

House Bill 178

In The House

January 13, 1981	Introduced and referred to Committee on Education.
January 15, 1981	Fiscal note requested.
January 21, 1981	Fiscal note returned.
January 29, 1981	Committee recommend bill do pass as amended.
January 30, 1981	Bill printed and placed on members' desks.
January 31, 1981	Second reading do pass.
February 2, 1981	Correctly engrossed.
February 3, 1981	Third reading not passed.

1 <sup>HOUSE</sup> BILL NO. <sup>178</sup>  
 2 INTRODUCED BY ~~Aspre~~ *Andersen*  
 3 ~~Cindy Mussauer~~ *Bob Brown*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROVE AND ADOPT  
 5 THE COMPACT FOR EDUCATION; PROVIDING AN IMMEDIATE EFFECTIVE  
 6 DATE."

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

9 Section 1. Compact for education approved. The  
 10 legislature of the state of Montana hereby approves and  
 11 adopts the Compact for Education, which compact is as  
 12 follows:

13 Compact for Education

14 Article I.

15 Purpose and Policy.

- 16 (1) It is the purpose of this compact to:  
 17 (a) establish and maintain close cooperation and  
 18 understanding among executive, legislative, professional  
 19 educational, and lay leadership on a nationwide basis at the  
 20 state and local levels;  
 21 (b) provide a forum for the discussion, development,  
 22 crystallization, and recommendation of public policy  
 23 alternatives in the field of education;  
 24 (c) provide a clearinghouse of information on matters  
 25 relating to educational problems and how they are being met

1 in different places throughout the nation, so that the  
 2 executive and legislative branches of state government and  
 3 of local communities may have ready access to the experience  
 4 and record of the entire country, and so that both lay and  
 5 professional groups in the field of education may have  
 6 additional avenues for the sharing of experience and the  
 7 interchange of ideas in the formation of public policy in  
 8 education; and

9 (d) facilitate the improvement of state and local  
 10 educational systems so that all of them will be able to meet  
 11 adequate and desirable goals in a society which requires  
 12 continuous qualitative and quantitative advance in  
 13 educational opportunities, methods, and facilities.

14 (2) It is the policy of this compact to encourage and  
 15 promote local and state initiative in the development,  
 16 maintenance, improvement, and administration of educational  
 17 systems and institutions in a manner which will accord with  
 18 the needs and advantages of diversity among localities and  
 19 states.

20 (3) The party states recognize that each of them has  
 21 an interest in the quality and quantity of education  
 22 furnished in each of the other states, as well as in the  
 23 excellence of its own educational systems and institutions,  
 24 because of the highly mobile character of individuals within  
 25 the nation and because the products and services

1 contributing to the health, welfare, and economic  
2 advancement of each state are supplied in significant part  
3 by persons educated in other states.

4 Article II.

5 State Defined.

6 As used in this compact, "state" means a state, territory,  
7 or possession of the United States, the District of  
8 Columbia, or the Commonwealth of Puerto Rico.

9 Article III.

10 The Commission.

11 (1) The education commission of the states,  
12 hereinafter called "the commission", is hereby established.  
13 The commission shall consist of seven members representing  
14 each party state. One of such members shall be the governor;  
15 two shall be members of the state legislature selected by  
16 its respective houses and serving in such manner as the  
17 legislature may determine; and four shall be appointed by  
18 and serve at the pleasure of the governor, unless the laws  
19 of the state otherwise provide. If the laws of a state  
20 prevent legislators from serving on the commission, six  
21 members shall be appointed and serve at the pleasure of the  
22 governor, unless the laws of the state otherwise provide.  
23 In addition to any other principles or requirements which a  
24 state may establish for the appointment and service of its  
25 members of the commission, the guiding principle for the

1 composition of the membership on the commission from each  
2 party state shall be that the members representing such  
3 state shall, by virtue of their training, experience,  
4 knowledge, or affiliations, be in a position collectively to  
5 reflect broadly the interests of the state government,  
6 higher education, the state education system, local  
7 education, lay and professional, public and nonpublic  
8 educational leadership. Of those appointees, one shall be  
9 the head of a state agency or institution, designated by the  
10 governor, having responsibility for one or more programs of  
11 public education. In addition to the members of the  
12 commission representing the party states, there may be not  
13 to exceed ten nonvoting commissioners selected by the  
14 steering committee for terms of 1 year. Such commissioners  
15 shall represent leading national organizations of  
16 professional educators or persons concerned with educational  
17 administration.

