

HOUSE BILL NO. 142

INTRODUCED BY SWYSGOOD, JACOBSON
BY REQUEST OF THE POSTSECONDARY
EDUCATION STUDY COMMITTEE

IN THE HOUSE

JANUARY 10, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON EDUCATION & CULTURAL RESOURCES.

JANUARY 11, 1991 FIRST READING.

JANUARY 28, 1991 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

JANUARY 29, 1991 PRINTING REPORT.

JANUARY 31, 1991 SECOND READING, DO PASS.

ON MOTION, TAKEN FROM ENGROSSING
AND REREFERRED TO COMMITTEE
ON APPROPRIATIONS.

FEBRUARY 16, 1991 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 18, 1991 PRINTING REPORT.

MARCH 5, 1991 SECOND READING, DO PASS AS AMENDED.

MARCH 6, 1991 ENGROSSING REPORT.

MARCH 7, 1991 THIRD READING, PASSED.
AYES, 84; NOES, 13.

TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 8, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON FINANCE & CLAIMS.

FIRST READING.

MARCH 21, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 22, 1991 SECOND READING, CONCURRED IN.

MARCH 23, 1991 THIRD READING, CONCURRED IN.

AYES, 47; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 25, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 142
 2 INTRODUCED BY Joseph Jacobson
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A STATUTORY
 5 JOINT COMMITTEE ON POSTSECONDARY EDUCATION POLICY AND
 6 BUDGET; APPROPRIATING FUNDS FOR THE COMMITTEE; AND PROVIDING
 7 AN IMMEDIATE EFFECTIVE DATE."
 8

9 WHEREAS, the 1987 Legislature recognized the need to
 10 review the adequacy of the funding method for the Montana
 11 University System and appointed an eight-member committee to
 12 study University System funding issues in conjunction with
 13 the Commissioner of Higher Education and the Governor's
 14 Office of Budget and Program Planning; and

15 WHEREAS, the 1989 Legislature, through adoption of House
 16 Bill No. 354, provided for appointment of an eight-member,
 17 bipartisan postsecondary education study committee to study
 18 postsecondary education fiscal policy and accountability
 19 issues; and

20 WHEREAS, the Postsecondary Education Study Committee
 21 recognizes the need for ongoing communication between the
 22 Legislative and Executive Branches and the Board of Regents;
 23 and

24 WHEREAS, at present, there is no effective mechanism for
 25 these parties to communicate on a regular basis; and

1 WHEREAS, the Legislature recognizes not only the need to
 2 be regularly informed of the long-range plans and
 3 short-range goals developed by the Board of Regents for the
 4 Montana University System and the vocational-technical
 5 center system but also the need to be informed of the
 6 success or failure in attaining those plans and goals; and

7 WHEREAS, the Legislature recognizes the need to develop
 8 a link between planning and funding in postsecondary
 9 education; and

10 WHEREAS, the Legislature endorses the concept of outcome
 11 assessment as an accountability tool in postsecondary
 12 education; and

13 WHEREAS, the Legislature acknowledges that the Montana
 14 Constitution gives the Board of Regents full power,
 15 responsibility, and authority to supervise, coordinate,
 16 manage, and control the Montana University System and to
 17 supervise and coordinate other public educational
 18 institutions assigned by law; and

19 WHEREAS, the Legislature embraces its constitutional
 20 responsibility to ensure by law strict accountability of all
 21 revenue received and money spent by the state; and

22 WHEREAS, the Board of Regents has indicated its desire
 23 to work cooperatively with the Legislature for the benefit
 24 of the Montana University System and the State of Montana;
 25 and



1 WHEREAS, formation of a statutory joint committee on
2 postsecondary education policy and budget would enhance
3 communication among the Legislature, the Board of Regents,
4 and the Executive Branch for the benefit of the State of
5 Montana.

6
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8 NEW SECTION. Section 1. Definitions. As used in
9 [sections 1 through 8], the following definitions apply:

10 (1) "Committee" means the joint committee on
11 postsecondary education policy and budget created in
12 [section 2].

13 (2) "University system" means those units listed in
14 20-25-201 and the vocational-technical centers designated in
15 20-16-106.

