

SENATE BILL NO. 275

INTRODUCED BY R. WEBB, M. BLASDEL, K. HANSEN, J. HINKLE, D. HOWARD, D. KARY, S. SALES,
C. SMITH, N. SWANDAL, J. TAYLOR, G. VANCE

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN
AMENDMENT TO ARTICLE X, SECTION 9, OF THE MONTANA CONSTITUTION REQUIRING ELECTION OF
THE MEMBERS OF THE BOARD OF PUBLIC EDUCATION; AND PROVIDING A DELAYED EFFECTIVE DATE
AND AN APPLICABILITY DATE."

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

Section 1. Article X, section 9, of The Constitution of the State of Montana is amended to read:

"Section 9. Boards of education. (1) There is a state board of education composed of the board of regents of higher education and the board of public education. It is responsible for long-range planning, and for coordinating and evaluating policies and programs for the state's educational systems. It shall submit unified budget requests. A tie vote at any meeting may be broken by the governor, who is an ex officio member of each component board.

(2) (a) The government and control of the Montana university system is vested in a board of regents of higher education which shall have full power, responsibility, and authority to supervise, coordinate, manage and control the Montana university system and shall supervise and coordinate other public educational institutions assigned by law.

(b) The board consists of seven members appointed by the governor, and confirmed by the senate, to overlapping terms, as provided by law. The governor and superintendent of public instruction are ex officio non-voting members of the board.

(c) The board shall appoint a commissioner of higher education and prescribe his term and duties.

(d) The funds and appropriations under the control of the board of regents are subject to the same audit provisions as are all other state funds.

(3) (a) There is a board of public education to exercise general supervision over the public school system and such other public educational institutions as may be assigned by law. Other duties of the board shall be provided by law.



1 (b) The board consists of seven members ~~appointed by the governor, and confirmed by the senate, to~~
 2 ~~overlapping terms elected~~ WHO MUST BE QUALIFIED ELECTORS OF THE DISTRICT FROM WHICH THEY ARE ELECTED, WITH
 3 EACH MEMBER ELECTED FROM A SEPARATE DISTRICT OF THE STATE as provided by law. The governor, commissioner
 4 of higher education and state superintendent of public instruction shall be ex officio non-voting members of the
 5 board.

6 (C) THE SEVEN DISTRICTS ARE:

7 (I) 1ST DISTRICT: FLATHEAD, LAKE, LINCOLN, MINERAL, AND SANDERS COUNTIES;

8 (II) 2ND DISTRICT: GRANITE, MISSOULA, POWELL, AND RAVALLI COUNTIES;

9 (III) 3RD DISTRICT: BEAVERHEAD, DEER LODGE, MADISON, AND SILVER BOW COUNTIES;

10 (IV) 4TH DISTRICT: BROADWATER, GLACIER, JEFFERSON, LEWIS AND CLARK, PONDERA, AND TETON COUNTIES;

11 (V) 5TH DISTRICT: BLAINE, CASCADE, CHOUTEAU, DANIELS, DAWSON, FERGUS, GARFIELD, HILL, JUDITH BASIN,
 12 LIBERTY, MCCONE, MEAGHER, PETROLEUM, PHILLIPS, RICHLAND, ROOSEVELT, SHERIDAN, TOOLE, VALLEY, WHEATLAND,
 13 AND WIBAUX COUNTIES;

14 (VI) 6TH DISTRICT: GALLATIN, PARK, AND SWEET GRASS COUNTIES;

15 (VII) 7TH DISTRICT: BIG HORN, CARBON, CARTER, CUSTER, FALLON, GOLDEN VALLEY, MUSSELSHELL, POWDER
 16 RIVER, PRAIRIE, ROSEBUD, STILLWATER, TREASURE, AND YELLOWSTONE COUNTIES."

17
 18 NEW SECTION. Section 2. Two-thirds vote required. Because [section 1] is a legislative proposal
 19 to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote
 20 of two-thirds of all the members of the legislature, whether one or more bodies, for passage.

21
 22 NEW SECTION. Section 3. Effective date -- applicability. If approved by the electorate, this
 23 amendment is effective January 1, 2017, and applies to the election to be held in November 2018.

24
 25 NEW SECTION. Section 4. Submission to electorate. [This act] shall be submitted to the qualified
 26 electors of Montana at the general election to be held in November 2016 by printing on the ballot the full title of
 27 [this act] and the following:

28 YES on Constitutional Amendment ____.

29 NO on Constitutional Amendment ____.

30 - END -