

HOUSE BILL 293

IN THE HOUSE

January 22, 1979

Introduced and referred to
Committee on Appropriations.

1 House BILL NO. 293
2 INTRODUCED BY South

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE
5 LAWS OF COMMUNITY COLLEGE DISTRICTS RELATING TO FINANCE;
6 AMENDING SECTIONS 20-15-101, 20-15-105, 20-15-302,
7 20-15-303, AND 20-15-306 THROUGH 20-15-308, MCA."

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

10 Section 1. Section 20-15-101, MCA, is amended to read:
11 "20-15-101. Definition. As used in this ~~title~~ chapter,
12 unless the context clearly indicates otherwise, the term
13 following definitions apply:

14 (1) "community ~~Community~~ college district" means a
15 body corporate and a subdivision of the state of Montana
16 organized under a single board of trustees for the purpose
17 of providing community college instruction to high school
18 graduates and other persons who have terminated their formal
19 high school education. Community college districts shall be
20 in addition to any other districts existing in any portion
21 of the area encompassed by the community college district.

22 (2) "Continuing education" means formal classroom
23 instruction which may be offered either on or off campus and
24 may be offered for credit.

25 (3) "Extension" means formal classroom instruction

1 offered off campus.

2 (4) "Regular instruction" means formal classroom
3 instruction offered either on or off campus.

4 (5) "Full-time equivalent" means 45 regular
5 instructional credits earned by a student during a fiscal
6 year. For the purposes of this definition, a fiscal year
7 begins with the commencement of summer quarter and ends with
8 the termination of spring quarter."

9 Section 2. Section 20-15-105, MCA, is amended to read:

10 "20-15-105. Courses of instruction -- credits --
11 tuition and fees. (1) A community college district shall
12 provide instruction in academic, occupational, and adult
13 education, subject to the approval of the board of regents
14 of higher education. Course offerings must adhere to the
15 following guidelines:

16 (a) all regular instructional courses must be offered
17 for credit and must be transferable to an accredited
18 university;

19 (b) extension courses may be offered for credit;

20 (c) continuing education courses may be offered for
21 credit but are not transferable to any unit of the Montana
22 university system. Continuing education courses may not be
23 supported by state funding.

24 (2) The board of trustees of such district may, in
25 their discretion and upon approval of the board of regents,

1 prescribe:

2 (a) tuition rates for in-district students,
3 out-of-district students who are residents of the state of
4 Montana, and students who are not residents of the state of
5 Montana;

6 (b) matriculation charges; and

7 (c) incidental fees, including building fees, for
8 students in the community college.

9 ~~{2}~~{3} In addition thereto, such board of trustees may
10 prescribe such other fees as it considers necessary to
11 maintain courses, taking into consideration such other funds
12 as may be available under law for the support of such
13 courses."

14 Section 3. Section 20-15-302, MCA, is amended to read:

15 "20-15-302. Budget ~~---approve~~ request. {1} The board
16 of trustees of a community college district shall adopt an
17 annual general fund budget for the general maintenance and
18 operation a budget for all funds of the community college
19 district.

20 ~~{2}~~ The budget adopted by the board of trustees must
21 contain:

22 {a} the total projected fund balances and expenditures
23 by fund group in accordance with the fund structure
24 established in 17-2-102(10) through (15);

25 {b} projected expenditures by category of expenditure;

1 {c} projected revenues;

2 {d} actual and projected full-time equivalent students
3 for the current biennium and the biennium to be funded; and

4 {e} state appropriations requested.

5 {3} The budget shall be submitted to the regents of
6 the state of Montana for their approval, with or without
7 adjustment. The budget approved by the regents shall be the
8 ~~budget of the community college district~~ submitted to the
9 budget officer of the state."