18 (2) The members of the commission shall be entitled to  
19 one vote each on the commission. No action of the commission  
20 shall be binding unless taken at a meeting at which a  
21 majority of the total number of votes on the commission are  
22 cast in favor thereof. Action of the commission shall be  
23 only at a meeting at which a majority of the commissioners  
24 are present. The commission shall meet at least once a year.  
25 In its bylaws, and subject to such directions and

1 limitations as may be contained therein, the commission may  
 2 delegate the exercise of any of its powers to the steering  
 3 committee or the executive director, except for the power to  
 4 approve budgets or requests for appropriations, the power to  
 5 make policy recommendations pursuant to Article IV, and  
 6 adoption of the annual report pursuant to Article III(10).

7 (3) The commission shall have a seal.

8 (4) The commission shall elect annually, from among  
 9 its members, a chairman, who shall be a governor, a  
 10 vice-chairman, and a treasurer. The commission shall provide  
 11 for the appointment of an executive director. Such executive  
 12 director shall serve at the pleasure of the commission, and  
 13 together with the treasurer and such other personnel as the  
 14 commission may deem appropriate shall be bonded in such  
 15 amount as the commission shall determine. The executive  
 16 director shall be secretary.

17 (5) Irrespective of the civil service, personnel, or  
 18 other merit system laws of any of the party states, the  
 19 executive director subject to the approval of the steering  
 20 committee shall appoint, remove, or discharge such personnel  
 21 as may be necessary for the performance of the functions of  
 22 the commission, and shall fix the duties and compensation of  
 23 such personnel. The commission in its bylaws shall provide  
 24 for the personnel policies and programs of the commission.

25 (6) The commission may borrow, accept, or contract for

1 the services of personnel from any party jurisdiction, the  
 2 United States, or any subdivision or agency of the  
 3 aforementioned governments or from any agency of two or more  
 4 of the party jurisdictions or their subdivisions.

5 (7) The commission may accept for any of its purposes  
 6 and functions under this compact any and all donations and  
 7 grants of money, equipment, supplies, materials and  
 8 services, conditional or otherwise, from any state, the  
 9 United States, or any other governmental agency or from any  
 10 person, firm, association, foundation, or corporation and  
 11 may receive, utilize, and dispose of the same. Any donation  
 12 or grant accepted by the commission pursuant to this  
 13 paragraph or services borrowed pursuant to subsection (6) of  
 14 this Article shall be reported in the annual report of the  
 15 commission. Such report shall include the nature, amount,  
 16 and conditions, if any, of the donation, grant, or services  
 17 borrowed and the identity of the donor or lender.

18 (8) The commission may establish and maintain such  
 19 facilities as may be necessary for the transacting of its  
 20 business. The commission may acquire, hold, and convey real  
 21 and personal property and any interest therein.

22 (9) The commission shall adopt bylaws for the conduct  
 23 of its business and shall have the power to amend and  
 24 rescind these bylaws. The commission shall publish its  
 25 bylaws in convenient form and shall file a copy thereof and

1 a copy of any amendment thereto with the appropriate agency  
2 or officer in each of the party states.

3 (10) The commission annually shall make to the governor  
4 and legislature of each party state a report covering the  
5 activities of the commission for the preceding year. The  
6 commission may make such additional reports as it may deem  
7 desirable.

8 Article IV.

9 Powers.

10 In addition to authority conferred on the commission by  
11 other provisions of the compact, the commission may:

12 (1) collect, correlate, analyze, and interpret  
13 information and data concerning educational needs and  
14 resources;

15 (2) encourage and foster research in all aspects of  
16 education, but with special reference to the desirable scope  
17 of instruction, organization, administration, and  
18 instructional methods and standards employed or suitable for  
19 employment in public educational systems;

20 (3) develop proposals for adequate financing of  
21 education as a whole and at each of its many levels;

22 (4) conduct or participate in research of the types  
23 referred to in this Article in any instance where the  
24 commission finds that such research is necessary for the  
25 advancement of the purposes and policies of this compact,

1 utilizing fully the resources of national associations,  
2 regional compact organizations for higher education, and  
3 other agencies and institutions, both public and private;

4 (5) formulate suggested policies and plans for the  
5 improvement of public education as a whole or for any  
6 segment thereof and make recommendations with respect  
7 thereto available to the appropriate governmental units,  
8 agencies, and public officials; and

9 (6) do such other things as may be necessary or  
10 incidental to the administration of any of its authority or  
11 functions pursuant to this compact.

