

HOUSE BILL NO. 318

INTRODUCED BY R. MEHLHOFF

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A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING LOCAL EXECUTIVE BOARDS SERVING THE BOARD OF REGENTS IN COUNTIES IN WHICH A UNIVERSITY SYSTEM CAMPUS IS LOCATED; AMENDING SECTIONS 20-25-301 AND 20-25-424, MCA; AND REPEALING SECTIONS 20-25-303 AND 20-25-304, MCA."

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

**Section 1.** Section 20-25-301, MCA, is amended to read:

**"20-25-301. Regents' powers and duties.** The board of regents of higher education shall serve as regents of the Montana university system, shall use and adopt this style in all its dealings with the university system, and:

- (1) must have general control and supervision of the units of the Montana university system, which is considered for all purposes one university;
- (2) shall adopt rules for its own government that are consistent with the constitution and the laws of the state and that are proper and necessary for the execution of the powers and duties conferred upon it by law;
- (3) shall provide, subject to the laws of the state, rules for the government of the system;
- (4) shall grant diplomas and degrees to the graduates of the system upon the recommendation of the faculties and have discretion to confer honorary degrees upon persons other than graduates upon the recommendation of the faculty of the institutions;
- (5) shall keep a record of its proceedings;
- (6) must have, when not otherwise provided by law, control of all books, records, buildings, grounds, and other property of the system;
- (7) must receive from the board of land commissioners, from other boards or persons, or from the government of the United States all funds, income, and other property that the system may be entitled to and use and appropriate the property for the specific purpose of the grant or donation;
- (8) must have general control of all receipts and disbursements of the system;
- (9) shall appoint a president or chancellor and faculty for each of the institutions of the system, appoint any other necessary officers, agents, and employees, and fix their compensation;



1 ~~\_\_\_\_\_ (10) shall confer upon the executive board of each of the units of the system authority that may be~~  
 2 ~~considered expedient relating to immediate control and management, other than authority relating to financial~~  
 3 ~~matters or the selection of the teachers, employees, and faculty;~~

4 (14)(10) shall confer, at the regents' discretion, upon the president and faculty of each of the units of the  
 5 system for the best interest of the unit authority relating to the immediate control and management, other than  
 6 financial, and the selection of teachers and employees;

7 (12)(11) shall prevent unnecessary duplication of courses at the units of the system;

8 (13)(12) shall appoint a certified professional geologist or registered mining engineer as the director of  
 9 the Montana state bureau of mines and geology, who is the state geologist, and appoint any other necessary  
 10 assistants and employees and fix their compensation;

11 (14)(13) shall supervise and control the agricultural experiment station, along with any executive or  
 12 subordinate board or authority that may be appointed by the governor with the advice and consent of the regents;

13 (15)(14) shall adopt a seal bearing on its face the words "Montana university system", which must be  
 14 affixed to all diplomas and all other papers, instruments, or documents that may require it;

15 (16)(15) shall ensure an adequate level of security for data, as defined in 2-15-102, within the state  
 16 university system. In carrying out this responsibility, the board of regents shall, at a minimum, address the  
 17 responsibilities prescribed in 2-15-114.

18 (17)(16) shall offer courses in vocational-technical education of a type and in a manner considered  
 19 necessary or practical by the regents."

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21 **Section 2.** Section 20-25-424, MCA, is amended to read:

22 **"20-25-424. Receipt of funds.** (1) The treasurer of Montana state university-Bozeman may receive the  
 23 cash appropriation received from the United States by authority of the act of congress of August 30, 1890, known  
 24 as the second Morrill Act and the act of congress of March 4, 1907, known as the Nelson Amendment, to be  
 25 expended ~~by the executive board~~ under the general supervision of the regents only for the purpose for which it  
 26 was appropriated by congress.

27 (2) On or before December 1 of each year, the state university shall make detailed reports of the  
 28 amounts received and disbursed under the provisions of the acts of congress of August 30, 1890, March 16,  
 29 1906, and March 4, 1907, to the secretaries of agriculture and interior of the United States, as required by the  
 30 acts of congress."

