

HOUSE BILL 527

Introduced by D. Brown

2/08	Introduced
2/08	Referred to Education & Cultural Resources
2/08	First Reading
2/12	Hearing
2/16	Committee Report--Bill Passed
2/20	2nd Reading Do Pass Motion Failed
2/20	Reconsidered Previous Action and and Placed Back on 2nd Reading
2/22	2nd Reading Passed as Amended
2/24	3rd Reading Passed
	Transmitted to Senate
3/01	First Reading
3/01	Referred to Education & Cultural Resources
3/17	Hearing
3/22	Committee Report--Bill Not Passed
3/22	Adverse Committee Report Adopted (Constitutional Amendment Proposal Proceeded to 2nd Reading)
3/24	2nd Reading Concur Motion Failed (Constitutional Amendment Proposal Requires 3rd Reading Vote)
3/25	3rd Reading Failed Bill Proposing Constitutional Amendment Failed to Receive Required 2/3 Vote of the Legislature

CONSTITUTIONAL AMENDMENT

1 House BILL NO. 527
2 INTRODUCED BY Dave Brown
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE
5 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE X,
6 SECTION 9, OF THE MONTANA CONSTITUTION TO TRANSFER THE BOARD
7 OF REGENTS' AUTHORITY OVER THE UNIVERSITY SYSTEM TO THE
8 LEGISLATURE; ELIMINATING THE COMMISSIONER OF HIGHER
9 EDUCATION; ESTABLISHING A NEW BOARD OF REGENTS WHOSE MEMBERS
10 INCLUDE THE PRESIDENTS OF THE SIX UNIVERSITY UNITS, A
11 REPRESENTATIVE OF COMMUNITY OR JUNIOR COLLEGES, A
12 REPRESENTATIVE OF THE VOCATIONAL-TECHNICAL CENTER SYSTEM,
13 AND A STUDENT; ESTABLISHING THE POSITION OF CHANCELLOR TO
14 OVERSEE THE UNIVERSITY SYSTEM; AND PROVIDING THAT THE
15 CHANCELLOR BE SELECTED BY THE BOARD OF REGENTS."

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

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

20 "Section 9. Boards of education. (1) There is a state
21 board of education composed of the board of regents of
22 higher education and the board of public education. It is
23 responsible for long-range planning, and for coordinating
24 and evaluating policies and programs for the state's
25 educational systems. It shall submit unified budget

1 requests. A tie vote at any meeting may be broken by the
2 governor, who is an ex officio member of each component
3 board.

4 (2) (a) The government and control of the Montana
5 university system is vested in a board of regents of higher
6 education which shall have full power, responsibility, and
7 authority to supervise, coordinate, manage, and control the
8 Montana university system as provided by law and shall
9 supervise and coordinate other public educational
10 institutions assigned by law.

11 (b) The board consists of the president of each unit of
12 the university system, a representative of community or
13 junior colleges, a representative of the
14 vocational-technical center system, and a student member.
15 seven The members who are not presidents shall be appointed
16 by the governor, and confirmed by the senate, to overlapping
17 terms, as provided by law. The governor and superintendent
18 of public instruction are ex officio non-voting members of
19 the board.

20 (c) The board shall appoint a ~~commissioner--of--higher~~
21 ~~education~~ university system chancellor. ~~and--prescribe--his~~
22 The chancellor's term and duties shall be provided by law.

23 (d) The funds and appropriations under the control of
24 the board of regents are subject to the same audit
25 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 university system chancellor, and state
10 superintendent of public instruction shall be ex officio
11 non-voting members of the board."

12 NEW SECTION. Section 2. Submission to electorate. This
13 amendment shall be submitted to the qualified electors of
14 Montana at the general election to be held in November 1994
15 by printing on the ballot the full title of this act and the
16 following:

17 ☐ FOR making the board of regents' authority over the
18 university system subject to the legislature,
19 revising the board, and replacing the commissioner
20 with a chancellor.

21 ☐ AGAINST making the board of regents' authority over
22 the university system subject to the legislature,
23 revising the board, and replacing the commissioner
24 with a chancellor.

-End-

APPROVED BY COMM. ON EDUCATION
AND CULTURAL RESOURCES

53rd Legislature

LC 0552/01

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(b) The board consists of the president of each unit of the university system, a representative of community or junior colleges, a representative of the vocational technical center system, and a student member. seven The SEVEN members who are not presidents shall be 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.

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