12 Article V.

13 Cooperation With Federal Government.

14 (1) If the laws of the United States specifically so  
15 provide or if administrative provision is made therefor  
16 within the federal government, the United States may be  
17 represented on the commission by not to exceed 10  
18 representatives. Any such representative or representatives  
19 of the United States shall be appointed and serve in such  
20 manner as may be provided by or pursuant to federal law and  
21 may be drawn from any one or more branches of the federal  
22 government, but no such representative shall have a vote on  
23 the commission.

24 (2) The commission may provide information and make  
25 recommendations to any executive or legislative agency or

1 officer of the federal government concerning the common  
2 educational policies of the states and may advise with any  
3 such agencies or officers concerning any matter of mutual  
4 interest.

5 Article VI.

6 Committees.

7 (1) To assist in the expeditious conduct of its  
8 business when the full commission is not meeting, the  
9 commission shall elect a steering committee of 32 members  
10 which, subject to the provisions of this compact and  
11 consistent with the policies of the commission, shall be  
12 constituted and function as provided in the bylaws of the  
13 commission. One-fourth of the voting membership of the  
14 steering committee shall consist of governors, one-fourth  
15 shall consist of legislators, and the remainder shall  
16 consist of other members of the commission. A federal  
17 representative on the commission may serve with the steering  
18 committee, but without vote. The voting members of the  
19 steering committee shall serve for terms of 2 years, except  
20 that members elected to the first steering committee of the  
21 commission shall be elected as follows: 16 for 1 year and 16  
22 for 2 years. The chairman, vice-chairman, and treasurer of  
23 the commission shall be members of the steering committee;  
24 and, anything in this paragraph to the contrary  
25 notwithstanding, shall serve during their continuance in

1 these offices. Vacancies in the steering committee shall  
2 not affect its authority to act, but the commission at its  
3 next regularly ensuing meeting following the occurrence of  
4 any vacancy shall fill it for the unexpired term. No person  
5 shall serve more than two terms as a member of the steering  
6 committee; provided that service for a partial term of 1  
7 year or less may not be counted toward the two-term  
8 limitation.

9 (2) The commission may establish advisory and  
10 technical committees composed of state, local, and federal  
11 officials and private persons to advise it with respect to  
12 any one or more of its functions. Any advisory or technical  
13 committee may, on request of the states concerned, be  
14 established to consider any matter of special concern to two  
15 or more of the party states.

16 (3) The commission may establish such additional  
17 committees as its bylaws may provide.

18 Article VII.

19 Finance.

20 (1) The commission shall advise the governor or  
21 designated officer or officers of each party state of its  
22 budget and estimated expenditures for such period as may be  
23 required by the laws of that party state. Each of the  
24 commission's budgets of estimated expenditures shall contain  
25 specific recommendations of the amount or amounts to be

HB 178

1 appropriated by each of the party states.

2 (2) The total amount of appropriation requests under  
3 any budget shall be apportioned among the party states. In  
4 making such apportionment, the commission shall devise and  
5 employ a formula which takes equitable account of the  
6 populations and per capita income levels of the party  
7 states.

8 (3) The commission shall not pledge the credit of any  
9 party states. The commission may meet any of its obligations  
10 in whole or in part with funds available to it pursuant to  
11 Article III(7) of this compact, provided that the commission  
12 takes specific action setting aside such funds prior to  
13 incurring an obligation to be met in whole or in part in  
14 such manner. Except where the commission makes use of funds  
15 available to it pursuant to Article III(7) thereof, the  
16 commission shall not incur any obligation prior to the  
17 allotment of funds by the party states adequate to meet the  
18 same.

