

HB 836 INTRODUCED BY NATHE, ET AL.
UNIVERSITY SYSTEM SUBJECT TO LEGISLATIVE
APPROPRIATION
BY REQUEST OF HOUSE APPROPRIATIONS COMMITTEE

2/19	INTRODUCED	
2/19	REFERRED TO APPROPRIATIONS	
2/21	HEARING	
2/21	COMMITTEE REPORT--BILL PASSED	
2/23	2ND READING PASSED AS AMENDED	50 48
2/25	3RD READING FAILED	43 52

CONSTITUTIONAL AMENDMENT

1 House BILL NO. 836
 2 INTRODUCED BY NATHAN
 3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE
 6 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE X,
 7 SECTION 9, OF THE MONTANA CONSTITUTION TO CLARIFY THAT THE
 8 FUNDING OF THE MONTANA UNIVERSITY SYSTEM IS SUBJECT TO THE
 9 APPROPRIATION AUTHORITY OF THE LEGISLATURE."

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

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

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

23 (2) (a) The government and control of the Montana
 24 university system is vested in a board of regents of higher
 25 education which shall have full power, responsibility, and

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

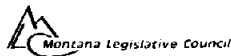
4 (b) The board consists of seven members appointed by
 5 the governor, and confirmed by the senate, to overlapping
 6 terms, as provided by law. The governor and superintendent
 7 of public instruction are ex officio non-voting members of
 8 the board.

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

11 (d) The funds and appropriations ~~under the control~~ of
 12 the board of regents are subject to the appropriation
 13 authority of the legislature and 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. Submission to electorate.
2 This amendment shall be submitted to the electors of Montana
3 at the general election to be held November 8, 1988, by
4 printing on the ballot the full title of this act and the
5 following:

6 FOR clarifying that the funding of the Montana
7 university system is subject to the appropriation
8 authority of the legislature.

9 AGAINST clarifying that the funding of the Montana
10 university system is subject to the appropriation
11 authority of the legislature.

-End-

CONSTITUTIONAL AMENDMENT

APPROVED BY COMMITTEE
ON APPROPRIATIONS

1 House BILL NO. 836
2 INTRODUCED BY NATHAN RANK
3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE

4
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7 SECTION 9, OF THE MONTANA CONSTITUTION TO CLARIFY THAT THE
8 FUNDING OF THE MONTANA UNIVERSITY SYSTEM IS SUBJECT TO THE
9 APPROPRIATION AUTHORITY OF THE LEGISLATURE."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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18 and evaluating policies and programs for the state's
19 educational systems. It shall submit unified budget
20 requests. A tie vote at any meeting may be broken by the
21 governor, who is an ex officio member of each component
22 board.

23 (2) (a) The government and control of the Montana
24 university system is vested in a board of regents of higher
25 education which shall have full power, responsibility, and

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

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

9 (c) The board shall appoint a commissioner of higher
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13 authority of the legislature and to the same audit
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18 assigned by law. Other duties of the board shall be provided
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CONSTITUTIONAL AMENDMENT

HOUSE BILL NO. 836

INTRODUCED BY NATHE, PECK

BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE X, SECTION 9, OF THE MONTANA CONSTITUTION TO CLARIFY THAT THE FUNDING OF THE MONTANA UNIVERSITY SYSTEM IS SUBJECT TO THE APPROPRIATION AUTHORITY OF THE LEGISLATURE."

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

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

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

(2) (a) The government and control of the Montana university system is vested in a board of regents of higher education which shall have full power, responsibility, and

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

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

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

(d) The funds and appropriations under-the-control of the board of regents are subject to the appropriation authority of the legislature, EXCEPT FOR THE ENDOWMENT FUND AND THE ANNUITY AND LIFE INCOME FUND, and to the same audit provisions as are all other state funds.

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

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



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-End-