

HOUSE BILL NO. 175

INTRODUCED BY PETERSON

BY REQUEST OF THE OFFICE OF PUBLIC INSTRUCTION

IN THE HOUSE

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.

1 HB BILL NO. 175
2 INTRODUCED BY Peterson

3 BY REQUEST OF THE OFFICE OF PUBLIC INSTRUCTION
4
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:

16 (1) he is a party to or has an interest in the
17 controversy;

18 (2) he is related to either party in the controversy
19 by consanguinity or affinity within the sixth degree,
20 computed according to the rules of law; or

21 (3) either party to the controversy makes and files
22 with the county superintendent of schools an affidavit that
23 he has reason to believe and does believe that he cannot
24 have a fair and impartial hearing before the county
25 superintendent by reason of the bias or prejudice of the

1 county superintendent; or
2 (4) the controversy involves the education or possible
3 identification of a handicapped child."

4 NEW SECTION. Section 2. Extension of authority. Any
5 existing authority of the superintendent of public
6 instruction to make rules on the subject of the provisions
7 of this act is extended to the provisions of this act.

8 NEW SECTION. Section 3. Effective date. This act is
9 effective on passage and approval.

-End-



-2- THIRD READING
HB-175

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