19 (4) The commission shall keep accurate accounts of all  
20 receipts and disbursements. The receipts and disbursements  
21 of the commission shall be subject to the audit and  
22 accounting procedures established by its bylaws. However,  
23 all receipts and disbursements of funds handled by the  
24 commission shall be audited yearly by a qualified public  
25 accountant, and the report of the audit shall be included in

1 and become part of the annual reports of the commission.

2 (5) The accounts of the commission shall be open at  
3 any reasonable time for inspection by duly constituted  
4 officers of the party states and by any persons authorized  
5 by the commission.

6 (6) Nothing contained herein shall be construed to  
7 prevent commission compliance with laws relating to audit or  
8 inspection of accounts by or on behalf of any government  
9 contributing to the support of the commission.

#### 10 Article VIII.

##### 11 Eligible Parties; Entry Into and Withdrawal.

12 (1) This compact shall have as eligible parties all  
13 states, territories, and possessions of the United States,  
14 the District of Columbia, and the Commonwealth of Puerto  
15 Rico. In respect of any such jurisdiction not having a  
16 governor, the term "governor", as used in this compact,  
17 means the closest equivalent official of such jurisdiction.

18 (2) Any state or other eligible jurisdiction may enter  
19 into this compact, and it becomes binding thereon when it  
20 has adopted the same, provided that in order to enter into  
21 initial effect, adoption by at least 10 eligible party  
22 jurisdictions shall be required.

23 (3) Adoption of the compact must be by enactment  
24 thereof.

25 (4) Any party state may withdraw from this compact by

1 enacting a statute repealing the same, but no such  
 2 withdrawal shall take effect until 1 year after the governor  
 3 of the withdrawing state has given notice in writing of the  
 4 withdrawal to the governors of all other party states. No  
 5 withdrawal shall affect any liability already incurred by or  
 6 chargeable to a party state prior to the time of such  
 7 withdrawal.

8 Article IX.

9 Amendments to the Compact.

10 This compact may be amended by a vote of two-thirds of the  
 11 members of the commission present and voting when ratified  
 12 by the legislatures of two-thirds of the party states.

13 Article X.

14 Construction and Severability.

15 This compact shall be liberally construed so as to  
 16 effectuate the purposes thereof. The provisions of this  
 17 compact shall be severable, and if any phrase, clause,  
 18 sentence or provision of this compact is declared to be  
 19 contrary to the constitution of any state or of the United  
 20 States or the application thereof to any government, agency,  
 21 person, or circumstance is held invalid, the validity of the  
 22 remainder of this compact and the applicability thereof to  
 23 any government, agency, person, or circumstance shall not be  
 24 affected thereby. If this compact shall be held contrary to  
 25 the constitution of any state participating therein, the

1 compact shall remain in full force and effect as to the  
 2 state affected as to all severable matters.

3 Section 2. Appointment of commissioners by legislature  
 4 and governor. (1) One member of the Montana House of  
 5 Representatives and one member of the Montana Senate shall  
 6 be selected by a majority of the Education Committee of  
 7 their respective houses to serve on the education commission  
 8 of the states.

9 (2) Four members of the education commission of the  
 10 states shall be appointed by the governor, one of whom shall  
 11 be the superintendent of public instruction. The remaining  
 12 members shall be appointed with due regard for those  
 13 qualifications specified by Article III(1) of the Compact  
 14 for Education.

15 (3) All commission members shall serve for a term of 2  
 16 years and may be reappointed.

17 Section 3. Deposit of money received -- expenses of  
 18 commissioners and commission. All money received for the use  
 19 of the commissioners appointed under [section 2] and for the  
 20 pro rata share of the expenses of the education commission  
 21 of the states paid by the state pursuant to Article VII(2)  
 22 of the compact shall be deposited in the state treasury to  
 23 the credit of an earmarked revenue fund. The commissioners  
 24 from this state shall be allowed and paid their reasonable  
 25 expenses while engaged in the performance of their official



1 duties.

2 Section 4. Filing of bylaws. Pursuant to Article  
3 III(9) of the compact, the commission shall file a copy of  
4 its bylaws and any amendments thereto with the secretary of  
5 state.

