

1 *Senate* BILL NO. 325
 2 INTRODUCED BY *Lee Jackson* *Bianch Norman*
 3 *Turnage* *Roseell*

4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING SCHOOL
 5 TRUSTEES TO ESTABLISH AN UNEMPLOYMENT CONTRIBUTION FUND FOR
 6 THE PURPOSE OF BUDGETING AND PAYING THE EMPLOYER'S
 7 CONTRIBUTION TO THE UNEMPLOYMENT COMPENSATION FUND AND
 8 PROVIDING A METHOD FOR FINANCING."

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

11 Section 1. Unemployment contribution fund. (1) The
 12 trustees of any school district subject to the unemployment
 13 compensation law shall establish an unemployment
 14 contribution fund for the purpose of budgeting and paying
 15 the employer's contribution to the unemployment compensation
 16 fund provided by section 87-111, R.C.M. 1947. The
 17 district's contribution shall be calculated in accordance
 18 with section 87-109, R.C.M. 1947.

19 (2) The trustees of any district subject to the
 20 unemployment compensation law shall include in the
 21 unemployment contribution fund of the preliminary budget the
 22 estimated amount of the employer's contribution and such
 23 additional amount, within legal limitations, as they may
 24 wish to provide for the unemployment contribution fund cash
 25 reserve. After the final unemployment contribution fund

1 budget has been adopted, the trustees shall pay the
 2 unemployment compensation fund in accordance with the
 3 financial administration provisions of chapter 68 of Title
 4 75, R.C.M. 1947.

5 (3) When the final unemployment contribution fund
 6 budget has been adopted, the county superintendent shall
 7 compute the net levy requirement for such fund by
 8 subtracting from the amount authorized by such budget the
 9 sum of:

10 (a) any cash available for reappropriation as
 11 determined by subtracting from the end-of-the-year cash
 12 balance in the fund the amount of such cash balance
 13 earmarked as the unemployment contribution fund cash reserve
 14 for the ensuing school fiscal year. The unemployment
 15 contribution fund cash reserve shall not be more than
 16 twenty-five percent (25%) of the final unemployment
 17 contribution fund budget for the ensuing school fiscal year;
 18 and

19 (b) any other anticipated moneys that may become
 20 available during the ensuing school fiscal year.

21 (4) The net unemployment contribution fund levy
 22 requirement for each district shall be reported to the
 23 county commissioners on the second Monday in August by the
 24 county superintendent, and a levy on each district shall be
 25 made by the county commissioners in accordance with section

1 75-6717, R.C.M. 1947.

-End-

Approved by Committee on Education

SENATE BILL NO. 325

INTRODUCED BY TOWE, FASBENDER, BLAYLOCK

NORMAN, TURNAGE, ROSELL

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING SCHOOL TRUSTEES TO ESTABLISH AN UNEMPLOYMENT CONTRIBUTION FUND FOR THE PURPOSE OF BUDGETING AND PAYING THE EMPLOYER'S CONTRIBUTION TO THE UNEMPLOYMENT COMPENSATION FUND AND PROVIDING A METHOD FOR FINANCING PAY THE SCHOOL DISTRICT'S OBLIGATION FOR EMPLOYER CONTRIBUTION TO THE UNEMPLOYMENT COMPENSATION SYSTEM FROM THE SCHOOL DISTRICT'S RETIREMENT FUND, AMENDING SECTION 75-7204, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: (Strike everything after the enacting clause and insert:)

Section 1. Section 75-7204, R.C.M. 1947, is amended to read as follows:

"75-7204. Retirement fund. The trustees of any district employing personnel who are members of the teachers retirement system or the public employees retirement system, or who are covered by unemployment compensation, or who are covered by any federal social security system requiring employer contributions shall establish a retirement fund for the purposes of budgeting and paying the employer's contributions to such systems. The district's contribution

for each employee who is a member of the teachers retirement system shall be calculated in accordance with section 75-6207. The district's contribution for each employee who is a member of the public employees retirement system shall be calculated in accordance with section 68-603, R.C.M., 1947. The district's contributions for each employee covered by any federal social security system shall be paid in accordance with federal law and regulation. The district's contribution for each employee who is covered by unemployment compensation shall be paid in accordance with section 87-109.

