## HOUSE BILL NO. 175

## INTRODUCED BY PETERSON

# BY REQUEST OF THE OFFICE OF PUBLIC INSTRUCTION

#### IN THE HOUSE

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JANUARY 13, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
JANUARY 21, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 22, 1987	PRINTING REPORT.
JANUARY 23, 1987	SECOND READING, DO PASS.
JANUARY 24, 1987	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 83; NOES, 11.
	TRANSMITTED TO SENATE.
	IN THE SENATE
JANUARY 26, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
MARCH 11, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 16, 1987	SECOND READING, CONCURRED IN.
MARCH 18, 1987	THIRD READING, CONCURRED IN. AYES, 47; NOES, 3.
	RETURNED TO HOUSE.
	IN THE HOUSE
MARCH 18, 1987	RECEIVED FROM SENATE.

SENT TO ENROLLING.

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1	#8 BILL NO. 175
2	INTRODUCED BY Literion
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5	A BILL FOR AN ACT ENTITLED: "AN ACT TO DISQUALIFY A COUNTY
6	SUPERINTENDENT FROM HEARING OR DECIDING MATTERS OF
7	CONTROVERSY INVOLVING THE EDUCATION OR POSSIBLE
8	IDENTIFICATION OF A HANDICAPPED CHILD; AMENDING SECTION
9	20-3-211, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
10	
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 20-3-211, MCA, is amended to read:
13	"20-3-211. Disqualification of county superintendent.
14	A county superintendent may not hear or decide matters of
15	controversy pursuant to 20-3-210 when:

"20-3-211. Disqualification of county superintendent.
A county superintendent may not hear or decide matters of
controversy pursuant to 20-3-210 when:
(1) he is a party to or has an interest in the
controversy;
(2) he is related to either party in the controversy
by consanguinity or affinity within the sixth degree,
computed according to the rules of law; or
(3) either party to the controversy makes and files
with the county superintendent of schools an affidavit that
he has reason to believe and does believe that he cannot
have a fair and impartial hearing before the county
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1 county superintendent; or

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- (4) the controversy involves the education or possible identification of a handicapped child."
- 4 NEW SECTION. Section 2. Extension of authority. Any existing authority of the superintendent of public
- instruction to make rules on the subject of the provisions
- of this act is extended to the provisions of this act.
- NEW SECTION. Section 3. Effective date. This act is effective on passage and approval.

-End-

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# APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

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50th Legislature HB 0175/02

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HB 0175/02