16 NEW SECTION. Section 2. Joint committee on
17 postsecondary education policy and budget -- appointment and
18 composition. (1) There is a joint committee on postsecondary
19 education policy and budget.

20 (2) The committee is composed of:

21 (a) two members of the senate, appointed by the
22 committee on committees on a bipartisan basis, and two
23 members of the house of representatives, appointed by the
24 speaker of the house on a bipartisan basis;

25 (b) two regents appointed by the chairman of the board

1 of regents;

2 (c) the commissioner of higher education; and

3 (d) a representative from the executive branch
4 appointed by the governor.

5 (3) Legislative appointments must be made before final
6 adjournment of a regular session.

7 (4) All other appointments must be made prior to the
8 first committee meeting following adjournment of a regular
9 session.

10 NEW SECTION. Section 3. Term of office. (1)
11 Legislative appointments to the committee are for 2 years. A
12 legislative member of the committee shall serve until his
13 term of office as a legislator is ended or his successor is
14 appointed, whichever occurs first.

15 (2) Appointments of members of the board of regents to
16 the committee are for 2 years or until the expiration of the
17 members' terms on the board of regents, whichever occurs
18 first.

19 (3) The commissioner of higher education's appointment
20 to the committee is continuous.

21 (4) The appointment of an executive branch
22 representative to the committee is for 2 years.

23 NEW SECTION. Section 4. Vacancies. (1) A legislative
24 vacancy occurring during a legislative session must be
25 filled in the same manner as the original appointment.

1 (2) A legislative vacancy occurring when the
2 legislature is not in session must be filled by the
3 selection of a member from the appropriate house and
4 political party by the remaining members of the committee.

5 (3) All other vacancies must be filled in the same
6 manner as the original appointment.

7 (4) An appointment to the committee under this section
8 is for the unexpired term of the original member.

9 NEW SECTION. Section 5. Officers -- quorum --
10 meetings. (1) The committee shall select one of its members
11 as chairman and may elect other officers it considers
12 necessary.

13 (2) A simple majority of the committee constitutes a
14 quorum to do business.

15 (3) The committee shall meet at least quarterly.

16 NEW SECTION. Section 6. Compensation. (1) Legislative
17 members are entitled to receive compensation and expenses as
18 provided in 5-2-302.

19 (2) Members appointed by the board of regents are
20 entitled to:

21 (a) \$50 for each day in which a member is actually and
22 necessarily engaged in the performance of committee duties;
23 and

24 (b) travel expenses, as provided for in 2-18-501
25 through 2-18-503.

1 NEW SECTION. Section 7. Staff assistance. The
2 legislative fiscal analyst shall provide staff assistance to
3 the committee. The legislative fiscal analyst has the same
4 authority of investigation and examination on behalf of the
5 committee as provided under 5-12-303.

6 NEW SECTION. Section 8. Powers and duties of
7 committee. (1) The committee may:

8 (a) organize and adopt rules to govern its proceedings;
9 and

10 (b) exercise the investigatory powers of a standing
11 committee under Title 5, chapter 5, part 1.

12 (2) The committee shall:

13 (a) provide information to the board of regents in the
14 following areas:

15 (i) annual budget allocations;

16 (ii) annual goal statement development;

17 (iii) long-range planning;

18 (iv) outcome assessment programs; and

19 (v) any other area that the committee considers to have
20 significant educational or fiscal policy impact;

21 (b) periodically review the success or failure of the
22 university system in meeting its annual goals and long-range
23 plans;

24 (c) periodically review the results of outcome
25 assessment programs;

- 1 (d) develop mechanisms to ensure strict accountability
2 of the revenues and expenditures of the university system;
3 (e) act as a liaison between both the legislative and
4 executive branches and the board of regents;
5 (f) encourage cooperation between the legislative and
6 executive branches and the board of regents; and
7 (g) report its activities, findings, recommendations,
8 and any proposed legislation to the legislature.

9 NEW SECTION. **Section 9.** Appropriation. There is
10 appropriated for the biennium ending June 30, 1993, \$66,000
11 from the general fund to the office of the legislative
12 fiscal analyst for use by the joint committee on
13 postsecondary education policy and budget.

