

1 HB BILL NO. 119
 2 INTRODUCED BY Bradley Dymann Monahan
 3 Legis Sheldon Vincent, Bangor

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR
 5 COMMUNITY EDUCATION PROGRAMS WITHIN THE EXISTING ADULT
 6 EDUCATION SCHEME; AMENDING SECTIONS 75-7207, 75-7512,
 7 75-7513, 75-7514, 75-7515, AND 75-7516, R.C.M. 1947."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 75-7207, R.C.M. 1947, is amended to
 11 read as follows:

12 "75-7207. Adult or community education fund. (1)
 13 Whenever the trustees of any district establish an adult or
 14 community education program under the provisions of section
 15 75-7513, they shall establish an adult or community
 16 education fund under the provisions of section 75-7515. The
 17 ~~adult~~ Adult and community education fund funds shall be the
 18 depository depositories for all federal, state, and district
 19 moneys received by the district districts in support of the
 20 adult or community education program programs.

21 (2) The trustees of any district may authorize the
 22 levy of a tax of not more than ~~one (1) mill~~ 2 mills on the
 23 district for the operation of an any adult or community
 24 education program programs when the superintendent of
 25 public instruction has approved the educational program or

1 programs to be supported by such levy. The approval of the
 2 superintendent of public instruction shall have been
 3 acquired by the trustees before the fourth Monday of June in
 4 order to include the expenditures to be financed by the levy
 5 in the preliminary budget. The superintendent of public
 6 instruction shall promulgate rules and forms for such
 7 approval.

8 (3) Whenever the trustees of any district decide to
 9 offer an adult or community education program during the
 10 ensuing school fiscal year, they shall budget for the cost
 11 of such program in the adult or community education fund of
 12 the preliminary budget. Any expenditures in support of the
 13 adult or community education program under the final adult
 14 or community education budget shall be made in accordance
 15 with the financial administration provisions of this title
 16 for a budgeted fund.

17 (4) When a tax levy for an adult or community
 18 education program which has been approved by the
 19 superintendent of public instruction is included as a
 20 revenue item on the final adult or community education
 21 budget, the county superintendent shall report such levy
 22 requirement to the county commissioners on the second Monday
 23 of August, and a levy on the district shall be made by the
 24 county commissioners in accordance with section 75-6717."

25 Section 2. Section 75-7512, R.C.M. 1947, is amended to

1 read as follows:

2 "75-7512. ~~Definition of adult education~~ Definitions --
3 adult education -- community education. As used in this
4 ~~title title,~~ unless the context clearly indicates
5 otherwise:

6 (1) the term "adult education" means the instruction
7 of persons ~~sixteen-16~~ years of age or older who are not
8 regularly enrolled, full-time pupils for the purposes of ANB
9 computation. This definition ~~shall~~ does not include the
10 instruction in post-secondary ~~postsecondary~~
11 vocational-technical centers;

12 (2) ~~the term "community education" means the process~~
13 that encourages the development of a comprehensive delivery
14 system which is based on widespread citizen involvement,
15 greater utilization of school-community facilities and
16 resources, interagency coordination, and improved
17 school-community relations in order to provide for the
18 educational, recreational, social, and cultural needs of all
19 community members."

20 Section 3. Section 75-7513, R.C.M. 1947, is amended to
21 read as follows:

22 "75-7513. Authorization to establish adult and
23 community education program programs. (1) The trustees of
24 any district or community college district may establish and
25 operate an adult or community education program at any time

1 of the day when facilities and personnel are available.

2 (2) An adult education program may provide both basic
3 and secondary general education, vocational education,
4 American citizenship education including courses in the
5 English language and American history and government, or any
6 other areas of instruction approved by the trustees.

7 ~~(3) A community education program may include any~~
8 ~~activity, service, or instruction consistent with the~~
9 ~~definition of community education as set forth in 75-7512.~~

10 (4) ~~Adult and community education may be operated as~~
11 ~~one program by a district or community college district and~~
12 ~~may be treated as such for budget, financial administration,~~
13 ~~and all other purposes."~~

14 Section 4. Section 75-7514, R.C.M. 1947, is amended to
15 read as follows:

16 "75-7514. Trustees' policies for adult or community
17 education. The trustees shall adopt such policies as are
18 necessary for the supervision and administration of adult or
19 community education when a program is established in the
20 district."

