

HOUSE BILL NO. 32  
INTRODUCED BY DAILY

IN THE HOUSE

DECEMBER 30, 1988	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
JANUARY 2, 1989	FIRST READING.
JANUARY 14, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 16, 1989	PRINTING REPORT.
JANUARY 17, 1989	SECOND READING, DO PASS.
JANUARY 18, 1989	ENGROSSING REPORT.
JANUARY 19, 1989	THIRD READING, PASSED. AYES, 69; NOES, 28.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 20, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
	FIRST READING.
MARCH 10, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. MINORITY REPORT ADOPTED
MARCH 11, 1989	SECOND READING, CONCURRED IN AS AMENDED.
MARCH 14, 1989	THIRD READING, CONCURRED IN. AYES, 30; NOES, 15.
	RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 30, 1989

SECOND READING, AMENDMENTS NOT  
CONCURRED IN.

MARCH 31, 1989

ON MOTION, FREE CONFERENCE COMMITTEE  
REQUESTED AND APPOINTED.

IN THE SENATE

APRIL 4, 1989

ON MOTION, FREE CONFERENCE COMMITTEE  
REQUESTED AND APPOINTED.

IN THE HOUSE

APRIL 6, 1989

FREE CONFERENCE COMMITTEE REPORTED.

IN THE SENATE

APRIL 7, 1989

FREE CONFERENCE COMMITTEE REPORTED.

IN THE HOUSE

APRIL 10, 1989

SECOND READING, FREE CONFERENCE  
COMMITTEE REPORT ADOPTED.

IN THE SENATE

APRIL 11, 1989

SECOND READING, FREE CONFERENCE  
COMMITTEE REPORT ADOPTED.

IN THE HOUSE

APRIL 11, 1989

THIRD READING, FREE CONFERENCE  
COMMITTEE REPORT ADOPTED.

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1                    HOUSE    BILL NO. 32  
2    INTRODUCED BY DAILY  
3  
4    A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE TERMS OF  
5    OFFICE OF MEMBERS OF THE BOARD OF REGENTS FROM 7 YEARS TO 2  
6    YEARS; AND AMENDING SECTION 2-15-1508, MCA."  
7  
8    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
9  
10       **Section 1.** Section 2-15-1508, MCA, is amended to read:  
11       "2-15-1508. Appointments to board of public education  
12       and board of regents -- conditions -- vacancy. (1)  
13       Appointments to the board of public education and to the  
14       board of regents are subject to the following  
15       qualifications:  
16       (a) Not more than four may be from one congressional  
17       district.  
18       (b) Not more than four may be affiliated with the same  
19       political party.  
20       (c) The terms of members appointed to the board of  
21       public education shall be 7 years. The terms of members  
22       appointed to ~~each--board~~ the board of regents shall be 7 2  
23       years except as provided in subsection (3).  
24       (d) When a vacancy occurs, the governor shall appoint  
25       a member for the remainder of the term of the incumbent, and  
     such appointment shall preserve the balance required by

1    subsections (a) and (b) above.  
2       (e) A person may not be appointed to concurrent  
3    memberships on the board of public education and the board  
4    of regents.  
5       (2) An appointed member of either board shall take and  
6    subscribe to the constitutional oath of office and file it  
7    with the secretary of state before he may serve as a member  
8    of either board.  
9       (3) One seat of the appointed members on the board of  
10    regents shall be reserved for membership by a student  
11    appointed by the governor. The student shall be registered  
12    as a full-time student at a unit of higher education under  
13    jurisdiction of the board of regents. The length of term of  
14    the student member shall be determined by the governor for  
15    not less than 1 year and not more than 4 years. The  
16    provisions of subsections (1)(a) and (1)(b) of this section  
17    shall not apply to the student member and shall not affect  
18    the balance of the remaining appointive membership on the  
19    board of regents."

-End-

APPROVED BY COMM. ON EDUCATION  
AND CULTURAL RESOURCESHOUSE BILL NO. 32  
INTRODUCED BY DAILY

A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE TERMS OF  
OFFICE OF MEMBERS OF THE BOARD OF REGENTS FROM 7 YEARS TO 2  
4 YEARS; AND AMENDING SECTION 2-15-1508, MCA; AND PROVIDING  
AN APPLICABILITY DATE AND AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 2-15-1508, MCA, is amended to read:

"2-15-1508. Appointments to board of public education  
and board of regents -- conditions -- vacancy. (1)  
Appointments to the board of public education and to the  
board of regents are subject to the following  
qualifications:

(a) Not more than four may be from one congressional  
district.

(b) Not more than four may be affiliated with the same  
political party.

(c) The terms of members appointed to the board of  
public education shall be 7 years. The terms of members  
appointed to ~~each-board~~ the board of regents shall be ~~7~~ 2 ~~4~~  
years except as provided in subsection (3).