14 NEW SECTION. **Section 10.** Effective date. [This act] is
15 effective on passage and approval.

-End-

APPROVED BY COMM. ON EDUCATION
AND CULTURAL RESOURCES

HOUSE BILL NO. 142

INTRODUCED BY SWYSGOOD, JACOBSON

BY REQUEST OF THE POSTSECONDARY

EDUCATION STUDY COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A STATUTORY
JOINT COMMITTEE ON POSTSECONDARY EDUCATION POLICY AND
BUDGET; APPROPRIATING FUNDS FOR THE COMMITTEE; AND PROVIDING
AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, the 1987 Legislature recognized the need to
review the adequacy of the funding method for the Montana
University System and appointed an eight-member committee to
study University System funding issues in conjunction with
the Commissioner of Higher Education and the Governor's
Office of Budget and Program Planning; and

WHEREAS, the 1989 Legislature, through adoption of House
Bill No. 354, provided for appointment of an eight-member,
bipartisan postsecondary education study committee to study
postsecondary education fiscal policy and accountability
issues; and

WHEREAS, the Postsecondary Education Study Committee
recognizes the need for ongoing communication between the
Legislative and Executive Branches and the Board of Regents;
and

WHEREAS, at present, there is no effective mechanism for
these parties to communicate on a regular basis; and

WHEREAS, the Legislature recognizes not only the need to
be regularly informed of the long-range plans and
short-range goals developed by the Board of Regents for the
Montana University System, THE COMMUNITY COLLEGES, and the
vocational-technical center system but also the need to be
informed of the success or failure in attaining those plans
and goals; and

WHEREAS, the Legislature recognizes the need to develop
a link between planning and funding in postsecondary
education; and

WHEREAS, the Legislature endorses the concept of outcome
assessment as an accountability tool in postsecondary
education; and

WHEREAS, the Legislature acknowledges that the Montana
Constitution gives the Board of Regents full power,
responsibility, and authority to supervise, coordinate,
manage, and control the Montana University System and to
supervise and coordinate other public educational
institutions assigned by law; and

WHEREAS, the Legislature embraces its constitutional
responsibility to ensure by law strict accountability of all
revenue received and money spent by the state; and

WHEREAS, the Board of Regents has indicated its desire

SECOND READING

1 to work cooperatively with the Legislature for the benefit
 2 of the Montana University System and the State of Montana;
 3 and

4 WHEREAS, formation of a statutory joint committee on
 5 postsecondary education policy and budget would enhance
 6 communication among the Legislature, the Board of Regents,
 7 and the Executive Branch for the benefit of the State of
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 17 20-25-201 and the vocational-technical centers designated in
 18 20-16-106.

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 20 postsecondary education policy and budget -- appointment and
 21 composition. (1) There is a joint committee on postsecondary
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23 (2) The committee is composed of:

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 25 committee on committees on a bipartisan basis, and two

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 2 speaker of the house on a bipartisan basis;

3 (b) two regents appointed by the chairman of the board
 4 of regents;

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6 (d) a representative from the executive branch
 7 appointed by the governor.

8 (3) Legislative appointments must be made before final
 9 adjournment of a regular session.

10 (4) All other appointments must be made prior to the
 11 first committee meeting following adjournment of a regular
 12 session.

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14 Legislative appointments to the committee are for 2 years. A
 15 legislative member of the committee shall serve until his
 16 term of office as a legislator is ended or his successor is
 17 appointed, whichever occurs first.

18 (2) Appointments of members of the board of regents to
 19 the committee are for 2 years or until the expiration of the
 20 members' terms on the board of regents, whichever occurs
 21 first.

22 (3) The commissioner of higher education's appointment
 23 to the committee is continuous.

24 (4) The appointment of an executive branch
 25 representative to the committee is for 2 years.

1 NEW SECTION. Section 4. Vacancies. (1) A legislative
2 vacancy occurring during a legislative session must be
3 filled in the same manner as the original appointment.

4 (2) A legislative vacancy occurring when the
5 legislature is not in session must be filled by the
6 selection of a member from the appropriate house and
7 political party by the remaining members of the committee.

8 (3) All other vacancies must be filled in the same
9 manner as the original appointment.