21 Section 5. Section 75-7515, R.C.M. 1947, is amended to
22 read as follows:

23 "75-7515. Adult or community education fund. (1) A
24 separate adult or community education fund shall be
25 established when an adult or community education program is

1 operated by a district or community college district.

2 ~~(2) Whenever adult and community education are~~
3 ~~operated as one program pursuant to 75-7513, a single~~
4 ~~adult-community education fund may be established.~~

5 (3) The financial administration of all such fund
6 funds shall comply with the budgeting, financing, and
7 expenditure provisions of the laws governing the schools."

8 Section 6. Section 75-7516, R.C.M. 1947, is amended to
9 read as follows:

10 "75-7516. Adult ~~or community~~ education tuition and
11 fees. The trustees of a district or community college
12 district ~~shall have the authority to~~ may charge tuition for
13 instruction and to may charge fees for the use of equipment
14 and materials. The amount of such tuition and fees shall be
15 determined on a per-course basis or on the basis of the cost
16 of the entire adult ~~or community~~ education program. All
17 proceeds from tuition and fees shall be deposited in the
18 adult ~~or community~~ education fund."

-End-

FISCAL NOTE

Form BD-15

In compliance with a written request received February 8, 19 77, there is hereby submitted a Fiscal Note for House Bill 119 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 119 provides for community education programs within the existing adult education framework.

FISCAL IMPACT:

FY 76 school district expenditures for adult education totaled \$747,000. It is probable that enactment of House Bill 119 will increase such expenditures but the amount is indeterminable.

TECHNICAL NOTE:

The terms "adult education fund", "community education fund" and "adult-community education fund" are all used in the bill to refer to the same accounting entity. Consistent usage of the general term "adult-community education fund" would enhance the clarity of the proposed legislation.

Richard A. Drury for
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-17-77

Approved by Committee
on Education

1 HOUSE BILL NO. 119

2 INTRODUCED BY BRADLEY, DUSSAULT,

3 MENAHAN, AAGESON, SHELDEN, VINCENT, BENGTSON

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR
6 COMMUNITY EDUCATION PROGRAMS WITHIN THE EXISTING ADULT
7 EDUCATION SCHEME; AMENDING SECTIONS 75-7207, 75-7512,
8 75-7513, 75-7514, 75-7515, AND 75-7516, R.C.M. 1947."

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

11 Section 1. Section 75-7207, R.C.M. 1947, is amended to
12 read as follows:

13 "75-7207. Adult or community education fund. (1)
14 Whenever the trustees of any district establish an adult or
15 community education program under the provisions of ~~section~~
16 75-7513, they shall establish an adult or community
17 education fund under the provisions of ~~section~~ 75-7515. ~~The~~
18 ~~adult Adult and community~~ education ~~fund funds~~ shall be the
19 ~~depository depositories~~ for all federal, state, and district
20 moneys received by the ~~district districts~~ in support of the
21 adult or community education ~~program programs~~.

22 (2) The trustees of any district may authorize the
23 levy of a tax of not more than ~~one (1) mill 2 mills~~ 1 MILL
24 on the district for the operation of ~~an any~~ adult or
25 community education ~~program programs~~ when the

1 superintendent of public instruction has approved the
2 educational program or programs to be supported by such
3 levy. The approval of the superintendent of public
4 instruction shall have been acquired by the trustees before
5 the fourth Monday of June in order to include the
6 expenditures to be financed by the levy in the preliminary
7 budget. The superintendent of public instruction shall
8 promulgate rules and forms for such approval.

9 (3) Whenever the trustees of any district decide to
10 offer an adult or community education program during the
11 ensuing school fiscal year, they shall budget for the cost
12 of such program in the adult or community education fund of
13 the preliminary budget. Any expenditures in support of the
14 adult or community education program under the final adult
15 or community education budget shall be made in accordance
16 with the financial administration provisions of this title
17 for a budgeted fund.