(d) When a vacancy occurs, the governor shall appoint  
a member for the remainder of the term of the incumbent, and

such appointment shall preserve the balance required by  
subsections (a) and (b) above.

(e) A person may not be appointed to concurrent  
memberships on the board of public education and the board  
of regents.

(2) An appointed member of either board shall take and  
subscribe to the constitutional oath of office and file it  
with the secretary of state before he may serve as a member  
of either board.

(3) One seat of the appointed members on the board of  
regents shall be reserved for membership by a student  
appointed by the governor. The student shall be registered  
as a full-time student at a unit of higher education under  
jurisdiction of the board of regents. The length of term of  
the student member shall be determined by the governor for  
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provisions of subsections (1)(a) and (1)(b) of this section  
shall not apply to the student member and shall not affect  
the balance of the remaining appointive membership on the  
board of regents."

NEW SECTION. SECTION 2. APPLICABILITY. THE  
PROVISIONS OF [THIS ACT] ARE APPLICABLE TO TERMS OF MEMBERS  
OF THE BOARD OF REGENTS BEGINNING AFTER [THE EFFECTIVE DATE  
OF THIS ACT].

NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT]

HB 0032/02

1 IS EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

HOUSE BILL NO. 32  
INTRODUCED BY DAILY

A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE TERMS OF  
OFFICE OF MEMBERS OF THE BOARD OF REGENTS FROM 7 YEARS TO 2  
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(b) Not more than four may be affiliated with the same  
political party.

(c) The terms of members appointed to the board of  
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appointed to each-board the board of regents shall be 7 2 4  
years except as provided in subsection (3).

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a member for the remainder of the term of the incumbent, and

such appointment shall preserve the balance required by  
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as a full-time student at a unit of higher education under  
jurisdiction of the board of regents. The length of term of  
the student member shall be determined by the governor for  
not less than 1 year and not more than 4 years. The  
provisions of subsections (1)(a) and (1)(b) of this section  
shall not apply to the student member and shall not affect  
the balance of the remaining appointive membership on the  
board of regents."

NEW SECTION. SECTION 2. APPLICABILITY. THE  
PROVISIONS OF [THIS ACT] ARE APPLICABLE TO TERMS OF MEMBERS  
OF THE BOARD OF REGENTS BEGINNING AFTER [THE EFFECTIVE DATE  
OF THIS ACT].

NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT]

HB 0032/02

1 IS EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

SENATE COMMITTEE OF THE WHOLE AMENDMENT

March 11, 1989 7:39 am

Mr. Chairman: I move to amend HB 32 (third reading copy -- blue)  
as follows:

1. Title, line 5.

Following: "REGENTS"

Insert: "AND BOARD OF PUBLIC EDUCATION"

2. Page 1, line 21.

Strike: "7"

Insert: "4"

3. Page 2, line 23.

Following: "REGENTS"

Insert: "and board of public education"

ADOPT

REJECT

Signed: \_\_\_\_\_

*Farrell*

Senator Farrell

SENATE

cwhb032.311

**HB 32**



HOUSE BILL NO. 32  
INTRODUCED BY DAILY

A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE TERMS OF OFFICE OF MEMBERS OF THE BOARD OF REGENTS AND BOARD OF PUBLIC EDUCATION FROM 7 YEARS TO 2 4 YEARS; AND AMENDING SECTION 2-15-1508, MCA; AND PROVIDING AN APPLICABILITY DATE AND AN IMMEDIATE EFFECTIVE DATE."

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(a) Not more than four may be from one congressional district.

(b) Not more than four may be affiliated with the same political party.

(c) The terms of members appointed to the board of public education shall be 7 4 years. The terms of members appointed to each-board the board of regents shall be 7 2 4 years except as provided in subsection (3).

(d) When a vacancy occurs, the governor shall appoint

a member for the remainder of the term of the incumbent, and such appointment shall preserve the balance required by subsections (a) and (b) above.

(e) A person may not be appointed to concurrent memberships on the board of public education and the board of regents.

(2) An appointed member of either board shall take and subscribe to the constitutional oath of office and file it with the secretary of state before he may serve as a member of either board.

(3) One seat of the appointed members on the board of regents shall be reserved for membership by a student appointed by the governor. The student shall be registered as a full-time student at a unit of higher education under jurisdiction of the board of regents. The length of term of the student member shall be determined by the governor for not less than 1 year and not more than 4 years. The provisions of subsections (1)(a) and (1)(b) of this section shall not apply to the student member and shall not affect the balance of the remaining appointive membership on the board of regents."

