

HOUSE BILL 25

Introduced by Daily

12/23	Introduced
12/30	Referred to Education & Cultural Resources
1/04	First Reading
1/08	Hearing
1/13	Tabled in Committee

CONSTITUTIONAL AMENDMENT

HOUSE BILL NO. 25

INTRODUCED BY DAILY

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE X, SECTION 9, OF THE CONSTITUTION OF THE STATE OF MONTANA TO INCREASE THE NUMBER OF THE MEMBERS OF THE BOARD OF REGENTS FROM SEVEN TO NINE AND TO CHANGE THE MANNER OF SELECTION OF THE MEMBERS."

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 nine members. Three members, one of whom shall be a student of the university system, shall be appointed by the governor, and confirmed by the senate, to overlapping terms, as provided by law. The caucus of the majority and minority party in each house of the legislature shall each select a member. Each house of the legislature shall select a member by majority vote. If there is a tie vote, the candidate of the political party that has a member of that party as the governor of Montana is selected. The members shall serve overlapping two-year terms, as provided by law, and may be reappointed. The governor and superintendent of public instruction are ex officio non-voting members of the board. The members shall select a presiding officer by majority vote. Legislators appointed to the board are not subject to Article V, section 9, and their service does not violate Article III, section 1.

(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 same audit provisions as are all other state funds.

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

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

12 NEW SECTION. **Section 2.** Submission to electorate. This
13 amendment shall be submitted to the qualified electors of
14 Montana at the first statewide election held after passage
15 of this act by the legislature by printing on the ballot the
16 full title of this act and the following:

17 ☐ FOR changing the number and manner of selection of
18 the members of the board of regents.

19 ☐ AGAINST changing the number and manner of selection
20 of the members of the board of regents.

-End-