for highlighting Montana native trees and shrubs in the planning of such an arboretum. However, the collection could go far beyond that, displaying examples of trees from throughout the world that are adapted to our climate.

Thank you for introducing and supporting this bill.

Sincerely,

Manda &

Juanita J. Lichthardt, President Montana Native Plant Society



, Jim N

Jim McGarvey President

# TESTIMONY OF BUDDY MALEE ON SB17 BEFORE THE HOUSE EDUCATION COMMITTEE, MARCH 14, 1991.

Mr. Chairman, members of the committee, my name is Buddy Malee and I represent the Montana Federation of Teachers. I appear before you today in support of SB17.

The Montana Federation of Teachers supports this bill not only as a piece of clean-up legislation but also because it includes many important changes in school financing.

A good example is in Jefferson County. Here BPA protested taxes resulted in the on-going deferral of necessary expenditures. This bill will ensure that school districts like Boulder's are able to meet the needs of our children. The Montana Federation of Teachers had planned to introduce a bill on this issue and we are pleased that the issue appears to have been addressed in this bill.

As you may remember, the MFT did not support the so-called equalization bill when it passed during the special session. However, we feel obligated to support legislation that will improve school finance law and so we urge your support of SB17.

Thank you Mr. Chairman.

Democracy in Education — Education for Democracy

CAMBIL TT 10 DATE 3-14-91

Amendments to Senate Bill No. 17 Third Reading Copy (Blue)

For the House Committee on Education and Cultural Resources

Prepared by Eddye McClure March 6, 1991

1. Page 104. Following: line 6 Insert: "<u>NEW SECTION.</u> Section 57. Coordination instruction. If House Bill No. 580 is passed and appproved and if it includes a section that amends 20-9-366, then [section 31 of this act], amending 20-9-366, is void." Renumber: subsequent sections

MISSOULA COUNTY SHERIFF'S DEPARTMENT 200 W. BROADWAY MISSOULA, MONTANA 59802

> Phone (406) 721-5700 Fax (406) 721-8575

EXHIBIT. DATE 3-14

MEMBERS OF THE EDUCATION COMMITTEE,

MISSOULA

COUNTY

I'M DOUG CHASE, MISSOULA COUNTY SHERIFF AND I AM HERE TO SUPPORT SENATE BILL 117.

MY REASONS FOR BELIEF THAT UNIVERSITY POLICE OFFICERS SHOULD BE ARMED WHILE ON DUTY, DURING DAY SHIFT HOURS, ARE AS FOLLOWS:

1. ALL BUT ONE OF THE U OF M OFFICERS HAVE PASSED THE BASIC POLICE OFFICER'S STANDARDS AND TRAINING COURSE AT BOZEMAN. THIS QUALIFIES THEM TO BE A LAW ENFORCEMENT OFFICER WITH ANY AGENCY THAT WOULD SELECT THEM. AS YOU ARE AWARE, ALL LAW ENFORCEMENT MUST COMPLETE THE BASIC COURSE WITHIN ONE YEAR.

2. THE OFFICERS ON CAMPUS IN OUR COMMUNITY, AS IT SHOULD BE, ARE READILY IDENTIFIED BY WEARING A DISTINCTIVE UNIFORM.

3. THE MAJORITY OF THE TIME THESE OFFICERS DRIVE AN EASILY IDENTIFIED LAW ENFORCEMENT VEHICLE. AGAIN AS IT SHOULD BE.

4. THEY ARE, AMONG ALL THEIR ADDITIONAL DUTIES, PRIMARILY LAW ENFORCEMENT OFFICERS FOR THE CAMPUS THEY SERVE. IN OUR CASE A SMALL COMMUNITY WITHIN OUR COMMUNITY. AT ANY TIME THOUSANDS OF STUDENTS, ADMINISTRATORS, FACULTY AND ANCILLARY SERVICE EMPLOYEES ARE ON CAMPUS. THERE ARE HUNDREDS IF NOT THOUSANDS OF VISITORS TO THE CAMPUS WEEKLY.

5. THE CALIBER OF PEOPLE HIRED ARE TOP QUALITY, AND IN AT LEAST TWO (2) CASES I AM AWARE OF TWENTY (20) YEARS VETERANS OF THE MISSOULA CITY POLICE DEPT.