10 (4) An appointment to the committee under this section
11 is for the unexpired term of the original member.

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13 meetings. (1) The committee shall select one of its members
14 as chairman and may elect other officers it considers
15 necessary.

16 (2) A simple majority of the committee constitutes a
17 quorum to do business.

18 (3) The committee shall meet at least quarterly.

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20 members are entitled to receive compensation and expenses as
21 provided in 5-2-302.

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23 entitled to:

24 (a) \$50 for each day in which a member is actually and
25 necessarily engaged in the performance of committee duties;

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2 (b) travel expenses, as provided for in 2-18-501
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5 legislative fiscal analyst shall provide staff assistance to
6 the committee. The legislative fiscal analyst has the same
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10 committee. (1) The committee may:

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13 (b) exercise the investigatory powers of a standing
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15 (2) The committee shall:

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17 following areas:

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23 significant educational or fiscal policy impact;

24 (b) periodically review the success or failure of the
25 university system in meeting its annual goals and long-range

1 plans;

2 (c) periodically review the results of outcome
3 assessment programs;

4 (d) develop mechanisms to ensure strict accountability
5 of the revenues and expenditures of the university system;

6 (e) act as a liaison between both the legislative and
7 executive branches and the board of regents;

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10 (g) report its activities, findings, recommendations,
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13 appropriated for the biennium ending June 30, 1993, \$66,000
14 from the general fund to the office of the legislative
15 fiscal analyst for use by the joint committee on
16 postsecondary education policy and budget.

17 NEW SECTION. Section 10. Effective date. [This act] is
18 effective on passage and approval.

-End-

RE-REFERRED AND
APPROVED BY COMMITTEE
ON APPROPRIATIONS

AS AMENDED

1 HOUSE BILL NO. 142
 2 INTRODUCED BY SWYSGOOD, JACOBSON
 3 BY REQUEST OF THE POSTSECONDARY
 4 EDUCATION STUDY COMMITTEE
 5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A STATUTORY
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 21 institutions assigned by law; and

22 WHEREAS, THE LEGISLATURE IS VESTED WITH THE EXCLUSIVE
 23 AUTHORITY TO APPROPRIATE MONEY; AND

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 25 responsibility to ensure by law strict accountability of all

SECOND READING



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11 executive branches and the board of regents; and

12 (g) report its activities, findings, recommendations,
13 and any proposed legislation to the legislature.

14 NEW SECTION. Section 9. Appropriation. There is
15 appropriated for the biennium ending June 30, 1993, ~~\$667,000~~
16 \$13,500 FOR LEGISLATIVE TRAVEL COSTS AND PER DIEM AND
17 ADMINISTRATIVE SUPPORT COSTS AND \$40,000 FOR CONSULTANT
18 COSTS from the general fund to the office of the legislative
19 fiscal analyst for use by the joint committee on
20 postsecondary education policy and budget.

21 NEW SECTION. Section 10. Effective date. [This act] is
22 effective on passage and approval.

23 NEW SECTION. SECTION 11. TERMINATION. (THIS ACT)
24 TERMINATES JULY 1, 1993.

-End-

1 HOUSE BILL NO. 142
 2 INTRODUCED BY SWYSGOOD, JACOBSON
 3 BY REQUEST OF THE POSTSECONDARY
 4 EDUCATION STUDY COMMITTEE
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 6 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A STATUTORY
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4 vacancy occurring during a legislative session must be
5 filled in the same manner as the original appointment.

6 (2) A legislative vacancy occurring when the
7 legislature is not in session must be filled by the
8 selection of a member from the appropriate house and
9 political party by the remaining members of the committee.

10 (3) All other vacancies must be filled in the same
11 manner as the original appointment.

12 (4) An appointment to the committee under this section
13 is for the unexpired term of the original member.

14 NEW SECTION. Section 5. Officers -- quorum --
15 meetings. (1) The committee shall select one of its members
16 as chairman and may elect other officers it considers
17 necessary.

18 (2) A simple majority of the committee constitutes a
19 quorum to do business.

20 (3) The committee shall meet at least quarterly.

21 NEW SECTION. Section 6. Compensation. (1) Legislative
22 members are entitled to receive compensation and expenses as
23 provided in 5-2-302.

