## SENATE BILL NO. 77

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### 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.

# APRIL 5, 1993

THIRD READING, AMENDMENTS CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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SB 0077/01

1	SENATE BILL NO. 77	1	committee on committees on a bipartisan basis, and two
2	INTRODUCED BY SWYSGOOD	2	members of the house of representatives, appointed by the
3	BY REQUEST OF THE JOINT COMMITTEE ON POSTSECONDARY	3	speaker of the house on a bipartisan basis;
4	EDUCATION POLICY AND BUDGET	4	(b) two regents appointed by the chairman of the board
5		5	of regents;
6	A BILL FOR AN ACT ENTITLED: "AN ACT CONTINUING THE JOINT	6	(c) the commissioner of higher education; and
7	COMMITTEE ON POSTSECONDARY EDUCATION POLICY AND BUDGET; AND	7	(d) a representative from the executive branch
8	PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION	8	appointed by the governor.
9	DATE."	9	(3) Legislative appointments must be made before final
10		10	adjournment of a regular session.
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	11	(4) All other appointments must be made prior to the
12	NEW SECTION. Section 1. Definitions. As used in	12	first committee meeting following adjournment of a regular
13	(sections 1 through 8), the following definitions apply:	13	session.
14	(1) "Committee" means the joint committee on	14	NEW SECTION. Section 3. Term of office. (1)
15	postsecondary education policy and budget created in	15	Legislative appointments to the committee are for 2 years. A
16	[section 2].	16	legislative member of the committee shall serve until the
17	(2) "University system" means those units listed in	17	legislator's term of office is ended.
18	20-25-201 and the vocational-technical centers designated in	18	(2) Appointments of members of the board of regents to
19	20-16-106.	19	the committee are for 2 years or until the expiration of the
20	NEW SECTION. Section 2. Joint committee on	20	members' terms on the board of regents, whichever occurs
21	postsecondary education policy and budget appointment and	21	first.
22	composition. (1) There is a joint committee on postsecondary	22	(3) The commissioner of higher education's appointment
23	education policy and budget.	23	to the committee is continuous.
24	(2) The committee is composed of:	24	(4) The appointment of an executive branch
25	(a) two members of the senate, appointed by the	25	representative to the committee is for 2 years.
	Circintana Legislative Council		-2- S&77 INTRODUCED BILL

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

4 (2) A legislative vacancy occurring when the 5 legislature is not in session must be filled by the 6 selection of a member from the appropriate house and 7 political party by the remaining members of the committee.

8 (3) All other vacancies must be filled in the same9 manner as the original appointment.

10 (4) An appointment to the committee under this section11 is for the unexpired term of the original member.

12 <u>NEW SECTION.</u> Section 5. Officers -- quorum --13 meetings. (1) The committee shall select one of its members 14 as presiding officer and may elect other officers it 15 considers necessary.

16 (2) A simple majority of the committee constitutes a17 quorum to do business.

18 (3) The committee shall meet at least quarterly.

<u>NEW SECTION.</u> 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 areentitled to;

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

1 and

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

4 <u>NEW SECTION.</u> Section 7. Staff assistance. The 5 legislative fiscal analyst shall provide staff assistance to 6 the committee. The legislative fiscal analyst has the same 7 authority of investigation and examination on behalf of the 8 committee as provided under 5-12-303.

9 <u>NEW SECTION.</u> Section 8. Powers and duties of
10 committee. (1) The committee may:

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

13 (b) exercise the investigatory powers of a standing14 committee under Title 5, chapter 5, part 1.

15 (2) The committee shall:

16 (a) provide information to the board of regents in the 17 following areas:

18 (i) annual budget allocations;

19 (ii) annual goal statement development;

20 (iii) long-range planning;

21 (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 theuniversity system in meeting its annual goals and long-range

-3-

-4-

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-

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# STATE OF MONTANA - FISCAL NOTE

### Form BD-15

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

#### 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	Proposed Law
	<u>FY94</u>	<u>FY94</u>
General fund	\$0	\$11,400

#### <u>Revenues:</u>

There is no revenue generated due to this bill.

