

SENATE BILL NO. 77

INTRODUCED BY SWYSGOOD  
BY REQUEST OF THE JOINT COMMITTEE ON POSTSECONDARY  
EDUCATION POLICY AND BUDGET

IN THE SENATE

JANUARY 2, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
JANUARY 4, 1993	FIRST READING.
JANUARY 12, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 13, 1993	PRINTING REPORT.
	SECOND READING, DO PASS.
JANUARY 14, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 38; NOES, 11.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 15, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
	FIRST READING.
MARCH 30, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 31, 1993	SECOND READING, CONCURRED IN AS AMENDED.
APRIL 1, 1993	THIRD READING, CONCURRED IN. AYES, 83; NOES, 15.
	RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

APRIL 3, 1993	SECOND READING, AMENDMENTS CONCURRED IN.
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APRIL 5, 1993

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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

NEW SECTION. **Section 1.** Definitions. As used in [sections 1 through 8], the following definitions apply:

(1) "Committee" means the joint committee on postsecondary education policy and budget created in [section 2].

(2) "University system" means those units listed in 20-25-201 and the vocational-technical centers designated in 20-16-106.

NEW SECTION. **Section 2.** Joint committee on postsecondary education policy and budget -- appointment and composition. (1) There is a joint committee on postsecondary education policy and budget.

(2) The committee is composed of:

(a) two members of the senate, appointed by the

committee on committees on a bipartisan basis, and two members of the house of representatives, appointed by the speaker of the house on a bipartisan basis;

(b) two regents appointed by the chairman of the board of regents;

(c) the commissioner of higher education; and

(d) a representative from the executive branch appointed by the governor.

(3) Legislative appointments must be made before final adjournment of a regular session.

(4) All other appointments must be made prior to the first committee meeting following adjournment of a regular session.

NEW SECTION. **Section 3.** Term of office. (1) Legislative appointments to the committee are for 2 years. A legislative member of the committee shall serve until the legislator's term of office is ended.

(2) Appointments of members of the board of regents to the committee are for 2 years or until the expiration of the members' terms on the board of regents, whichever occurs first.

(3) The commissioner of higher education's appointment to the committee is continuous.

(4) The appointment of an executive branch representative to the committee is for 2 years.

**NEW SECTION. Section 4. Vacancies.** (1) A legislative vacancy occurring during a legislative session must be filled in the same manner as the original appointment.

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(4) An appointment to the committee under this section is for the unexpired term of the original member.

**NEW SECTION. Section 5. Officers -- quorum -- meetings.** (1) The committee shall select one of its members as presiding officer and may elect other officers it considers necessary.

(2) A simple majority of the committee constitutes a quorum to do business.

(3) The committee shall meet at least quarterly.

**NEW SECTION. Section 6. Compensation.** (1) Legislative members are entitled to receive compensation and expenses as provided in 5-2-302.

(2) Members appointed by the board of regents are entitled to:

(a) \$50 for each day in which a member is actually and necessarily engaged in the performance of committee duties;

and

(b) travel expenses, as provided for in 2-18-501 through 2-18-503.

**NEW SECTION. Section 7. Staff assistance.** The legislative fiscal analyst shall provide staff assistance to the committee. The legislative fiscal analyst has the same authority of investigation and examination on behalf of the committee as provided under 5-12-303.

**NEW SECTION. Section 8. Powers and duties of committee.** (1) The committee may:

(a) organize and adopt rules to govern its proceedings; and

(b) exercise the investigatory powers of a standing committee under Title 5, chapter 5, part 1.

(2) The committee shall:

(a) provide information to the board of regents in the following areas:

(i) annual budget allocations;

(ii) annual goal statement development;

(iii) long-range planning;

(iv) outcome assessment programs; and

(v) any other area that the committee considers to have significant educational or fiscal policy impact;

(b) periodically review the success or failure of the university system in meeting its annual goals and long-range

1 plans;

2 (c) periodically review the results of outcome  
3 assessment programs;

4 (d) develop mechanisms to ensure strict accountability  
5 of the revenues and expenditures of the university system;

6 (e) study and report to the legislature on the  
7 advisability of adjustments to the mechanisms used to  
8 determine funding for the university system, including  
9 criteria for determining appropriate levels of funding;

10 (f) act as a liaison between both the legislative and  
11 executive branches and the board of regents;

12 (g) encourage cooperation between the legislative and  
13 executive branches and the board of regents; and

14 (h) report its activities, findings, recommendations,  
15 and any proposed legislation to the legislature.

