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

EDUCATION AND PUBLIC LANDS COMMITTEE

Place of Meeting: Convention Hall

Date Meeting Held: 2/11/72
Hour Meeting Held: 1:30 P.M.

Committee Chairman: Richard Champoux

MINUTES OF THE TWENTY-FOURTH MEETING OF THE EDUCATION
AND PUBLIC LANDS COMMITTEE

SUBJECT OF MEETING: Formal Hearing

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>

INTERESTED PERSONS TESTIFYING

James W. Cox - University of Montana
Earle C. Thompson - State Library Commission
Robert Jovick - Montana Student President's Association
Doris Davies - American Association of University Women
Clarice Beck - American Assoc. of University Women
Frances Satterthwaite - Inter-Tribal Policy Board
Robert Gopher - citizen - Great Falls, Montana
George Darrow - Representative - Billings, Montana
Dr. Bill Fisher - University of Montana
Earl Barlow - Office of Sup. of Public Instruction
Dr. E. L. Lynn - Helena, Montana
N. D. Ostrander - 7th Day Adventist Churches
Ted Schwinden - Dept. of State Lands
Ray Gulick - Joplin, Montana
Vern Klingman - Billings, Montana
Dolores Colburg - State Supt. of Public Instruction
Dr. Carl McIntire - Montana State University
Chadwick Smith - Montana School Boards Association
Dr. Larry Blake - Flathead Valley Community College

The formal hearing of the committee was called to order by Chairman Champoux.

He called on Mr. Harbaugh who went through Article 11, sections 1 through 6 of our rough draft. He explained briefly what the committee had deleted what was new, and what was retained. Mr. Burkhardt then went through sections 6-12 of the tentative draft explaining what the committee had agreed on. Mr. Davis spoke next on the public lands article, which was jointly assigned to this committee and Natural Resources. He mentioned the sections that had been deleted and why and also spoke on the permanent school fund and Enabling Act.

The first speaker was Dolores Colburg - State Superintendent of Public Instruction speaking in favor of the proposed provision. She said the plan incorporated the three major goals she had advocated. (1) an expression of the importance of education (2) a mandate for financial support and (3) authority for establishment and administration of education. She said she was glad to see some of the present restrictions removed, and was in favor of the two boards.

Next to speak was Dr. Carl McIntosh, President of MSU. In said he was in favor of Section 10 to consolidate authority in the regents. He said this plan would strngthn authority in the board of regents.

Mr. Chad Smith representing the Montana School Boards Association spoke next. He spoke on sections 9, 10 and 11. He said the Mont. School Boards Assoc. sees no reason for a two board system. No one has ever explained what the second board will do. He said two boards would create problems. (1) coorindation would be lacking (2) competition for funds (3) both the Governor and State Superintendent should be ex officios with full power. He said if the present board does not have enough time to do their work they should meet more often.

Dr. Larry Blake, President of Flathead Valley Community College testified next. He also testified in favor of the two board system. Dr. Blake said that having two distinct boards has worked well in other states. The combined board would allow coordination of all educational matters. He said the provision should allow flexibility for change, and it should have the necessary restrictions for protection of the state, which this new provision has. Nothing in this new proposal hinders local control. He felt the new provision had been written with much foresight and will withstand any test.

Dr. E. L. Lynn, Helena, spoke next on public aid to non-public schools. He stated he was apposed to any such aid. He said he could conceive of no reason why article 11, section 8 would prohibit any aid to the students. He urged the committee to retain Article 11, Section 8.

Dr. Bill Fisher , University of Montana, School of Education testified next. He said the present section in the Montana Constitution is more restrictive than the U.S. Constitutions 1st amendment. He said if these schools get no public money, it amounts to elimination.

Next to speak was Pastor Ostrander representing the Seventh Day Adventist Churches. He agreed that we should do all we can to maintain parochial schools but not through direct public aid. He felt the student should not be aided in anyway. He said if you aid the student you aid the school. He said if the school cannot be supported by the church than it should go out of existence.

Ted Schwinden, Commissioner of the State Lands Department spoke next. He supported the proposed draft on Public Lands. This provision retains the concepts of full market value, public sales and price minimums. The proposal is flexible for the future.

Dr. James Cox, University of Montana, School of Education was next to speak. He said the School of Education ran a survey which they are in full agreement. (1) in favor of public aid to non-public schools (2) in favor of two boards of education, members of both boards should be appointed by the legislature or confirmed by the legislature. Coordination must be provided by joint meetings of the boards. They felt there should be a provision for separate school elections.

Rev. Vern Klingman, Billings testified. A copy of his statement is attached.

Earl Barlow, Supervisor of Indian Education, Office of Public Instruction testified next. The American Indian requested the committee to include a statement in Section 1, which would guarantee equal right to the American Indian. He said through education the Indians can meet and solve many of the problems they have faced them for the past 450 years. He felt something to this affect should be added "That we shall every enjoy the rights of American Indians of equal educational opportunity in the state of Montana.

Earl Thompson representing the State Library Commission spoke next. A copy of his recommendation is attached.

Robert Jovich, Montana Student President's Association spoke next. Speaking on Section 10. He said he felt that this was essential. The necessity of academic freedom is needed which this provides. He said they are also in favor of the two board system. This will allow the members more time to examine all phases of education.

Doris Davies, President of the American Assoc. of University Women testified next. A copy of her testimony along with Clarice Beck another member of this organization is attached.

Frances Satterthwaite member of the Inter-Tribal Policy Board testified next. She said most tribes want help in the education of their children and they want greater Indian control in their schools. She asked that the committee consider an guarantee to the rights of Indian people to have their history taught in schools.

Robert Gopher a citizen from Great Falls spoke next. He said Indian Culture is a part of the history in Montana. He said this constitution will be a document for all of the people in the state not just white people.

Representative George Darrow from Billings spoke next. He said he would like to speak on the new language in Section 1. He said financial problems could arise because section 1 directs the legislature to set up programs to develop the full educational potential of each person. He said legislators have been under pressure to expand educational facilities and already had provided some funds for Vo-Tech programs and community colleges. He recommended that the committee consult with responsible officials in the state government for future needs for revenue which would be required by Section 1 in its present form.

Mr. Ray Gulick from Joplin spoke next. He said the committee was here to enable the legislature to meet growing educational means not to mandate something to them.

This concluded the hearing.

Sally Watson
Secretary

Richard Thompson
Chairman