24 (2) Members appointed by the board of regents are
25 entitled to:

1 (a) \$50 for each day in which a member is actually and
2 necessarily engaged in the performance of committee duties;
3 and

4 (b) travel expenses, as provided for in 2-18-501
5 through 2-18-503.

6 NEW SECTION. Section 7. Staff assistance. The
7 legislative fiscal analyst shall provide staff assistance to
8 the committee. The legislative fiscal analyst has the same
9 authority of investigation and examination on behalf of the
10 committee as provided under 5-12-303.

11 NEW SECTION. Section 8. Powers and duties of
12 committee. (1) The committee may:

13 (a) organize and adopt rules to govern its proceedings;
14 and

15 (b) exercise the investigatory powers of a standing
16 committee under Title 5, chapter 5, part 1.

17 (2) The committee shall:

18 (a) provide information to the board of regents in the
19 following areas:

20 (i) annual budget allocations;

21 (ii) annual goal statement development;

22 (iii) long-range planning;

23 (iv) outcome assessment programs; and

24 (v) any other area that the committee considers to have
25 significant educational or fiscal policy impact;

1 (b) periodically review the success or failure of the
2 university system in meeting its annual goals and long-range
3 plans;

4 (c) periodically review the results of outcome
5 assessment programs;

6 (d) develop mechanisms to ensure strict accountability
7 of the revenues and expenditures of the university system;

8 (e) act as a liaison between both the legislative and
9 executive branches and the board of regents;

10 (f) encourage cooperation between the legislative and
11 executive branches and the board of regents; and

12 (g) report its activities, findings, recommendations,
13 and any proposed legislation to the legislature.

14 NEW SECTION. Section 9. Appropriation. There is
15 appropriated for the biennium ending June 30, 1993, ~~\$667,000~~
16 ~~\$13,500-FOR-LEGISLATIVE~~ \$26,000 FOR TRAVEL COSTS AND PER
17 DIEM AND ADMINISTRATIVE SUPPORT COSTS AND \$40,000 FOR
18 CONSULTANT COSTS from the general fund to the office of the
19 legislative fiscal analyst for use by the joint committee on
20 postsecondary education policy and budget.

21 NEW SECTION. Section 10. Effective date. [This act] is
22 effective on passage and approval.

23 NEW SECTION. SECTION 11. TERMINATION. [THIS ACT]
24 TERMINATES JULY 1, 1993.

-End-

1 HOUSE BILL NO. 142
 2 INTRODUCED BY SWYSGOOD, JACOBSON
 3 BY REQUEST OF THE POSTSECONDARY
 4 EDUCATION STUDY COMMITTEE

5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A STATUTORY
 7 JOINT COMMITTEE ON POSTSECONDARY EDUCATION POLICY AND
 8 BUDGET; APPROPRIATING FUNDS FOR THE COMMITTEE; AND PROVIDING
 9 AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."
 10

11 WHEREAS, the 1987 Legislature recognized the need to
 12 review the adequacy of the funding method for the Montana
 13 University System and appointed an eight-member committee to
 14 study University System funding issues in conjunction with
 15 the Commissioner of Higher Education and the Governor's
 16 Office of Budget and Program Planning; and

17 WHEREAS, the 1989 Legislature, through adoption of House
 18 Bill No. 354, provided for appointment of an eight-member,
 19 bipartisan postsecondary education study committee to study
 20 postsecondary education fiscal policy and accountability
 21 issues; and

22 WHEREAS, the Postsecondary Education Study Committee
 23 recognizes the need for ongoing communication between the
 24 Legislative and Executive Branches and the Board of Regents;
 25 and

1 WHEREAS, at present, there is no effective mechanism for
 2 these parties to communicate on a regular basis; and

3 WHEREAS, the Legislature recognizes not only the need to
 4 be regularly informed of the long-range plans and
 5 short-range goals developed by the Board of Regents for the
 6 Montana University System, THE COMMUNITY COLLEGES, and the
 7 vocational-technical center system but also the need to be
 8 informed of the success or failure in attaining those plans
 9 and goals; and

10 WHEREAS, the Legislature recognizes the need to develop
 11 a link between planning and funding in postsecondary
 12 education; and