18 (4) When a tax levy for an adult or community
19 education program which has been approved by the
20 superintendent of public instruction is included as a
21 revenue item on the final adult or community education
22 budget, the county superintendent shall report such levy
23 requirement to the county commissioners on the second Monday
24 of August, and a levy on the district shall be made by the
25 county commissioners in accordance with ~~section~~ 75-6717."

SECOND READING

1 Section 2. Section 75-7512, R.C.M. 1947, is amended to
 2 read as follows:

3 "75-7512. ~~Definition of adult education~~ Definitions --
 4 adult education -- community education. As used in this
 5 title title, unless the context clearly indicates
 6 otherwise:

7 (1) the term "adult education" means the instruction
 8 of persons ~~sixteen~~ (16) years of age or older who are not
 9 regularly enrolled, full-time pupils for the purposes of AHB
 10 computation. This definition ~~shall~~ does not include the
 11 instruction in ~~post-secondary~~ postsecondary
 12 vocational-technical centers;

13 (2) the term "community education" means the process
 14 that encourages the development of a comprehensive delivery
 15 system which is based on widespread citizen involvement,
 16 greater utilization of school-community facilities and
 17 resources, interagency coordination, and improved
 18 school-community relations in order to provide for the
 19 educational, recreational, social, and cultural needs of all
 20 community members."

21 Section 3. Section 75-7513, R.C.M. 1947, is amended to
 22 read as follows:

23 "75-7513. Authorization to establish adult and
 24 community education programs. (1) The trustees of
 25 any district or community college district may establish and

1 operate an adult or community education program at any time
 2 of the day when facilities and personnel are available.

3 (2) An adult education program may provide both basic
 4 and secondary general education, vocational education,
 5 American citizenship education including courses in the
 6 English language and American history and government, or any
 7 other areas of instruction approved by the trustees.

8 (3) A community education program may include any
 9 activity, service, or instruction consistent with the
 10 definition of community education as set forth in 75-7512.

11 (4) Adult and community education may be operated as
 12 one program by a district or community college district and
 13 may be treated as such for budget, financial administration,
 14 and all other purposes."

15 Section 4. Section 75-7514, R.C.M. 1947, is amended to
 16 read as follows:

17 "75-7514. Trustees' policies for adult or community
 18 education. The trustees shall adopt such policies as are
 19 necessary for the supervision and administration of adult or
 20 community education when a program is established in the
 21 district."

22 Section 5. Section 75-7515, R.C.M. 1947, is amended to
 23 read as follows:

24 "75-7515. Adult or community education fund. (1) A
 25 separate adult or community education fund shall be

1 established when an adult or community education program is
2 operated by a district or community college district.

3 {2} Whenever adult and community education are
4 operated as one program pursuant to 75-7513, a single
5 adult-community education fund may be established.

6 {3} The financial administration of all such fund
7 funds shall comply with the budgeting, financing, and
8 expenditure provisions of the laws governing the schools."

9 Section 6. Section 75-7516, R.C.M. 1947, is amended to
10 read as follows:

11 "75-7516. Adult or community education tuition and
12 fees. The trustees of a district or community college
13 district ~~shall have the authority to~~ may charge tuition for
14 instruction and ~~to~~ may charge fees for the use of equipment
15 and materials. The amount of such tuition and fees shall be
16 determined on a per-course basis or on the basis of the cost
17 of the entire adult or community education program. All
18 proceeds from tuition and fees shall be deposited in the
19 adult or community education fund."

-End-

HOUSE BILL NO. 119

INTRODUCED BY BRADLEY, DUSSAULT,

MENAHAN, AAGESON, SHELDEN, VINCENT, BENGTSON

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR COMMUNITY EDUCATION PROGRAMS WITHIN THE EXISTING ADULT EDUCATION SCHEME; AMENDING SECTIONS 75-7207, 75-7512, 75-7513, 75-7514, 75-7515, AND 75-7516, R.C.M. 1947."

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

Section 1. Section 75-7207, R.C.M. 1947, is amended to read as follows:

"75-7207. Adult or community education fund. (1) Whenever the trustees of any district establish an adult or community education program under the provisions of section 75-7513, they shall establish an adult or community education fund under the provisions of section 75-7515. The adult and community education fund funds shall be the depository depositories for all federal, state, and district moneys received by the district districts in support of the adult or community education program programs.

