

HOUSE BILL 324

Introduced by Stovall, et al.

1/23	Introduced
1/23	Referred to Education & Cultural Resources
1/23	First Reading
2/01	Hearing
2/08	Committee Report--Bill Passed as Amended
2/12	2nd Reading Passed
2/15	3rd Reading Passed
	Transmitted to Senate
2/20	First Reading
2/20	Referred to Education & Cultural Resources
3/05	Hearing
3/09	Tabled in Committee

CONSTITUTIONAL AMENDMENT

House BILL NO. 324

INTRODUCED BY

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE

QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE X,
SECTION 9, OF THE MONTANA CONSTITUTION TO PROHIBIT THE BOARD
OF REGENTS AND THE BOARD OF PUBLIC EDUCATION FROM OBLIGATING
THE EXPENDITURE OF PUBLIC FUNDS UNLESS THE ACTIONS BY THE
BOARDS ARE APPROVED AND FUNDED BY 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 the commissioner's 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.

(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
board.

1 (4) A board created under this section may not act in a
2 manner that obligates the expenditure of public funds unless
3 the board's actions are approved and funded by the
4 legislature."

5 **NEW SECTION.** **Section 2.** Submission to electorate. This
6 amendment shall be submitted to the qualified electors of
7 Montana at the general election to be held in November 1994
8 by printing on the ballot the full title of this act and the
9 following:

10 ☐ FOR prohibiting educational boards from obligating
11 the expenditure of public funds unless the actions
12 by the boards are approved and funded by the
13 legislature.

14 ☐ AGAINST prohibiting educational boards from
15 obligating the expenditure of public funds unless
16 the actions by the boards are approved and funded by
17 the legislature.

-End-

CONSTITUTIONAL AMENDMENT

APPROVED BY COMM. ON EDUCATION
AND CULTURAL RESOURCES

HOUSE BILL NO. 324

INTRODUCED BY STOVALL, SIMPKINS, BRANDEWIE, KEATING, PECK,
HOCKETT, DOLEZAL, ZOOK, WYATT, MCCAFFREE, ELLIS, HARP, GAGE,
GROSFIELD, BARDANOUVE, SIMON, MOLNAR, WAGNER

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1 higher education and state superintendent of public
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4 ~~†4†(C) A-board-created-under-this-section~~ THE BOARD may
5 not act in a manner that obligates the expenditure of public
6 funds unless the board's actions are approved and funded by
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8 NEW SECTION. Section 2. Submission to electorate. This
9 amendment shall be submitted to the qualified electors of
10 Montana at the general election to be held in November 1994
11 by printing on the ballot the full title of this act and the
12 following:

13 ☐ FOR prohibiting ~~educational--boards~~ THE BOARD OF
14 PUBLIC EDUCATION from obligating ~~the--expenditure~~
15 EXPENDITURES of public funds unless the actions by
16 the ~~boards~~ BOARD are approved and funded by the
17 legislature.

18 ☐ AGAINST prohibiting ~~educational--boards~~ THE BOARD OF
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