6 Section 5. Effective date. This act is effective upon  
7 passage and approval.

-End-

STATE OF MONTANA

REQUEST NO. 102-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 16, , 19 81 , there is hereby submitted a Fiscal Note for H. B. 178 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation:

H. B. 69 is a proposal to approve and adopt the Compact for Education. Membership in the Education Commission of the States is included. The purpose is to have a national committee to maintain interstate cooperation and understanding on educational issues and facilitate the improvement of educational system.

ASSUMPTIONS:

1. Seven members will be appointed to the commission.
2. The commission members will attend an annual national meeting in Denver.
3. Membership in the Education Commission of the States will be sought.
4. No staff members will be needed.

FISCAL IMPACT:

Expenditures:	<u>FY 82</u>	<u>FY 83</u>
Membership Dues	\$16,875	\$19,900
Travel Expenses	3,500	4,000
	<u>\$20,375</u>	<u>\$23,900</u>

David M Lewis

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-21-81

Approved by Committee  
on Education

HOUSE BILL NO. 178

INTRODUCED BY MOORE, ANDERSON, EUDAILY,

DUSSAULT, BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROVE AND ADOPT  
THE COMPACT FOR EDUCATION; PROVIDING AN IMMEDIATE EFFECTIVE  
DATE."

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

Section 1. Compact for education approved. The  
legislature of the state of Montana hereby approves and  
adopts the Compact for Education, which compact is as  
follows:

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Article I.

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relating to educational problems and how they are being met  
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1 the nation and because the products and services  
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5 Article II.

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 8 or possession of the United States, the District of  
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10 Article III.

11 The Commission.

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 13 hereinafter called "the commission", is hereby established.  
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 15 each party state. One of such members shall be the governor;  
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 17 its respective houses and serving in such manner as the  
 18 legislature may determine; and four shall be appointed by  
 19 and serve at the pleasure of the governor, unless the laws  
 20 of the state otherwise provide. If the laws of a state  
 21 prevent legislators from serving on the commission, six  
 22 members shall be appointed and serve at the pleasure of the  
 23 governor, unless the laws of the state otherwise provide.  
 24 In addition to any other principles or requirements which a  
 25 state may establish for the appointment and service of its

1 members of the commission, the guiding principle for the  
 2 composition of the membership on the commission from each  
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 4 state shall, by virtue of their training, experience,  
 5 knowledge, or affiliations, be in a position collectively to  
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 20 one vote each on the commission. No action of the commission  
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 22 majority of the total number of votes on the commission are  
 23 cast in favor thereof. Action of the commission shall be  
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 4 committee or the executive director, except for the power to  
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 16 amount as the commission shall determine. The executive  
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 19 other merit system laws of any of the party states, the  
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 23 for 2 years. The chairman, vice-chairman, and treasurer of  
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13 takes specific action setting aside such funds prior to  
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15 such manner. Except where the commission makes use of funds  
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20 (4) The commission shall keep accurate accounts of all  
21 receipts and disbursements. The receipts and disbursements  
22 of the commission shall be subject to the audit and  
23 accounting procedures established by its bylaws. However,  
24 all receipts and disbursements of funds handled by the  
25 commission shall be audited yearly by a qualified public

1 accountant, and the report of the audit shall be included in  
2 and become part of the annual reports of the commission.

3 (5) The accounts of the commission shall be open at  
4 any reasonable time for inspection by duly constituted  
5 officers of the party states and by any persons authorized  
6 by the commission.

7 (6) Nothing contained herein shall be construed to  
8 prevent commission compliance with laws relating to audit or  
9 inspection of accounts by or on behalf of any government  
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#### 12 Eligible Parties; Entry Into and Withdrawal.

13 (1) This compact shall have as eligible parties all  
14 states, territories, and possessions of the United States,  
15 the District of Columbia, and the Commonwealth of Puerto  
16 Rico. In respect of any such jurisdiction not having a  
17 governor, the term "governor", as used in this compact,  
18 means the closest equivalent official of such jurisdiction.