13 WHEREAS, the Legislature endorses the concept of outcome
 14 assessment as an accountability tool in postsecondary
 15 education; and

16 WHEREAS, the Legislature acknowledges that the Montana
 17 Constitution gives the Board of Regents full power,
 18 responsibility, and authority to supervise, coordinate,
 19 manage, and control the Montana University System and to
 20 supervise and coordinate other public educational
 21 institutions assigned by law; and

22 WHEREAS, THE LEGISLATURE IS VESTED WITH THE EXCLUSIVE
 23 AUTHORITY TO APPROPRIATE MONEY; AND

24 WHEREAS, the Legislature embraces its constitutional
 25 responsibility to ensure by law strict accountability of all



1 revenue received and money spent by the state; and
 2 WHEREAS, the Board of Regents has indicated its desire
 3 to work cooperatively with the Legislature for the benefit
 4 of the Montana University System and the State of Montana;
 5 and

6 WHEREAS, formation of a statutory joint committee on
 7 postsecondary education policy and budget would enhance
 8 communication among the Legislature, the Board of Regents,
 9 and the Executive Branch for the benefit of the State of
 10 Montana.

11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 NEW SECTION. Section 1. Definitions. As used in
 14 [sections 1 through 8], the following definitions apply:

15 (1) "Committee" means the joint committee on
 16 postsecondary education policy and budget created in
 17 [section 2].

18 (2) "University system" means those units listed in
 19 20-25-201 and the vocational-technical centers designated in
 20 20-16-106.

21 NEW SECTION. Section 2. Joint committee on
 22 postsecondary education policy and budget -- appointment and
 23 composition. (1) There is a joint committee on postsecondary
 24 education policy and budget.

25 (2) The committee is composed of:

1 (a) two members of the senate, appointed by the
 2 committee on committees on a bipartisan basis, and two
 3 members of the house of representatives, appointed by the
 4 speaker of the house on a bipartisan basis;

5 (b) two regents appointed by the chairman of the board
 6 of regents;

7 (c) the commissioner of higher education; and

8 (d) a representative from the executive branch
 9 appointed by the governor.

10 (3) Legislative appointments must be made before final
 11 adjournment of a regular session.

12 (4) All other appointments must be made prior to the
 13 first committee meeting following adjournment of a regular
 14 session.

15 NEW SECTION. Section 3. Term of office. (1)
 16 Legislative appointments to the committee are for 2 years. A
 17 legislative member of the committee shall serve until his
 18 term of office as a legislator is ended or his successor is
 19 appointed, whichever occurs first.

20 (2) Appointments of members of the board of regents to
 21 the committee are for 2 years or until the expiration of the
 22 members' terms on the board of regents, whichever occurs
 23 first.

24 (3) The commissioner of higher education's appointment
 25 to the committee is continuous.

1 (4) The appointment of an executive branch
2 representative to the committee is for 2 years.

3 NEW SECTION. Section 4. Vacancies. (1) A legislative
4 vacancy occurring during a legislative session must be
5 filled in the same manner as the original appointment.

6 (2) A legislative vacancy occurring when the
7 legislature is not in session must be filled by the
8 selection of a member from the appropriate house and
9 political party by the remaining members of the committee.

10 (3) All other vacancies must be filled in the same
11 manner as the original appointment.

12 (4) An appointment to the committee under this section
13 is for the unexpired term of the original member.

14 NEW SECTION. Section 5. Officers -- quorum --
15 meetings. (1) The committee shall select one of its members
16 as chairman and may elect other officers it considers
17 necessary.

18 (2) A simple majority of the committee constitutes a
19 quorum to do business.

20 (3) The committee shall meet at least quarterly.

21 NEW SECTION. Section 6. Compensation. (1) Legislative
22 members are entitled to receive compensation and expenses as
23 provided in 5-2-302.

24 (2) Members appointed by the board of regents are
25 entitled to:

1 (a) \$50 for each day in which a member is actually and
2 necessarily engaged in the performance of committee duties;
3 and

4 (b) travel expenses, as provided for in 2-18-501
5 through 2-18-503.

