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## Minutes of the twentieth meeting of the Education and Public Lands Committee

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**MONTANA CONSTITUTIONAL CONVENTION**  
STATE CAPITOL • HELENA, MONTANA 59601 • TELEPHONE 406/449-3750

EDUCATION AND PUBLIC LANDS COMMITTEE

Place of Meeting: Room 436

Date Meeting Held: 2/7/72  
Hour Meeting Held: 7:00 P.M.

Committee Chairman: Richard Champoux

MINUTES OF THE TWENTIETH MEETING OF THE EDUCATION  
AND PUBLIC LANDS COMMITTEE

SUBJECT OF MEETING: Deliberations

Roll Call:

Richard Champoux	<u>Present</u>
Robert Noble	<u>Present</u>
Lloyd Barnard	<u>Present</u>
William Burkhardt	<u>Present</u>
Marjorie Cain	<u>Present</u>
Max Conover	<u>Present</u>
Carl Davis	<u>Present</u>
Gene Harbaugh	<u>Present</u>
Dan Harrington	<u>Absent</u>
Robert Woodmansey	<u>Present</u>

DISCUSSION:

The committee continued its discussion of Article 11.

Section 11 - on the number of boards was first discussed. A vote was taken on the number of boards. Six for two boards and two for one board and one not voting.

Next the question of how many people on the Board of Regents was asked. Mrs. Cain felt there should be seven members on each board, with the State Superintendent on both both boards as a non-voting member, to meet once a year as a joint board.. Mr. Davis said we would have to decide if we wanted the Superintendent elected or appointed first. He felt there would be too much concentration in one person if both the board and superintendent were elected.

Mr. Harbaugh moved that the Governor appoint both boards confirmed by the Senate or whatever body is in existence. Eight voted in favor of this.

Mr. Noble moved that the State Superintendent be elected by the people. Mr. Harbaugh said it should be clear what his duties are. If he or she makes the policies then elect, but if he or she is administrator then appoint. He felt we had to do what the committee thinks is right and forget about the electorate. Eight voted for election of the State Superintendent and one against.

It was voted to have the Superintendent and Governor both on the board but with non-voting powers. This would be for the Elementary and Secondary Board.

Next, it was decided to specify the number of years the board members would serve. Seven voted for 6 years overlapping.

Seven members on the Board was next voted on. Eight voted in favor of it.

The duties of the State Superintendent were next discussed. Mr. Davis felt the duties should be left flexible so the legislature could set them up. Mr. Barnard moved that we leave the powers and duties as they are in Section 11 presently. Mr. Champoux suggested that we add: This board has general supervision and control of the elementary and secondary systems and such other institutions as prescribed by law. Motion carried.

Next the Board of Regents was discussed.

It was decided the number on the board should be seven appointed for a 6 year term overlapping, also to be appointed by the Governor. Eight voted in favor of having the State Superintendent on the board non-voting and seven for having the Governor on the board as non-voting. Next the committee voted on whether to have the Attorney General on the Board of Regents. One in favor and six against.

Corporate Status was next discussed. It was decided to wait until the chairman and Mr. Davis could talk to the Attorney General to find out what this really means.

Section 12 - was approved as is based on what was found out at the financing hearing.

New proposals were then discussed. Delegate proposal #43, Mr. Champoux's proposal was first discussed. The committee liked this proposal. They decided to incorporate it into section 1 to see what it looks like.

Meeting adjourned.

Lally Watson  
Secretary

Richard J. August  
Chairman