

1 HOUSE BILL NO. 525

2 INTRODUCED BY C. JUNEAU

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE APPOINTMENT OF MEMBERS TO THE BOARD
5 OF PUBLIC EDUCATION AND THE BOARD OF REGENTS BY ALLOWING APPOINTMENTS FROM THE
6 SEVEN INDIAN RESERVATIONS WITHOUT CONSIDERING THE DISTRICT IN WHICH A RESERVATION
7 IS LOCATED; AND AMENDING SECTION 2-15-1508, MCA."

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

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11 **Section 1.** Section 2-15-1508, MCA, is amended to read:12 **"2-15-1508. Appointments to board of public education and board of regents -- conditions --**

13 **vacancy.** (1) Appointments to the board of public education and to the board of regents are subject to the
14 following qualifications:

15 (a) (i) ~~Not~~ Except as provided in subsection (1)(a)(ii), not more than four may be from one district
16 provided for in 5-1-102.

17 (ii) Appointments may be made from any of the seven Indian reservations in Montana without
18 considering the district in which the reservation is located.

19 (b) Not more than four may be affiliated with the same political party.

20 (c) The terms of members appointed to each board are 7 years except as provided in subsection (3).

21 (d) When a vacancy occurs, the governor shall appoint a member for the remainder of the term of the
22 incumbent, and the appointment must preserve the balance required by subsections (1)(a) and (1)(b).

23 (e) A person may not be appointed to concurrent memberships on the board of public education and
24 the board of regents.

25 (2) An appointed member of either board shall take and subscribe to the constitutional oath of office
26 and file it with the secretary of state before the person may serve as a member of either board.

27 (3) (a) One seat of the appointed members on the board of regents is reserved for membership by a
28 student appointed by the governor. The student must be registered as a full-time student at a unit of higher
29 education under jurisdiction of the board of regents. The length of term of the student member is determined by
30 the governor and must be for not less than 1 year and not more than 4 years. The term begins July 1 and ends

1 June 30 of the years designated by the governor. The provisions of subsections (1)(a) and (1)(b) do not apply
2 to the student member and may not affect the balance of the remaining appointive membership on the board
3 of regents.

4 (b) The governor shall appoint the student provided for in subsection (3)(a) based upon a nomination
5 provided by a student organization designated by the board of regents. The student organization shall nominate
6 no fewer than three qualified students. If the governor finds that none of the students nominated are acceptable,
7 the governor may request a new slate of nominees. Nominations must be forwarded to the governor in March
8 immediately preceding the end of a regular term, and the governor shall make the appointment before the end
9 of the succeeding June. In the event of a vacancy, a replacement must be appointed as soon as is practicable
10 and in the same manner as the original appointment."

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12 NEW SECTION. **Section 2. Notification to tribal governments.** The secretary of state shall send a
13 copy of [this act] to each tribal government located on the seven Montana reservations.

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