10 Section 4. Section 20-15-303, MCA, is amended to read:

11 "20-15-303. Financing budget. ~~{1}~~ The annual operating
12 budget of a community college district shall be financed at
13 ~~a 65:35 state-to-local ratio as defined by the board of~~
14 ~~regents in the order enumerated below~~ with the following
15 revenue sources:

16 ~~{a} the estimated revenue to be realized from student~~
17 ~~tuition and fees as approved by the board of trustees;~~

18 ~~{b}~~{1} a mandatory mill levy on the community colleg
19 district that when combined with subsection ~~{1}~~{a} {4} of
20 this section will provide an amount equal to 35% ~~24%~~ of the
21 ~~annual budget approved by the board of regents~~ legislative
22 appropriation;

23 ~~{c} the total of the revenues expressed in subsections~~
24 ~~{1}{a} and {1}{b} shall be subtracted from the annual~~
25 ~~operating budget amount as approved by the board of regents~~

1 ~~The amount of the difference shall be financed by a state~~
 2 ~~appropriation for the purpose of financing community~~
 3 ~~colleges in an amount of 65%~~

4 ~~(2) If the state cannot fund the community colleges at~~
 5 ~~65% of the regents' recommended budget, the state shall~~
 6 ~~permit the community college districts to raise the~~
 7 ~~additional funds under 20-15-306~~

8 (2) an amount appropriated by the legislature for
 9 community college districts. The legislature shall fund each
 10 community college district on the basis of regular
 11 instruction full-time equivalent students in an amount to be
 12 determined by the legislature.

13 (3) funds from the federal government or the state of
 14 Montana, or any of their instrumentalities or agencies, in
 15 aid of any one or more purposes or in maintaining and
 16 operating a community college district; and

17 (4) student tuition, fees, or other charges authorized
 18 by the board of trustees of a community college district."

19 Section 5. Section 20-15-306, MCA, is amended to read:
 20 "20-15-306. Additional levy proposition -- submission
 21 to electors. The board of trustees of a community college
 22 district may elect to adopt a general fund budget in excess
 23 of ~~the budget funded by the legislature~~ revenues available
 24 under 20-15-303. When the board of trustees proposes such a
 25 budget, it shall submit an additional levy proposition to

1 the electors of the district. The additional levy
 2 proposition shall be submitted to the electorate in
 3 accordance with general school election laws."

4 Section 6. Section 20-15-307, MCA, is amended to read:
 5 "20-15-307. Tax levy. On the second Monday of August,
 6 the board of county commissioners of any county where a
 7 community college district is located shall fix and levy a
 8 tax on all the real and personal property within the
 9 community college district at the rate required to finance
 10 the mandatory mill levy prescribed by 20-15-303(1)~~(b)~~ plus
 11 any approved additional levy. When a community college
 12 district has territory in more than one county, the board of
 13 county commissioners of each county shall fix and levy the
 14 community college district tax on all the real and personal
 15 property of the community college district situated in its
 16 county."

17 Section 7. Section 20-15-308, MCA, is amended to read:
 18 "20-15-308. Deposit of ~~moneys~~ money. Community college
 19 district ~~moneys~~ money shall be deposited with the county
 20 treasurer of the county where the community college is
 21 ~~located or with other depositories approved by the regents."~~

-End-

HB 293

STATE OF MONTANA

Request No. 259-79

FISCAL NOTE

Form BD-15

In compliance with a written request received February 7, 1979, there is hereby submitted a Fiscal Note for House Bill 293 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 293 defines the mandatory levy for a community college as that portion taken together with some other local income which makes up 35% of the legislative budget as apposed to the regent's budget under current law.

ASSUMPTIONS:

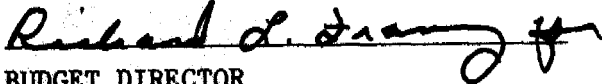
1. Shifts 65/35 funding from Regents approved budgets to legislative approved budget.
2. May require some changes in county chart of accounts.

FISCAL IMPACT:

None at the state level.

LOCAL IMPACT:

1. Could reduce mandated levies at local level and shift these revenues to voted levies.
2. Could require additional costs at the local level because the bill references the state fund structure which may require some accounting changes.


BUDGET DIRECTOR
Office of Budget and Program Planning
Date: 4/9/79