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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: 2/9/72
Hour Meeting Held: 8:00 A.M.

Committee Chairman: Richard Champoux

MINUTES OF THE TWENTY-SECOND 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>Present</u>
Robert Woodmansey	<u>Present</u>
John Toole	<u>Present</u>

DISCUSSION:

In continuing discussion on Article 11, it was decided to the the 2 1/2% Development Fund out of Section 5.

Section 6. - Mrs. Cain's proposal #91 was discussed. Mr. Davis didn't think we should set-up a system of taxation for the next 100 years. The committee voted to delete Section 6 entirely. Eight in favor of this.

Section 8 - A vote was taken to keep it as it is presently. Nine for and two against.

Section 9 - leave as is.

Section 10 - as is.

Section 11 - There was discussion on whether the committee wanted to indicate the duties of the superintendent in the Constitution. A vote was taken on whether the committee wanted to use the language Mrs. Cain expressed. Seven in favor and three against. It shall read "There shall be a board of public education which shall formulate policy and exercise control over the public schools and such other public educational institutions as prescribed by law."

It was decided that the Board of Regents shall provide for their own executive officer.

Next, corporate status was discussed. Mr. Champoux said he was in favor of a corporate body. He said it insures academic freedom. Mr. Burkhardt also was in favor of this as it established a broad grant of power. Proposals #171 and #142 were looked at. A vote was taken to see who was in favor of the inclusion of the words body corporate. Five for and five against. One member being absent when the vote was taken another vote was taken to make the total six against and five in favor. After more discussion, Mr. Barnard said he would define corporate status, such as a school district. He said a school district is a public body corporate. A motion was called the revote on whether the words corporate body should be included. The vote being seven for inclusion and three against. It was decided to add "There shall be a board of regents of higher education, a body corporate, which shall govern and control the academic, financial, and administrative affairs of the Montana University System, and shall supervise and coordinate other public educational institutions which may be assigned by law."

The next topic of discussion was Cultural Integrity of the Indians. It was decided to refer this to the Bill of Rights. It was the general feeling of the committee to leave out of the constitution cultural integrity.

Mr. Davis explained his sub-committees report on Public Lands. Due to a new correspondence from the State Forester, Mr. Davis asked permission to further confer with Mr. Schwinden to see if his proposed provision is adequate enough to cover all areas of concern.

Mr. Champoux gave a brief explanation of the tentative proposal on the Trust and Legacy Fund.

Meeting adjourned.

Larry Watson
Secretary

Richard Champoux
Chairman