6. AS FORMER CHIEF OF POLICE AND A STREET OFFICER AS WELL, I RECOGNIZE THE VALUE OF THESE OFFICERS. THEY RELIEVED THE CITY OF TREMENDOUS RESPONSIBILITY IN HANDLING CALLS TO THE CAMPUS AND THE ADJOINING UNIVERSITY OF MONTANA AREA. ALSO, YOU COULD COUNT ON THEM FOR BACKUP AND ASSISTANCE IF THE CALL WAS CRITICAL AND THEY WERE NEARBY.

THE OFFICERS SERVING UNIVERSITY OR COLLEGE POLICE FORCES ARE

EXHIBIT\_# DATE 3-14-9

HELD TO THE SAME HIGH STANDARDS OF ETHICS, COMMON SENSE, ABILITY AND WILLINGNESS TO COMMUNICATE, COUPLED WITH EMOTIONAL STABILITY, AS OUR CITY,COUNTY AND STATE LAW ENFORCEMENT AGENCIES ARE.

THEY ARE REQUIRED AND EXPECTED TO ROLL ON ANY CALL INVOLVING THEIR JURISDICTION. THEY ARE INDEED, IN THE EYES OF THE PUBLIC, VIEWED AS A TOTAL OFFICER OF THE LAW. THEIR CALLS CAN BE VIOLENT AS WE'VE RECENTLY NOTED OR AS SIMPLE AS A LOST ITEM.

A JOURNEYMAN, TRADESMAN OR PROFESSIONAL PERSON NEEDS ALL THE TOOLS OF THEIR TRADE IN ORDER TO ACCOMPLISH THE MISSION ASSIGNED. THE PERPETRATOR OF A VIOLENT CRIME WILL NOT LOOK TO SEE WHAT TIME IT IS OR IF THE OFFICER IS ARMED. HE WILL ASSUME THAT BY THE APPEARANCE, THE OFFICER IS FULLY EQUIPPED. THE UNARMING DURING CERTAIN HOURS IS NOT ONLY UNFAIR TO THE OFFICER; BUT TO THE VICTIM THE OFFICER IS ATTEMPTING TO SERVE, OR THE BACKUP HE OR SHE IS ATTEMPTING TO PROVIDE TO A FELLOW OFFICER.

House Education # 12 EXHIBIT # 12 DATE 3-14-91

FOLDER CONTENT

- TAB A PROPOSED LEGISLATIVE CHANGE TO MONTANA CODE ANNOTATED (MCA 20-25-324)
- TAB B APMING THE CAMPUS SECURITY OFFICER 24 HOUR PROTECTION
- TAB C PROPOSAL

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- TAB D UNIVEPSITY SECURITY OFFICER (Responsibilities) (Class Specification)
- TAR E LAW ENFORCEMENT EXPERIENCE RESIDENT AT THE UNIVERSITY OF MONTANA
- TAR F POLICIES AND PPOCEEDURES FOR FIREARMS ON CAMPUS (Current Pegulations)
- TAR G COPY OF SIGNED PETITION PEQUESTING BOARD OF REGENTS AMMEND THE EXISTING LAW (MCA 20-25-324)
- TAB H LETTERS OF SUPPORT
  - (1) Office of the Governor (Senior Admin Assistant Fritz Behr)
  - (?) Department of Justice, Law Enforcement Academy Division (Basic Bureau Chief Jack Wiseman)
  - (3) Chief of Police, City Police Department, Missoula, MT
  - (4) Sheriff, Missoula County, Missoula, MT
  - (5) University of Montana, Director of Housing (Ron Brunell)
  - (6) Chief of Police Association (James P. Connors, President)
  - (7) Liz Stahl, University Staff, Comptrollers Office, University of Montana
  - (8) James P. Connors, President, Montana Assn of Chiefs of Police
  - (9) Brian K. Clifton, Director, Escort Student Patrol, University of Montana, UC Rm 105 Missoula, MT 59812
  - (10) Cal Wylie, President, Montana Highway Patrolmans Assn. 302 Cumberland, Lolo, MT
  - (11) Ernest T. Cox, President, Montana Retired Police Officers Assn.

DATE -9 วิช HR.

# TAB H (Con't) LETTERS OF SUPPORT

- (12) Eric Hummel, Senator, Associated Students of the University of Montana
- (13) Darcy Lynn Schacher, Graduate Student Master's of Public Administration

1 1

- (14) Mary K. Kelly, Student, University
   of Montana
- (15) Carol A. Stratemeyer, Student, University of Montana
- TAB I REP DIST # 65, DON LARSEN, LETTER OF SUPPORT AND AGREEMENT TO SPONSOR THE PROPOSED LEGISLATIVE CANNGE

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# MONTANA ASSOCIATION OF COUNTY SCHOOL SUPTS.

