

SENATE BILL 273

Introduced by Keating, et al.

1/27	Introduced
1/27	Referred to Judiciary
2/02	Hearing
	Died in Committee

## CONSTITUTIONAL AMENDMENT

1 *Senate* BILL NO. *273*  
2 INTRODUCED BY *Kevin Arnold*  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE  
5 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE X,  
6 SECTION 9, OF THE MONTANA CONSTITUTION TO ALLOW THE GOVERNOR  
7 TO REMOVE A MEMBER OF THE BOARD OF REGENTS OF HIGHER  
8 EDUCATION; 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 is vested in a board of regents of higher  
24 education which shall have full power, responsibility, and  
25 authority to supervise, coordinate, manage and control the

1 Montana university system and shall supervise and coordinate  
2 other public educational institutions assigned by law.

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

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

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

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

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

24 NEW SECTION. **Section 2.** Effective date. If approved  
25 by the electorate, this amendment is effective September 1,

LC 1169/01

1 1991.

2 NEW SECTION Section 3. Submission to electorate. This  
3 amendment shall be submitted to the qualified electors of  
4 Montana at the general election to be held in November 1990  
5 by printing on the ballot the full title of this act and the  
6 following:

7 ☐ FOR allowing the governor to remove a member of the  
8 board of regents.

9 ☐ AGAINST allowing the governor to remove a member of  
10 the board of regents.

-End-