

## HOUSE BILL NO. 736

INTRODUCED BY R. BROWN, TESTER, F. THOMAS, WANZENRIED

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A K-12 PUBLIC SCHOOL RENEWAL COMMISSION; PROVIDING AN APPROPRIATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, public schools are the foundation of Montana, providing citizens with the tools they need to strengthen our state's way of life and extending the principles of liberty; and

WHEREAS, approximately 16,000 full-time and part-time public school teachers guide over 149,000 students in the state of Montana; and

WHEREAS, as prescribed by Article X, section 1, of the Montana Constitution, a fundamental goal of the State of Montana is to establish a system of quality education that will develop the full educational potential of each person; and

WHEREAS, it is consistently proven on national assessments that Montana's excellent educators instruct superior students, and this fine system should be strengthened; and

WHEREAS, the Board of Public Education, of which the Superintendent of Public Instruction and the Governor are members, is constitutionally charged with general supervision over the public school system and other public educational institutions as may be assigned by law; and

WHEREAS, the first step in developing a competitive economy is a quality education system producing a qualified workforce; and

WHEREAS, due to repeated adjustments, revisions, and court decisions, the statutes governing the education system in Montana are plagued by inconsistent language, conflicting provisions, confusing funding mechanisms, and overlapping organizational structures that make it difficult for educators, parents, the legal community, and the general public to understand; and

WHEREAS, in order for the State of Montana to provide for an effective and efficient system of free quality public elementary and secondary education, a comprehensive renewal of education in Montana would be in the best interests of all of the state; and

WHEREAS, the Governor of Montana, the Board of Public Education, the Superintendent of Public Instruction, and the Montana Legislature should convene a commission to examine the various options available for the renewal of public education in Montana.

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

**NEW SECTION. Section 1. K-12 public school renewal commission.** (1) There is a K-12 public school renewal commission established to propose changes and new provisions regarding the several components of K-12 public education in Montana, including but not limited to:

- (a) the revenue available for public education;
- (b) the structure of school district governance;
- (c) the methods of funding public education;
- (d) the role of the state government in public education; and
- (e) the role of the federal government in public education.

(2) Core membership of the renewal commission must include the governor, the presiding officer of the board of public education, the superintendent of public instruction, the speaker of the house of representatives, the president of the senate, the minority leader of the house of representatives, and the minority leader of the senate. Core members may select a designee to represent the core member on the renewal commission.

(3) The governor, in consultation with the core membership, shall:

(a) identify no less than 10 and no more than 25 entities who shall designate a representative to serve on the renewal commission;

(b) APPOINT A REPRESENTATIVE FROM THE JUVENILE CORRECTIONS DIVISION OF THE DEPARTMENT OF CORRECTIONS TO SERVE ON THE RENEWAL COMMISSION;

~~(b)(c)~~ request assistance from other legislative and executive branch agencies; and

~~(c)(d)~~ in addition to any legislative appropriation, accept donations for the purposes of carrying out the duties of the renewal commission required in this section.

(4) The members of the renewal commission ~~shall serve without compensation or reimbursement~~  
APPOINTED PURSUANT TO SUBSECTION (3)(A) MAY BE REIMBURSED for expenses.

(5) (a) The renewal commission shall submit a final report of its findings and recommendations to the education and local government interim committee by September 15, 2004.

(b) The renewal commission may recommend legislation to the 59th legislature based on the commission's findings.

(6) AS USED IN THIS SECTION, THE TERM "K-12 PUBLIC EDUCATION" INCLUDES A STATE YOUTH CORRECTIONAL

1 FACILITY, AS DEFINED IN 41-5-103.

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3 NEW SECTION. **Section 2. Appropriation.** There is appropriated \$10,000 from the general fund to  
4 the board of public education for the biennium beginning July 1, 2003, to support the K-12 public school renewal  
5 commission.

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7 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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