6 NEW SECTION. Section 7. Staff assistance. The
7 legislative fiscal analyst shall provide staff assistance to
8 the committee. The legislative fiscal analyst has the same
9 authority of investigation and examination on behalf of the
10 committee as provided under 5-12-303.

11 NEW SECTION. Section 8. Powers and duties of
12 committee. (1) The committee may:

13 (a) organize and adopt rules to govern its proceedings;
14 and

15 (b) exercise the investigatory powers of a standing
16 committee under Title 5, chapter 5, part 1.

17 (2) The committee shall:

18 (a) provide information to the board of regents in the
19 following areas:

20 (i) annual budget allocations;

21 (ii) annual goal statement development;

22 (iii) long-range planning;

23 (iv) outcome assessment programs; and

24 (v) any other area that the committee considers to have
25 significant educational or fiscal policy impact;

1 (b) periodically review the success or failure of the
2 university system in meeting its annual goals and long-range
3 plans;

4 (c) periodically review the results of outcome
5 assessment programs;

6 (d) develop mechanisms to ensure strict accountability
7 of the revenues and expenditures of the university system;

8 (e) act as a liaison between both the legislative and
9 executive branches and the board of regents;

10 (f) encourage cooperation between the legislative and
11 executive branches and the board of regents; and

12 (g) report its activities, findings, recommendations,
13 and any proposed legislation to the legislature.

14 NEW SECTION. Section 9. Appropriation. There is
15 appropriated for the biennium ending June 30, 1993, ~~\$667,000~~
16 ~~\$13,500-FOR-LEGISLATIVE~~ \$26,000 FOR TRAVEL COSTS AND PER
17 DIEM AND ADMINISTRATIVE SUPPORT COSTS AND \$40,000 FOR
18 CONSULTANT COSTS from the general fund to the office of the
19 legislative fiscal analyst for use by the joint committee on
20 postsecondary education policy and budget.

21 NEW SECTION. Section 10. Effective date. [This act] is
22 effective on passage and approval.

23 NEW SECTION. SECTION 11. TERMINATION. [THIS ACT]
24 TERMINATES JULY 1, 1993.

-End-

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 142
(REFERENCE COPY, AS AMENDED)
APRIL 5, 1991

1. Page 4, line 5.
Following: "(b)"
Strike: "two"
Insert: "four"

2. Page 7, lines 17 and 18
Strike: "AND \$40,000 FOR CONSULTANT COSTS"

*Gov. Amend.
HB 142*



AN ACT CREATING A STATUTORY JOINT COMMITTEE ON POSTSECONDARY EDUCATION POLICY AND BUDGET; APPROPRIATING FUNDS FOR THE COMMITTEE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE.

WHEREAS, the 1987 Legislature recognized the need to review the adequacy of the funding method for the Montana University System and appointed an eight-member committee to study University System funding issues in conjunction with the Commissioner of Higher Education and the Governor's Office of Budget and Program Planning; and

WHEREAS, the 1989 Legislature, through adoption of House Bill No. 354, provided for appointment of an eight-member, bipartisan postsecondary education study committee to study postsecondary education fiscal policy and accountability issues; and

WHEREAS, the Postsecondary Education Study Committee recognizes the need for ongoing communication between the Legislative and Executive Branches and the Board of Regents; and

WHEREAS, at present, there is no effective mechanism for these parties to communicate on a regular basis; and

WHEREAS, the Legislature recognizes not only the need to be regularly informed of the long-range plans and short-range goals developed by the Board of Regents for the Montana University System, the community colleges, and the vocational-technical center system but also the need to be informed of the success or

failure in attaining those plans and goals; and

WHEREAS, the Legislature recognizes the need to develop a link between planning and funding in postsecondary education; and

WHEREAS, the Legislature endorses the concept of outcome assessment as an accountability tool in postsecondary education; and

WHEREAS, the Legislature acknowledges that the Montana Constitution gives the Board of Regents full power, responsibility, and authority to supervise, coordinate, manage, and control the Montana University System and to supervise and coordinate other public educational institutions assigned by law; and

WHEREAS, the Legislature is vested with the exclusive authority to appropriate money; and

WHEREAS, the Legislature embraces its constitutional responsibility to ensure by law strict accountability of all revenue received and money spent by the state; and

WHEREAS, the Board of Regents has indicated its desire to work cooperatively with the Legislature for the benefit of the Montana University System and the State of Montana; and

WHEREAS, formation of a statutory joint committee on postsecondary education policy and budget would enhance communication among the Legislature, the Board of Regents, and the Executive Branch for the benefit of the State of Montana.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. **Definitions.** As used in [sections 1 through 8], the following definitions apply:

(1) "Committee" means the joint committee on postsecondary education policy and budget created in [section 2].