16 NEW SECTION. **Section 9.** Effective date. [This act] is  
17 effective on passage and approval.

18 NEW SECTION. **Section 10.** Termination. [This act]  
19 terminates July 1, 1995.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0077, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act continuing the Joint Committee on Postsecondary Education Policy and Budget during the 1995 biennium.

ASSUMPTIONS:

1. The committee will hold eight one-day meetings in the 1995 biennium.
2. Travel costs are based on the current members of the committee and the assumption that new members appointed will incur approximately the same travel costs.
3. The budget for this committee will remain with the Office of the Legislative Fiscal Analyst and is contained in a biennial appropriation.
4. There is no fiscal impact on the Office of the Commissioner of Higher Education.

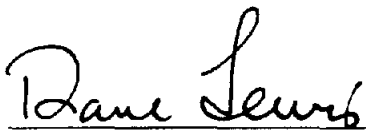
FISCAL IMPACT:

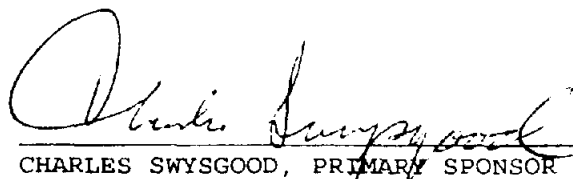
Expenditures:

	Current Law FY94	Proposed Law FY94
General fund	\$0	\$11,400

Revenues:

There is no revenue generated due to this bill.

 1-9-93  
DAVE LEWIS, BUDGET DIRECTOR      DATE  
Office of Budget and Program Planning

 1-11-93  
CHARLES SWYSGOOD, PRIMARY SPONSOR      DATE

Fiscal Note for SB0077, as introduced

SB 77

APPROVED BY COMM. ON EDUCATION  
AND CULTURAL RESOURCES

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11 executive branches and the board of regents;

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21 provided in 5-2-302.

22 (2) Members appointed by the board of regents are  
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2 (b) travel expenses, as provided for in 2-18-501  
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22 (v) any other area that the committee considers to have  
23 significant educational or fiscal policy impact;

24 (b) periodically review the success or failure of the  
25 university system in meeting its annual goals and long-range

1 plans;  
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15 and any proposed legislation to the legislature.  
16 NEW SECTION. Section 9. Effective date. [This act] is  
17 effective on passage and approval.  
18 NEW SECTION. Section 10. Termination. [This act]  
19 terminates July 1, 1995.

-End-

HOUSE STANDING COMMITTEE REPORT

March 30, 1993  
Page 2 of 2

March 30, 1993

Page 1 of 2

Mr. Speaker: We, the committee on Appropriations report that Senate Bill 77 (third reading copy -- blue) be concurred in as amended.

Signed: 

Tom Zook, Chair

And, that such amendments read:

Carried by: Rep. Peck

1. Title, line 7.  
Following: "BUDGET;"  
Insert: "PROVIDING AN APPROPRIATION;"

2. Page 1, line 25.  
Strike: "two"  
Insert: "four"

3. Page 2, line 1.  
Strike: "two"  
Insert: "four"

4. Page 2, line 3.  
Following: "basis"  
Strike: ";

Insert: ". One of the legislative members shall serve as  
presiding officer upon election by a vote of committee  
members."

5. Page 2, line 4.  
Following: "regents"  
Insert: "and one student from the university system,"

6. Page 2, line 5.  
Following: "regents;"  
Insert: "and"

7. Page 2, line 6.  
Strike: subsection (c) in its entirety  
Re-number: subsequent subsection

8. Page 2, line 18.  
Following: "regents"  
Insert: "and the student"

9. Page 2, lines 22 and 23.  
Strike: subsection (3) in its entirety  
Re-number: subsequent subsection.

10. Page 3, line 13.  
Following: "its"  
Insert: "legislative"

11. Page 5, following line 15.  
Insert: "NEW SECTION. Section 9. Appropriation. There is  
appropriated from the general fund to the office of the  
legislative fiscal analyst \$15,000 in the 1995 biennium for  
use by the joint committee on postsecondary education policy  
and budget."

Re-number: subsequent sections

-END-

Committee Vote:  
Yes 18, No 0.

711538SC.Hpf

SB 77

HOUSE

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speaker of the house on a bipartisan basis. ONE OF THE  
LEGISLATIVE MEMBERS SHALL SERVE AS PRESIDING OFFICER UPON  
ELECTION BY A VOTE OF COMMITTEE MEMBERS.

(b) two regents AND--ONE--STUDENT--FROM--THE--UNIVERSITY  
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~~(c) --the commissioner of higher education; and~~

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