19 (2) Any state or other eligible jurisdiction may enter  
20 into this compact, and it becomes binding thereon when it  
21 has adopted the same, provided that in order to enter into  
22 initial effect, adoption by at least 10 eligible party  
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24 (3) Adoption of the compact must be by enactment  
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1 (4) Any party state may withdraw from this compact by  
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 3 withdrawal shall take effect until 1 year after the governor  
 4 of the withdrawing state has given notice in writing of the  
 5 withdrawal to the governors of all other party states. No  
 6 withdrawal shall affect any liability already incurred by or  
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11 This compact may be amended by a vote of two-thirds of the  
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 13 by the legislatures of two-thirds of the party states.

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16 This compact shall be liberally construed so as to  
 17 effectuate the purposes thereof. The provisions of this  
 18 compact shall be severable, and if any phrase, clause,  
 19 sentence or provision of this compact is declared to be  
 20 contrary to the constitution of any state or of the United  
 21 States or the application thereof to any government, agency,  
 22 person, or circumstance is held invalid, the validity of the  
 23 remainder of this compact and the applicability thereof to  
 24 any government, agency, person, or circumstance shall not be  
 25 affected thereby. If this compact shall be held contrary to

1 the constitution of any state participating therein, the  
 2 compact shall remain in full force and effect as to the  
 3 state affected as to all severable matters.

4 Section 2. Appointment of commissioners by legislature  
 5 and governor. (1) ~~One--member~~ TWO MEMBERS of the Montana  
 6 House of Representatives, ONE FROM EACH POLITICAL PARTY, and  
 7 ~~one-member~~ TWO MEMBERS of the Montana Senate, ONE FROM EACH  
 8 POLITICAL PARTY, shall be selected by a majority of the  
 9 Education Committee of their respective houses to serve on  
 10 the education commission of the states.

11 (2) Four TWO members of the education commission of  
 12 the states shall be appointed by the governor, one of whom  
 13 shall MAY be the superintendent of public instruction. The  
 14 remaining members shall be appointed with due regard for  
 15 those qualifications specified by Article III(1) of the  
 16 Compact for Education.

17 (3) All commission members shall serve for a term of 2  
 18 years and may be reappointed.

19 Section 3. Deposit of money received -- expenses of  
 20 commissioners and commission. All money received for the use  
 21 of the commissioners appointed under [section 2] and for the  
 22 pro rata share of the expenses of the education commission  
 23 of the states paid by the state pursuant to Article VII(2)  
 24 of the compact shall be deposited in the state treasury to  
 25 the credit of an earmarked revenue fund. The commissioners

1 from this state shall be allowed and paid their reasonable  
2 expenses while engaged in the performance of their official  
3 duties.

4 Section 4. Filing of bylaws. Pursuant to Article  
5 III(9) of the compact, the commission shall file a copy of  
6 its bylaws and any amendments thereto with the secretary of  
7 state.

8 Section 5. Effective date. This act is effective upon  
9 passage and approval.

-End-

HOUSE BILL NO. 178

INTRODUCED BY MOORE, ANDERSON, EUDAILY,  
DUSSAULT, BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROVE AND ADOPT  
THE COMPACT FOR EDUCATION; PROVIDING AN IMMEDIATE EFFECTIVE  
DATE."

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

Section 1. Compact for education approved. The  
legislature of the state of Montana hereby approves and  
adopts the Compact for Education, which compact is as  
follows:

Compact for Education

Article I.

Purpose and Policy.

(1) It is the purpose of this compact to:

(a) establish and maintain close cooperation and  
understanding among executive, legislative, professional  
educational, and lay leadership on a nationwide basis at the  
state and local levels;

(b) provide a forum for the discussion, development,  
crystallization, and recommendation of public policy  
alternatives in the field of education;

(c) provide a clearinghouse of information on matters

relating to educational problems and how they are being met  
in different places throughout the nation, so that the  
executive and legislative branches of state government and  
of local communities may have ready access to the experience  
and record of the entire country, and so that both lay and  
professional groups in the field of education may have  
additional avenues for the sharing of experience and the  
interchange of ideas in the formation of public policy in  
education; and

(d) facilitate the improvement of state and local  
educational systems so that all of them will be able to meet  
adequate and desirable goals in a society which requires  
continuous qualitative and quantitative advance in  
educational opportunities, methods, and facilities.

(2) It is the policy of this compact to encourage and  
promote local and state initiative in the development,  
maintenance, improvement, and administration of educational  
systems and institutions in a manner which will accord with  
the needs and advantages of diversity among localities and  
states.