(2) "University system" means those units listed in 20-25-201 and the vocational-technical centers designated in 20-16-106.

Section 2. **Joint committee on postsecondary education policy and budget -- appointment and composition.** (1) There is a joint committee on postsecondary education policy and budget.

(2) The committee is composed of:

(a) two members of the senate, appointed by the committee on committees on a bipartisan basis, and two members of the house of representatives, appointed by the speaker of the house on a bipartisan basis;

(b) two regents appointed by the chairman of the board of regents;

(c) the commissioner of higher education; and

(d) a representative from the executive branch appointed by the governor.

(3) Legislative appointments must be made before final adjournment of a regular session.

(4) All other appointments must be made prior to the first committee meeting following adjournment of a regular session.

Section 3. **Term of office.** (1) Legislative appointments to

the committee are for 2 years. A legislative member of the committee shall serve until his term of office as a legislator is ended or his successor is appointed, whichever occurs first.

(2) Appointments of members of the board of regents to the committee are for 2 years or until the expiration of the members' terms on the board of regents, whichever occurs first.

(3) The commissioner of higher education's appointment to the committee is continuous.

(4) The appointment of an executive branch representative to the committee is for 2 years.

Section 4. **Vacancies.** (1) A legislative vacancy occurring during a legislative session must be filled in the same manner as the original appointment.

(2) A legislative vacancy occurring when the legislature is not in session must be filled by the selection of a member from the appropriate house and political party by the remaining members of the committee.

(3) All other vacancies must be filled in the same manner as the original appointment.

(4) An appointment to the committee under this section is for the unexpired term of the original member.

Section 5. **Officers -- quorum -- meetings.** (1) The committee shall select one of its members as chairman and may elect other officers it considers necessary.

(2) A simple majority of the committee constitutes a quorum

to do business.

(3) The committee shall meet at least quarterly.

Section 6. Compensation. (1) Legislative members are entitled to receive compensation and expenses as provided in 5-2-302.

(2) Members appointed by the board of regents are entitled to:

(a) \$50 for each day in which a member is actually and necessarily engaged in the performance of committee duties; and

(b) travel expenses, as provided for in 2-18-501 through 2-18-503.

Section 7. Staff assistance. The legislative fiscal analyst shall provide staff assistance to the committee. The legislative fiscal analyst has the same authority of investigation and examination on behalf of the committee as provided under 5-12-303.

Section 8. Powers and duties of committee. (1) The committee may:

(a) organize and adopt rules to govern its proceedings; and

(b) exercise the investigatory powers of a standing committee under Title 5, chapter 5, part 1.

(2) The committee shall:

(a) provide information to the board of regents in the following areas:

(i) annual budget allocations;

(ii) annual goal statement development;

(iii) long-range planning;

(iv) outcome assessment programs; and

(v) any other area that the committee considers to have significant educational or fiscal policy impact;

(b) periodically review the success or failure of the university system in meeting its annual goals and long-range plans;

(c) periodically review the results of outcome assessment programs;

(d) develop mechanisms to ensure strict accountability of the revenues and expenditures of the university system;

(e) act as a liaison between both the legislative and executive branches and the board of regents;

(f) encourage cooperation between the legislative and executive branches and the board of regents; and

(g) report its activities, findings, recommendations, and any proposed legislation to the legislature.

Section 9. Appropriation. There is appropriated for the biennium ending June 30, 1993, \$26,000 for travel costs and per diem and administrative support costs and \$40,000 for consultant costs from the general fund to the office of the legislative fiscal analyst for use by the joint committee on postsecondary education policy and budget.

Section 10. Effective date. [This act] is effective on passage and approval.

Section 11. Termination. [This act] terminates July 1, 1993.