DAVE LEWIS, BUDGET DIRECTOR DATE Office of Budget and Program Planning

CHARLES SWYSGOOD, PRIMARY SPONSOR

Fiscal Note for SB0077, as introduced

DATE

53rd Legislature

SB 0077/01

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APPROVED	ΒY	COMM.	0 N	EDUCAT	ION
AND CULT	URAL	. RESOL	JRCE	ES	

SENATE BILL NO. 77 1 INTRODUCED BY SWYSGOOD 2 BY REQUEST OF THE JOINT COMMITTEE ON POSTSECONDARY 3 EDUCATION POLICY AND BUDGET 5 A BILL FOR AN ACT ENTITLED: "AN ACT CONTINUING THE JOINT 6 COMMITTEE ON POSTSECONDARY EDUCATION POLICY AND BUDGET; AND 7 PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION R 9 DATE." 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 NEW SECTION. Section 1. Definitions. 12 As used in

13 [sections 1 through 8], the following definitions apply: 14 (1) "Committee" means the joint committee on 15 postsecondary education policy and budget created in 16 [section 2].

17 (2) "University system" means those units listed in
18 20-25-201 and the vocational-technical centers designated in
19 20-16-106.

20 <u>NEW SECTION.</u> Section 2. Joint committee on 21 postsecondary education policy and budget -- appointment and 22 composition. (1) There is a joint committee on postsecondary 23 education policy and budget.

24 (2) The committee is composed of:

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

iontana Legislative Council

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;

4 (b) two regents appointed by the chairman of the board5 of regents;

(c) the commissioner of higher education; and

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

9 (3) Legislative appointments must be made before final10 adjournment of a regular session.

11 (4) All other appointments must be made prior to the 12 first committee meeting following adjournment of a regular 13 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.

18 (2) Appointments of members of the board of regents to 19 the committee are for 2 years or until the expiration of the 20 members' terms on the board of regents, whichever occurs 21 first.

22 (3) The commissioner of higher education's appointment23 to the committee is continuous.

24 (4) The appointment of an executive branch25 representative to the committee is for 2 years.

-2- SB77 SECOND READING <u>NEW SECTION.</u> Section 4. Vacancies. (1) A legislative
 vacancy occurring during a legislative session must be
 filled in the same manner as the original appointment.

4 (2) A legislative vacancy occurring when the 5 legislature is not in session must be filled by the 6 selection of a member from the appropriate house and 7 political party by the remaining members of the committee.

8 (3) All other vacancies must be filled in the same
9 manner as the original appointment.

10 (4) An appointment to the committee under this section11 is for the unexpired term of the original member.

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16 (2) A simple majority of the committee constitutes a
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18 (3) The committee shall meet at least quarterly.

<u>NEW SECTION.</u> Section 6. Compensation. (1) Legislative
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 provided in 5-2-302.

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 necessarily engaged in the performance of committee duties;

l and

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

4 <u>NEW SECTION.</u> Section 7. Staff assistance. The 5 legislative fiscal analyst shall provide staff assistance to 6 the committee. The legislative fiscal analyst has the same 7 authority of investigation and examination on behalf of the 8 committee as provided under 5-12-303.

9 <u>NEW SECTION.</u> Section 8. Powers and duties of 10 committee. (1) The committee may:

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- 17 following areas:
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- 20 (iii) long-range planning;
- 21 (iv) outcome assessment programs; and

22 (v) any other area that the committee considers to have

23 significant educational or fiscal policy impact;

(b) periodically review the success or failure of theuniversity 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-