(2) The trustees of any district may authorize the levy of a tax of not more than one (1) mill 2 mills 1 MILL on the district for the operation of an any adult or community education program programs when the

superintendent of public instruction has approved the educational program or programs to be supported by such levy. The approval of the superintendent of public instruction shall have been acquired by the trustees before the fourth Monday of June in order to include the expenditures to be financed by the levy in the preliminary budget. The superintendent of public instruction shall promulgate rules and forms for such approval.

(3) Whenever the trustees of any district decide to offer an adult or community education program during the ensuing school fiscal year, they shall budget for the cost of such program in the adult or community education fund of the preliminary budget. Any expenditures in support of the adult or community education program under the final adult or community education budget shall be made in accordance with the financial administration provisions of this title for a budgeted fund.

(4) When a tax levy for an adult or community education program which has been approved by the superintendent of public instruction is included as a revenue item on the final adult or community education budget, the county superintendent shall report such levy requirement to the county commissioners on the second Monday of August, and a levy on the district shall be made by the county commissioners in accordance with section 75-6717."

1 Section 2. Section 75-7512, R.C.M. 1947, is amended to
2 read as follows:

3 "75-7512. ~~Definition of adult education~~ Definitions --
4 adult education -- community education. As used in this
5 ~~title title,~~ unless the context clearly indicates
6 otherwise;

7 (1) the term "adult education" means the instruction
8 of persons ~~sixteen~~ (16) years of age or older who are not
9 regularly enrolled, full-time pupils for the purposes of ANB
10 computation. This definition ~~shall does~~ not include the
11 instruction in ~~post-secondary~~ postsecondary
12 vocational-technical centers;

13 (2) the term "community education" means the process
14 that encourages the development of a comprehensive delivery
15 system which is based on widespread citizen involvement,
16 greater utilization of school-community facilities and
17 resources, interagency coordination, and improved
18 school-community relations in order to provide for the
19 educational, recreational, social, and cultural needs of all
20 community members."

21 Section 3. Section 75-7513, R.C.M. 1947, is amended to
22 read as follows:

23 "75-7513. Authorization to establish adult and
24 community education program programs. (1) The trustees of
25 any district or community college district may establish and

1 operate an adult or community education program at any time
2 of the day when facilities and personnel are available.

3 (2) An adult education program may provide both basic
4 and secondary general education, vocational education,
5 American citizenship education including courses in the
6 English language and American history and government, or any
7 other areas of instruction approved by the trustees.

8 (3) A community education program may include any
9 activity, service, or instruction consistent with the
10 definition of community education as set forth in 75-7512.

11 (4) Adult and community education may be operated as
12 one program by a district or community college district and
13 may be treated as such for budget, financial administration,
14 and all other purposes."

15 Section 4. Section 75-7514, R.C.M. 1947, is amended to
16 read as follows:

17 "75-7514. Trustees' policies for adult or community
18 education. The trustees shall adopt such policies as are
19 necessary for the supervision and administration of adult or
20 community education when a program is established in the
21 district."

22 Section 5. Section 75-7515, R.C.M. 1947, is amended to
23 read as follows:

24 "75-7515. Adult or community education fund. (1) A
25 separate adult or community education fund shall be

1 established when an adult or community education program is
2 operated by a district or community college district.

3 (2) Whenever adult and community education are
4 operated as one program pursuant to 75-7513, a single
5 adult-community education fund may be established.

6 (3) The financial administration of all such fund
7 funds shall comply with the budgeting, financing, and
8 expenditure provisions of the laws governing the schools."

9 Section 6. Section 75-7516, R.C.M. 1947, is amended to
10 read as follows:

11 "75-7516. Adult or community education tuition and
12 fees. The trustees of a district or community college
13 district ~~shall have the authority to~~ may charge tuition for
14 instruction and ~~to~~ may charge fees for the use of equipment
15 and materials. The amount of such tuition and fees shall be
16 determined on a per-course basis or on the basis of the cost
17 of the entire adult or community education program. All
18 proceeds from tuition and fees shall be deposited in the
19 adult or community education fund."

-End-