The trustees of any district required to make a contribution to any such system shall include in the retirement fund of the preliminary budget the estimated amount of the employer's contribution and such additional moneys, within legal limitations, as they may wish to provide for the retirement fund cash reserve. After the final retirement fund budget has been adopted, the trustees shall pay the employer contributions to such systems in accordance with the financial administration provisions of this Title.

When the final retirement fund budget has been adopted, the county superintendent shall establish the levy requirement by:

- (1) determining the sum of the moneys available to

1 reduce the retirement fund levy requirement by adding:

2 (a) any anticipated moneys that may be realized in the

3 retirement fund during the ensuing school fiscal year; and

4 (b) any cash available for reappropriation as

5 determined by subtracting the amount of the end-of-the-year

6 cash balance earmarked as the retirement fund cash reserve

7 for the ensuing school fiscal year by the trustees from the

8 end-of-the-year cash balance in the retirement fund. The

9 retirement fund cash reserve shall not be more than

10 thirty-five per cent (35%) of the final retirement fund

11 budget for the ensuing school fiscal year and shall be used

12 for the purpose of paying retirement fund warrants issued by

13 the district under the final retirement fund budget.

14 (2) subtracting the total of the moneys available for

15 reduction of the levy requirement as determined in

16 subsection (1) from the budgeted amount for expenditures in

17 the final retirement fund budget.

18 The county superintendent shall total the net

19 retirement fund levy requirements separately for all

20 elementary school districts and all high school districts of

21 the county, including any prorated joint district levy

22 requirements, and shall report each such levy requirement to

23 the county commissioners on the second Monday of August as

24 the respective county levy requirements for elementary

25 district and high school district retirement funds. The

1 county commissioners shall fix and set such county levy in

2 accordance with section 75-6717.

3 The net retirement fund levy requirement for a joint

4 elementary district or a joint high school district shall be

5 prorated to each county in which a part of such district is

6 located in the same proportion as the district ANB of the

7 joint district is distributed by pupil residence in each

8 such county. The county superintendents of the counties

9 affected shall jointly determine the net retirement fund

10 levy requirement for each county as provided in section

11 75-6721."

-End-

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2 INTRODUCED BY TOWE, FASBENDER, BLAYLOCK

3 NORMAN, TURNAGE, ROSELL

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5 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING SCHOOL
6 TRUSTEES TO ESTABLISH-AN-UNEMPLOYMENT-CONTRIBUTION-FUND-FOR
7 THE--PURPOSE--OF--BUDGETING--AND---PAYING---THE---EMPLOYER'S
8 CONTRIBUTION--TO--THE--UNEMPLOYMENT--COMPENSATION--FUND--AND
9 PROVIDING-A-METHOD-FOR-FINANCING-PAY THE SCHOOL DISTRICT'S
10 OBLIGATION FOR EMPLOYER CONTRIBUTION TO THE UNEMPLOYMENT
11 COMPENSATION SYSTEM FROM THE SCHOOL DISTRICT'S RETIREMENT
12 FUND, AMENDING SECTION 75-7204, R.C.M. 1947."
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15 (Strike everything after the enacting clause and insert:)

16 Section 1. Section 75-7204, R.C.M. 1947, is amended to
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19 district employing personnel who are members of the teachers
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22 covered by any federal social security system requiring
23 employer contributions shall establish a retirement fund for
24 the purposes of budgeting and paying the employer's
25 contributions to such systems. The district's contribution

1 for each employee who is a member of the teachers retirement
2 system shall be calculated in accordance with section
3 75-6207. The district's contribution for each employee who
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13 contribution to any such system shall include in the
14 retirement fund of the preliminary budget the estimated
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16 moneys, within legal limitations, as they may wish to
17 provide for the retirement fund cash reserve. After the
18 final retirement fund budget has been adopted, the trustees
19 shall pay the employer contributions to such systems in
20 accordance with the financial administration provisions of
21 this title.

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7 for the ensuing school fiscal year by the trustees from the

8 end-of-the-year cash balance in the retirement fund. The

9 retirement fund cash reserve shall not be more than

10 thirty-five per cent (35%) of the final retirement fund

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23 the county commissioners on the second Monday of August as

24 the respective county levy requirements for elementary

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