(3) The party states recognize that each of them has  
an interest in the quality and quantity of education  
furnished in each of the other states, as well as in the  
excellence of its own educational systems and institutions,  
because of the highly mobile character of individuals within

1 the nation and because the products and services  
 2 contributing to the health, welfare, and economic  
 3 advancement of each state are supplied in significant part  
 4 by persons educated in other states.

5 Article II.

6 State Defined.

7 As used in this compact, "state" means a state, territory,  
 8 or possession of the United States, the District of  
 9 Columbia, or the Commonwealth of Puerto Rico.

10 Article III.

11 The Commission.

12 (1) The education commission of the states,  
 13 hereinafter called "the commission", is hereby established.  
 14 The commission shall consist of seven members representing  
 15 each party state. One of such members shall be the governor;  
 16 two shall be members of the state legislature selected by  
 17 its respective houses and serving in such manner as the  
 18 legislature may determine; and four shall be appointed by  
 19 and serve at the pleasure of the governor, unless the laws  
 20 of the state otherwise provide. If the laws of a state  
 21 prevent legislators from serving on the commission, six  
 22 members shall be appointed and serve at the pleasure of the  
 23 governor, unless the laws of the state otherwise provide.  
 24 In addition to any other principles or requirements which a  
 25 state may establish for the appointment and service of its

1 members of the commission, the guiding principle for the  
 2 composition of the membership on the commission from each  
 3 party state shall be that the members representing such  
 4 state shall, by virtue of their training, experience,  
 5 knowledge, or affiliations, be in a position collectively to  
 6 reflect broadly the interests of the state government,  
 7 higher education, the state education system, local  
 8 education, lay and professional, public and nonpublic  
 9 educational leadership. Of those appointees, one shall be  
 10 the head of a state agency or institution, designated by the  
 11 governor, having responsibility for one or more programs of  
 12 public education. In addition to the members of the  
 13 commission representing the party states, there may be not  
 14 to exceed ten nonvoting commissioners selected by the  
 15 steering committee for terms of 1 year. Such commissioners  
 16 shall represent leading national organizations of  
 17 professional educators or persons concerned with educational  
 18 administration.

19 (2) The members of the commission shall be entitled to  
 20 one vote each on the commission. No action of the commission  
 21 shall be binding unless taken at a meeting at which a  
 22 majority of the total number of votes on the commission are  
 23 cast in favor thereof. Action of the commission shall be  
 24 only at a meeting at which a majority of the commissioners  
 25 are present. The commission shall meet at least once a year.

1 In its bylaws, and subject to such directions and  
 2 limitations as may be contained therein, the commission may  
 3 delegate the exercise of any of its powers to the steering  
 4 committee or the executive director, except for the power to  
 5 approve budgets or requests for appropriations, the power to  
 6 make policy recommendations pursuant to Article IV, and  
 7 adoption of the annual report pursuant to Article III(10).

8 (3) The commission shall have a seal.

9 (4) The commission shall elect annually, from among  
 10 its members, a chairman, who shall be a governor, a  
 11 vice-chairman, and a treasurer. The commission shall provide  
 12 for the appointment of an executive director. Such executive  
 13 director shall serve at the pleasure of the commission, and  
 14 together with the treasurer and such other personnel as the  
 15 commission may deem appropriate shall be bonded in such  
 16 amount as the commission shall determine. The executive  
 17 director shall be secretary.

18 (5) Irrespective of the civil service, personnel, or  
 19 other merit system laws of any of the party states, the  
 20 executive director subject to the approval of the steering  
 21 committee shall appoint, remove, or discharge such personnel  
 22 as may be necessary for the performance of the functions of  
 23 the commission, and shall fix the duties and compensation of  
 24 such personnel. The commission in its bylaws shall provide  
 25 for the personnel policies and programs of the commission.

1 (6) The commission may borrow, accept, or contract for  
 2 the services of personnel from any party jurisdiction, the  
 3 United States, or any subdivision or agency of the  
 4 aforementioned governments or from any agency of two or more  
 5 of the party jurisdictions or their subdivisions.