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SENATE BILL NO. 77 1 INTRODUCED BY SWYSGOOD 2 BY REQUEST OF THE JOINT COMMITTEE ON POSTSECONDARY з EDUCATION POLICY AND BUDGET 5 A BILL FOR AN ACT ENTITLED: "AN ACT CONTINUING THE JOINT 6 COMMITTEE ON POSTSECONDARY EDUCATION POLICY AND BUDGET; AND 7 PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION 8 DATE." 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 NEW SECTION. Section 1. Definitions. 12 As used in [sections 1 through 8], the following definitions apply: 13 14 (1) "Committee" means the joint committee on postsecondary education policy and budget created in 15 16 [section 2]. (2) "University system" means those units listed in 17 20-25-201 and the vocational-technical centers designated in 18 19 20-16-106. NEW SECTION. Section 2. Joint 20 committee on 21 postsecondary education policy and budget -- appointment and 22 composition. (1) There is a joint committee on postsecondary

23 education policy and budget.

24 (2) The committee is composed of:

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

Montana Leenslative Council

1 committee on committees on a bipartisan basis, and two 2 members of the house of representatives, appointed by the 3 speaker of the house on a bipartisan basis; 4 (b) two regents appointed by the chairman of the board

5 of regents:

6 (c) the commissioner of higher education; and

7 (d) a representative from the executive branch 8 appointed by the governor.

9 (3) Legislative appointments must be made before final 10 adjournment of a regular session.

11 (4) All other appointments must be made prior to the 12 first committee meeting following adjournment of a regular 13 session.

14 NEW SECTION. Section 3. Term of office. (1)15 Legislative appointments to the committee are for 2 years. A 16 legislative member of the committee shall serve until the 17 legislator's term of office is ended.

18 (2) Appointments of members of the board of regents to 19 the committee are for 2 years or until the expiration of the 20 members' terms on the board of regents, whichever occurs 21 first.

22 (3) The commissioner of higher education's appointment 23 to the committee is continuous.

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THIRD READING

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1 and (b) travel expenses, as provided for in 2-18-501 2 3 through 2-18-503. NEW SECTION. Section 7. Staff 4 assistance. The 5 legislative fiscal analyst shall provide staff assistance to 6 the committee. The legislative fiscal analyst has the same 7 authority of investigation and examination on behalf of the 8 committee as provided under 5-12-303. 9 NEW SECTION, Section 8. Powers and duties of 10 committee. (1) The committee may: 11 (a) organize and adopt rules to govern its proceedings; 12 anđ 13 (b) exercise the investigatory powers of a standing 14 committee under Title 5, chapter 5, part 1. 15 (2) The committee shall: 16 (a) provide information to the board of regents in the 17 following areas: 18 (i) annual budget allocations; 19 (ii) annual goal statement development; 20 (iii) long-range planning; 21 (iv) outcome assessment programs; and (v) any other area that the committee considers to have 22 23 significant educational or fiscal policy impact; 24 (b) periodically review the success or failure of the

- 3 -

necessarily engaged in the performance of committee duties;

25

- 4 -

university system in meeting its annual goals and long-range

25

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.

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-End-

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#### HOUSE STANDING COMMITTEE REPORT

March 30, 1993 Page 1 of 2

Chair

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

Signed

And, that such amendments read:

Carried by: Rep. Peck

Zook.

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 Renumber: subsequent subsection

Committee Vote: Yes 18, No 0. March 30, 1993 Page 2 of 2

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

9. Page 2, lines 22 and 23. Strike: subsection (3) in its entirety Renumber: 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."

Renumber: subsequent sections

-END-

SB 77

HOUSE

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ı	SENATE BILL NO. 77	1
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2	INTRODUCED BY SWYSGOOD	3
3	BY REQUEST OF THE JOINT COMMITTEE ON POSTSECONDARY	
4	EDUCATION POLICY AND BUDGET	4
5		5
6	A BILL FOR AN ACT ENTITLED: "AN ACT CONTINUING THE JOINT	6
7	COMMITTEE ON POSTSECONDARY EDUCATION POLICY AND BUDGET;	7
8	PROVIDING AN APPROPRIATION; AND PROVIDING AN IMMEDIATE	8
9	EFFECTIVE DATE AND A TERMINATION DATE."	9
10		10
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	11
12	NEW SECTION. Section 1. Definitions. As used in	12
13	[sections 1 through 8], the following definitions apply:	13
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15	postsecondary education policy and budget created in	15
16	[section 2].	16
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1.8	20-25-201 and the vocational-technical centers designated in	18
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22	composition. (1) There is a joint committee on postsecondary	22
23	education policy and budget.	23
24	(2) The committee is composed of:	24
25	(a) two FOUR members of the senate, appointed by the	25