NEW SECTION. SECTION 2. APPLICABILITY. THE  
PROVISIONS OF [THIS ACT] ARE APPLICABLE TO TERMS OF MEMBERS  
OF THE BOARD OF REGENTS AND BOARD OF PUBLIC EDUCATION  
BEGINNING AFTER [THE EFFECTIVE DATE OF THIS ACT].

HB 0032/03

- 1 NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT]
- 2 IS EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

Free Conference Committee  
on HOUSE BILL 32  
Report No. 1, April 6, 1989

Page 1 of 1

Mr. Speaker:

We, your Free Conference Committee on HOUSE BILL 32 met and considered:

House Bill 32 (reference copy -- salmon) in its entirety.

We recommend that HOUSE BILL 32 (reference copy -- salmon) be amended as follows:

1. Title, line 6.

Strike: "4"

Insert: "5"

2. Page 1, line 22.

Strike: "4"

Insert: "5"

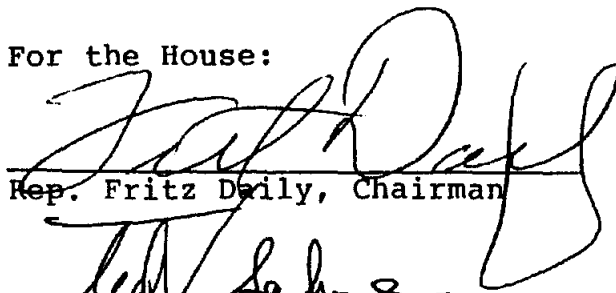
3. Page 1, line 23.

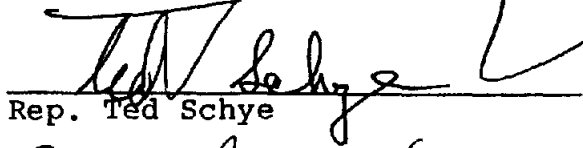
Strike: "4"

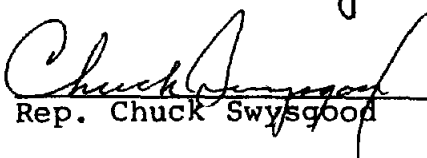
Insert: "5"

And that this Free Conference Committee Report be adopted.

For the House:

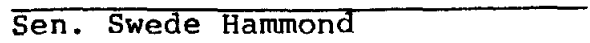
  
Rep. Fritz Daily, Chairman


  
Rep. Ted Schye

  
Rep. Chuck Swysgood

For the Senate:

  
Sen. Bill Farrell, Chairman

  
Sen. Swede Hammond

  
Sen. Pat Regan

ADOPT

REJECT

**HB 32**

HOUSE BILL NO. 32  
INTRODUCED BY DAILY

A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE TERMS OF  
OFFICE OF MEMBERS OF THE BOARD OF REGENTS AND BOARD OF  
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PROVISIONS OF [THIS ACT] ARE APPLICABLE TO TERMS OF MEMBERS  
OF THE BOARD OF REGENTS AND BOARD OF PUBLIC EDUCATION  
BEGINNING AFTER [THE EFFECTIVE DATE OF THIS ACT].

HB 0032/04

1 NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT]  
2 IS EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

State of Montana  
Office of the Governor  
Helena, Montana 59620  
(406) 444-3111

STAN STEPHENS  
GOVERNOR

April 24, 1989

The Honorable John Vincent  
Speaker of the House  
State Capitol  
Helena, MT 59620

The Honorable Jack Galt  
President of the Senate  
State Capitol  
Helena, MT 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto the adoption of House Bill 32, "AN ACT TO CHANGE THE TERMS OF OFFICE OF MEMBERS OF THE BOARD OF REGENTS AND BOARD OF PUBLIC EDUCATION FROM 7 YEARS TO 5 YEARS; AMENDING SECTION 2-15-1508, MCA; AND PROVIDING AN APPLICABILITY DATE AND AN IMMEDIATE EFFECTIVE DATE." for the following reasons.

House Bill 32 will reduce the term of members appointed to the Board of Regents and Board of Public Education by two years. Since the adoption of the 1972 Montana Constitution, these board members have served a seven year term. The terms are staggered and permit reappointments every year.

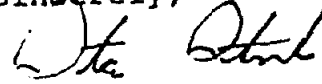
Educational policy is of great importance to the executive branch and to this state. Elementary, secondary and post-secondary education requires on-going review, continuity and historical perspective. Seven year terms for board members results in consistent and coherent education policy.

To reduce the term of the board members at this time of fiscal and philosophical change is not in the best interest of the state. A compelling public policy has not been demonstrated to me that such change is necessary.

The Honorable John Vincent  
The Honorable Jack Galt  
April 24, 1989  
Page Two

I veto House Bill 32.

Sincerely,

A handwritten signature in dark ink, appearing to read "Stan Stephens", written over the word "Sincerely,".

STAN STEPHENS  
Governor