WHY SHOULD YOU OPPOSE SB 127??

- \* This bill is not EQUITABLE. All county elected offices should receive like treatment.
- \* This bill is not NEEDED. This is a local issue - county by county.
- \* A part-time office will NOT SAVE MONEY. There are too many statutory duties mandated. Someone has to do the work.
- \* County Commissioners PRESENTLY can make this office part-time or get rid of it altogether. You don't have to legislate it.
- \* This office is the ONLY COUNTY TIE-IN with local school districts. Who will coordinate this full-time and/or over-time effort?
- \* TAXPAYERS DESERVE to know where 68% of their tax dollar goes. How accessible would a part-time county superintendent be?
- \* What is PART-TIME? Is is 20 hours of pay for 40 hours of work?
- \* There is MORE of a need for county superintendents than ever before. Who interprets all of the new educational statutes for local school districts? County Superintendents do more work for large school districts at present than they do for the rural school districts.

#### HOUSE OF REPRESENTATIVES VISITOR REGISTER

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DATE <u>3-14-91</u> SPONSOR (S)		SB 8	34
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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
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Phil Carbill	MIEA	$\checkmark$	
Jon Wright	self	<i></i>	
Ann Giltery	DFS	X	
John Malee	M.F.+		
Paulette Kohman	M.F.+ Mt Council for mat + Child Allh		
Scott Crictin	ACLU	<u> </u>	
Kathy Seacat	Montana PTA	$\checkmark$	
JUDITH CARLSON	ME GET NASW	$\checkmark$	
Jess W Long	$\leq$ , A.M.	$\checkmark$	
Andu Gamila	Mt. Chiedren's Alliquee	$\checkmark$	
Debra M. Kehr	Helena Public Schools	V	
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# HOUSE OF REPRESENTATIVES VISITOR REGISTER

EDUCATION & CULTURAL RE	SOURCES COMMITTEE B	ILL NO. $\leq \geq$	554
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Kate Cholewa	MT WOMENS Lob		
MIKE MALES	C.T.F. BONICIS	$\times$	

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# HOUSE OF REPRESENTATIVES

# VISITOR'S REGISTER

EDUC	ATION & CULTUR	AL RESOURCES	COMMITTEE	BILL NO.	SB 320
DATE _	3-14-91	SPONSOR (S)	Fritz		

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NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
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PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

# HOUSE OF REPRESENTATIVES VISITOR REGISTER

EDUCATION & CULTURAL RESOU	RCES COMMITTEE	BILL NO. SB 17						
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NAME AND ADDRESS	REPRESENTING	SUPPORT OPPOSE						
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John Malee	M.F.+.	X						
Jesse W Tong	S.A.M							
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-JARY STELLERWAYD	Billings Public S	HEBLS X						
LEASE LEAVE PREPARED TESTIM	ONV WITH SECRETARY. WITNE	SS STATEMENT FORMS						

ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

# HOUSE OF REPRESENTATIVES

# VISITOR'S REGISTER

EDUC.	ATION	&	CULTURAL	Resources	COMMITTEE	BILL	NO.	SB117
DATE _	3-14-	91	SPO	NSOR (S)	Pipinich	ý		

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NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Ken Willett, Missoula	Univ of Muntine	SBI17		$\checkmark$
Doug Chase	Misla Sheriff	SB 117		$\checkmark$
Ken Stolz	The University of Montana	SØ117		$\checkmark$
DENNIS CALIMAN	University of MT	SB117		
Steve Tompkins	University of 144	513/17		<u> </u>
FRITZ O. BEHR	GOVERNOR'S OFFICE	SB117		V.
LeRoy H.Schramm	Bd. of Argents	SUN		$\checkmark$
Jon Wright	5-17	5%117		$\checkmark$
in Annuales	. 0-2-0	8117		L
John Maleq	M, F. +	R/17		X
CHARCES L. GATEWOUD	UNIVERSITY OF MONTANA	SBUT		×
Ken Heikes	MUS	5B117		X

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

# HOUSE OF REPRESENTATIVES VISITOR REGISTER

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EDUCATION & CULTUR	RAL RESOURCES	COMMITTEE	BILL NO.	SB 1	27
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PLEASE LEAVE PREPAR		WTMU GEODEMADY		EMENT P	ORMS
ARE AVAILABLE IF YOU					VANAN