1	committee on committees on a bipartisan basis, and two FOUR
2	members of the house of representatives, appointed by the
3	speaker of the house on a bipartisan basis7. ONE OF THE
4	LEGISLATIVE MEMBERS SHALL SERVE AS PRESIDING OFFICER UPON
5	ELECTION BY A VOTE OF COMMITTEE MEMBERS.
6	(b) two regents ANDONESTUDENT-PROM-THE-UNIVERSITY
7	SYSTEM7 appointed by the chairman of the board of regents
8	AND ONE STUDENT OF THE UNIVERSITY SYSTEM APPOINTED BY THE
9	GOVERNOR; AND AND
10	<pre>tc;the-commissioner-of-higher-education;-and</pre>
11	<pre>fd;(C) a representative from the executive branch</pre>
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20	legislative member of the committee shall serve until the
21	legislator's term of office is ended.
22	(2) Appointments of members of the board of regents AND
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expiration of the members' terms on the board of regents,
whichever occurs first.



1 (3)--The-commissioner-of-higher-education-s--appointment 1 2 to-the-consittee-is-continuous-2 3 (4) (3) The appointment of an executive branch 3 4 representative to the committee is for 2 years. 4 5 and NEW SECTION. Section 4. Vacancies. (1) A legislative 5 6 vacancy occurring during a legislative session must be 6 7 filled in the same manner as the original appointment. 7 8 8 (2) A legislative vacancy occurring when the 9 ٩ legislature is not in session must be filled by the 10 selection of a member from the appropriate house and 10 political party by the remaining members of the committee. 11 11 12 (3) All other vacancies must be filled in the same 12 manner as the original appointment. 13 13 14 (4) An appointment to the committee under this section 14 15 is for the unexpired term of the original member. 15 16 NEW SECTION. Section 5. Officers ---16 and quorum ---17 meetings. (1) The committee shall select one of 17 its 18 LEGISLATIVE members as presiding officer and may elect other 18 19 officers it considers necessary. 19 20 (2) A simple majority of the committee constitutes a 20 21 quorum to do business. 21 22 22 (3) The committee shall meet at least guarterly. 23 NEW SECTION. Section 6. Compensation. (1) Legislative 23 24 24 members are entitled to receive compensation and expenses as 25 provided in 5-2-302. 25

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20 (a) provide information to the board of regents in the 21 following areas:

-4-

2 (i) annual budget allocations;

ii) annual goal statement development;

24 (iii) long-range planning;

5 (iv) outcome assessment programs; and

-3-

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SB 77

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

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

6 (c) periodically review the results of outcome7 assessment programs;

8 (d) develop mechanisms to ensure strict accountability
9 of the revenues and expenditures of the university system;
10 (e) study and report to the legislature on the
11 advisability of adjustments to the mechanisms used to
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13 criteria for determining appropriate levels of funding;

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

 20
 NEW SECTION.
 SECTION 9.
 APPROPRIATION.
 THERE
 IS

 21
 APPROPRIATED
 FROM THE GENERAL FUND TO THE OFFICE OF THE

 22
 LEGISLATIVE FISCAL ANALYST \$15,000 IN THE 1995 BIENNIUM FOR

 23
 USE BY THE JOINT COMMITTEE ON POSTSECONDARY EDUCATION POLICY

 24
 AND BUDGET.

25 NEW SECTION. Section 10. Effective date. [This act] is

-5-

1 effective on passage and approval.

2 NEW SECTION. Section 11. Termination. [This act]

3 terminates July 1, 1995.

-End-