

1 *Senate* BILL NO. *88*
 2 INTRODUCED BY *Walt Blipens* *SPRINGS*

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE METHOD OF
 5 BUDGETING FOR ADMINISTRATIVE COSTS OF COUNTY SUPERINTENDENTS
 6 OF SCHOOLS; PROVIDING FOR COUNTY SUPERINTENDENT FINANCE
 7 BOARDS TO OVERSEE THE BUDGET PROCESS; REPEALING SECTION
 8 75-5804, R.C.M. 1947."

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

11 Section 1. County superintendent finance board —
 12 creation — composition. (1) The board of trustees for each
 13 elementary and high school district within a county shall by
 14 majority vote designate one of their number to serve on the
 15 county superintendent finance board for the county.

16 (2) The number of members of the finance board shall
 17 be equal to the number of elementary and high school
 18 districts in the county, except that in no case may the
 19 finance board consist of less than three members. Whenever a
 20 county has only one district, the trustees for that district
 21 shall designate three of their members to serve on the
 22 finance board. Whenever a county has only two districts, the
 23 trustees of the district having the higher ANB (average
 24 number belonging), computed according to Title 75, Chapter
 25 69, shall designate two of their members to serve on the

1 finance board and the trustees of the district having the
 2 lower ANB shall designate one such member to so serve.

3 Section 2. County superintendent finance board — term
 4 — vacancy. (1) Each member of the county superintendent
 5 finance board, after being designated as such pursuant to
 6 [Section 1], shall serve as a member of that board until the
 7 expiration of his term or removal as a trustee of the
 8 district.

9 (2) Whenever a vacancy occurs on the county
 10 superintendent finance board, it shall be filled in the
 11 manner provided in [Section 1] after the corresponding
 12 vacated trustee position has been filled pursuant to
 13 75-5918.

14 Section 3. County superintendent finance board —
 15 chairman — quorum — voting requirements — records. (1)
 16 The county superintendent finance board shall elect a
 17 chairman from among its members.

18 (2) A majority of the board members constitutes a
 19 quorum, except whenever the board consists of only three
 20 members in which case all members must be present to
 21 constitute a quorum.

22 (3) An action of the board requires a majority vote of
 23 those present at a meeting at which there is a quorum.

24 (4) The board shall keep a record of its proceedings.

25 Section 4. Travel reimbursement of members of county

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1 superintendent finance board. Members of the county
 2 superintendent finance board shall be reimbursed for travel
 3 expenses as provided in 75-5931.

4 Section 5. Preparation of county superintendent
 5 administrative budget. The county superintendent shall
 6 prepare a budget within the limitations of [Section 8] for
 7 the administrative costs incident to the carrying out of his
 8 duties, including staff, office space, supplies, and other
 9 reasonable expenses for the ensuing school fiscal year.

10 Section 6. Staff appointments. Subject to the approval
 11 of the county superintendent finance board, the county
 12 superintendent may appoint and fix the salaries of his
 13 deputies, assistants, and other staff personnel.

14 Section 7. Supervision of budget preparation. The
 15 county superintendent finance board shall generally
 16 supervise the preparation by the county superintendent of
 17 his administrative budget. The board may require the county
 18 superintendent to provide it with such information or
 19 documents as it considers necessary to the carrying out of
 20 its general supervisory duty.

21 Section 8. Maximum budget for county superintendent
 22 administrative costs. (1) Subject to subsection (2), the
 23 maximum administrative budget for a county superintendent's
 24 office shall be determined by multiplying the total county
 25 ANB (average number belonging), computed in the manner

1 provided in Title 75, chapter 69, for all of the elementary
 2 and high school districts in the county by the dollars per
 3 ANB for the class to which the county belongs according to
 4 the following schedule:

5 Class	Total County ANB	Dollars Per ANB
6 1	over 15,000	\$ 8
7 2	8,000 - 14,999	10
8 3	2,000 - 7,999	12
9 4	1,000 - 1,999	20
10 5	under 1,000	25

11 (2) The county superintendent finance board may, in
 12 its discretion, approve an additional amount of up to 10% of
 13 the budget calculated according to subsection (1).

14 Section 9. Notice of meeting of county superintendent
 15 finance board. During the month of June, the county
 16 superintendent shall publish a notice at least one time in a
 17 newspaper of general circulation in the county stating that
 18 the county superintendent finance board will meet on the
 19 second Monday in July to consider the county superintendent
 20 administrative budget. The notice shall also state the place
 21 and hour at which the meeting will be held.

22 Section 10. Meeting of county superintendent finance
 23 board. (1) The county superintendent finance board shall
 24 meet on the second Monday in July to consider the
 25 administrative budget submitted by the county

1 superintendent.

2 (2) Within the limitations of [Section 8], the board
3 may approve the budget as submitted by the county
4 superintendent or may make any changes or corrections it
5 considers necessary.

6 (3) Any taxpayer in the county may attend the meeting
7 and be heard on the budget.

8 Section 11. Submission of approved county
9 superintendent administrative budget to county commissioners
10 — tax levy. On the second Monday in August when the board
11 of county commissioners meets for the purpose of fixing tax
12 levies, the county superintendent shall place before the
13 commissioners his administrative budget as approved by the
14 county superintendent finance board.

15 (2) The board of county commissioners shall fix and
16 levy on the taxable value of all the property in the county
17 the number of mills required to finance the county
18 superintendent administrative budget as approved by the
19 county superintendent finance board.

20 Section 12. Repealer. Section 75-5804, R.C.M. 1947, is
21 repealed.

-End-

FISCAL NOTE

Form BD-15

In compliance with a written request received January 14, 19 77, there is hereby submitted a Fiscal Note for Senate Bill 88 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:

An act revising the method of budgeting for administrative costs of county superintendents of schools, and providing for county superintendent finance boards to oversee the budget process.

ASSUMPTIONS:

1. Administrative costs of county superintendents of schools will increase 6% per year.
2. Administrative costs will be budgeted at the maximum allowed each year of the 1979 biennium (includes the additional 10% allowance).
3. ANB by county will remain the same as in FY 77.
4. The proposed finance boards will consist of a total of 627 members who must travel a one-way distance of ten (10) miles (total twenty (20) miles) to attend each meeting. Finance boards will meet one time each year.

LOCAL IMPACT:

	<u>FY 78</u>	<u>FY 79</u>	<u>TOTAL</u>
Maximum budget under proposed law	\$2,273,160	\$2,273,160	\$4,546,320
Estimated budget under current law	<u>1,147,557</u>	<u>1,216,410</u>	<u>2,363,967</u>
	1,125,603	1,056,750	2,182,353
Add: Finance Board meeting cost	<u>1,881</u>	<u>1,881</u>	<u>3,762</u>
	<u>\$1,127,484</u>	<u>\$1,058,631</u>	<u>\$2,186,115</u>

STATE FISCAL IMPACT:

None

TECHNICAL NOTE:

Calculations made while preparing this fiscal note reveal that the rate schedule as proposed provides, in certain instances, a higher maximum budget for counties with a lower ANB. For example, Big Horn County, with an ANB of 2,518, is provided a maximum budget of \$33,238. Beaverhead County, with an ANB of 1,815, is provided a maximum budget of \$39,930.

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BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-20-77