

HB 671 INTRODUCED BY RAPP-SVRCEK
ALLOW LEGISLATURE TO DEFINE UNIVERSITY SYSTEM

2/09 INTRODUCED
2/09 REFERRED TO EDUCATION & CULTURAL RESOURCES
2/20 HEARING
2/21 TABLED IN COMMITTEE

CONSTITUTIONAL AMENDMENT

1 House BILL NO. 671
2 INTRODUCED BY Supp. Council

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE
5 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE X,
6 SECTION 9, OF THE MONTANA CONSTITUTION TO ALLOW THE
7 LEGISLATURE TO DEFINE WHICH EDUCATIONAL UNITS CONSTITUTE THE
8 MONTANA UNIVERSITY SYSTEM; AND PROVIDING AN EFFECTIVE DATE."
9

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

11 Section 1. Article X, section 9, of The Constitution
12 of the State of Montana is amended to read:

13 "Section 9. Boards of education. (1) There is a state
14 board of education composed of the board of regents of
15 higher education and the board of public education. It is
16 responsible for long-range planning, and for coordinating
17 and evaluating policies and programs for the state's
18 educational systems. It shall submit unified budget
19 requests. A tie vote at any meeting may be broken by the
20 governor, who is an ex officio member of each component
21 board.

22 (2) (a) The government and control of the Montana
23 university system, as the units of that system are defined
24 by the legislature, is vested in a board of regents of
25 higher education which shall have ~~full~~ the power,

1 responsibility, and authority to supervise, coordinate,
2 manage and control the Montana university system and shall
3 supervise and coordinate other public educational
4 institutions assigned by law.

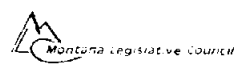
5 (b) The board consists of seven members appointed by
6 the governor, and confirmed by the senate, to overlapping
7 terms, as provided by law. The governor and superintendent
8 of public instruction are ex officio non-voting members of
9 the board.

10 (c) The board shall appoint a commissioner of higher
11 education and prescribe his term and duties.

12 (d) The funds and appropriations under the control of
13 the board of regents are subject to the same audit
14 provisions as are all other state funds.

15 (3) (a) There is a board of public education to
16 exercise general supervision over the public school system
17 and such other public educational institutions as may be
18 assigned by law. Other duties of the board shall be provided
19 by law.

20 (b) The board consists of seven members appointed by
21 the governor, and confirmed by the senate, to overlapping
22 terms as provided by law. The governor, commissioner of
23 higher education and state superintendent of public
24 instruction shall be ex officio non-voting members of the
25 board."



1 NEW SECTION. Section 2. Effective date. If approved
2 by the electorate, section 1 of this act is effective
3 January 1, 1989.

4 NEW SECTION. Section 3. Submission to electorate.
5 This amendment shall be submitted to the electors of Montana
6 at the general election to be held November 8, 1988, by
7 printing on the ballot the full title of this act and the
8 following:

9 FOR allowing the legislature to define which
10 educational units constitute the university system
11 of Montana.

12 AGAINST allowing the legislature to define which
13 educational units constitute the university system
14 of Montana.

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