6 (7) The commission may accept for any of its purposes  
 7 and functions under this compact any and all donations and  
 8 grants of money, equipment, supplies, materials and  
 9 services, conditional or otherwise, from any state, the  
 10 United States, or any other governmental agency or from any  
 11 person, firm, association, foundation, or corporation and  
 12 may receive, utilize, and dispose of the same. Any donation  
 13 or grant accepted by the commission pursuant to this  
 14 paragraph or services borrowed pursuant to subsection (6) of  
 15 this Article shall be reported in the annual report of the  
 16 commission. Such report shall include the nature, amount,  
 17 and conditions, if any, of the donation, grant, or services  
 18 borrowed and the identity of the donor or lender.

19 (8) The commission may establish and maintain such  
 20 facilities as may be necessary for the transacting of its  
 21 business. The commission may acquire, hold, and convey real  
 22 and personal property and any interest therein.

23 (9) The commission shall adopt bylaws for the conduct  
 24 of its business and shall have the power to amend and  
 25 rescind these bylaws. The commission shall publish its

1 bylaws in convenient form and shall file a copy thereof and  
 2 a copy of any amendment thereto with the appropriate agency  
 3 or officer in each of the party states.

4 (10) The commission annually shall make to the governor  
 5 and legislature of each party state a report covering the  
 6 activities of the commission for the preceding year. The  
 7 commission may make such additional reports as it may deem  
 8 desirable.

9 Article IV.

10 Powers.

11 In addition to authority conferred on the commission by  
 12 other provisions of the compact, the commission may:

13 (1) collect, correlate, analyze, and interpret  
 14 information and data concerning educational needs and  
 15 resources;

16 (2) encourage and foster research in all aspects of  
 17 education, but with special reference to the desirable scope  
 18 of instruction, organization, administration, and  
 19 instructional methods and standards employed or suitable for  
 20 employment in public educational systems;

21 (3) develop proposals for adequate financing of  
 22 education as a whole and at each of its many levels;

23 (4) conduct or participate in research of the types  
 24 referred to in this Article in any instance where the  
 25 commission finds that such research is necessary for the

1 advancement of the purposes and policies of this compact,  
 2 utilizing fully the resources of national associations,  
 3 regional compact organizations for higher education, and  
 4 other agencies and institutions, both public and private;

5 (5) formulate suggested policies and plans for the  
 6 improvement of public education as a whole or for any  
 7 segment thereof and make recommendations with respect  
 8 thereto available to the appropriate governmental units,  
 9 agencies, and public officials; and

10 (6) do such other things as may be necessary or  
 11 incidental to the administration of any of its authority or  
 12 functions pursuant to this compact.

13 Article V.

14 Cooperation With Federal Government.

15 (1) If the laws of the United States specifically so  
 16 provide or if administrative provision is made therefor  
 17 within the federal government, the United States may be  
 18 represented on the commission by not to exceed 10  
 19 representatives. Any such representative or representatives  
 20 of the United States shall be appointed and serve in such  
 21 manner as may be provided by or pursuant to federal law and  
 22 may be drawn from any one or more branches of the federal  
 23 government, but no such representative shall have a vote on  
 24 the commission.

25 (2) The commission may provide information and make

1 recommendations to any executive or legislative agency or  
 2 officer of the federal government concerning the common  
 3 educational policies of the states and may advise with any  
 4 such agencies or officers concerning any matter of mutual  
 5 interest.

6 Article VI.

7 Committees.

8 (1) To assist in the expeditious conduct of its  
 9 business when the full commission is not meeting, the  
 10 commission shall elect a steering committee of 32 members  
 11 which, subject to the provisions of this compact and  
 12 consistent with the policies of the commission, shall be  
 13 constituted and function as provided in the bylaws of the  
 14 commission. One-fourth of the voting membership of the  
 15 steering committee shall consist of governors, one-fourth  
 16 shall consist of legislators, and the remainder shall  
 17 consist of other members of the commission. A federal  
 18 representative on the commission may serve with the steering  
 19 committee, but without vote. The voting members of the  
 20 steering committee shall serve for terms of 2 years, except  
 21 that members elected to the first steering committee of the  
 22 commission shall be elected as follows: 16 for 1 year and 16  
 23 for 2 years. The chairman, vice-chairman, and treasurer of  
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HB 0178/02

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