

HOUSE BILL 547

IN THE HOUSE

February 3, 1979	Introduced and referred to Committee on Taxation.
March 12, 1979	Committee recommend bill, as amended.
March 14, 1979	Printed and placed on members' desks.
March 15, 1979	Second reading, as amended.
March 17, 1979	Correctly engrossed.
March 19, 1979	Third reading, passed.

IN THE SENATE

March 20, 1979	Introduced and referred to Committee on Taxation.
April 6, 1979	Committee recommend bill, as amended.
April 9, 1979	Motion pass consideration.
April 10, 1979	Motion pass consideration.
April 11, 1979	Second reading, concurred.
April 13, 1979	Third reading, as amended.

IN THE HOUSE

April 16, 1979	Returned from Senate, as amended.
April 18, 1979	Second reading, amendments rejected.

House BILL NO. 547 *Paloyil*
 INTRODUCED BY *Daily, Landgraf, Menahan*
Spangler, TenBelle, Ziegler
Hammon, Kunkel, Shultz *Smith*
 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE AN
 ADDITIONAL LEVY PROPOSITION TO BE SUBMITTED TO THE QUALIFIED
 ELECTORATE OF A DISTRICT WHENEVER THE NEGOTIATED SALARY AND
 BENEFITS OF POSTSECONDARY VOCATIONAL-TECHNICAL CENTER
 EMPLOYEES EXCEED THE SALARY AND BENEFIT INCREASES AUTHORIZED
 FOR STATE EMPLOYEES OR WHENEVER THE DISTRICT BOARD OF
 TRUSTEES HAS RECEIVED BOARD OF PUBLIC EDUCATION APPROVAL TO
 ADOPT AN OPERATING BUDGET IN EXCESS OF THE BUDGET FUNDED BY
 THE LEGISLATURE; AND PROVIDING CERTAIN CONDITIONS FOR THE
 ADDITIONAL LEVIES."

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

Section 1. Additional levy proposition for salaries and benefits. (1) The board of trustees of a district operating a postsecondary vocational-technical center must submit an additional levy proposition to the qualified electorate of the district whenever the district board approves a negotiated salary and benefit contract with postsecondary vocational-technical teachers and employees that provides increases in excess of the salary and benefit increases approved by the legislature for state employees.

(2) For the purposes of subsection (1), the salary and

benefit levels established for postsecondary vocational-technical center teachers and employees on or before July 1, 1979, constitute a base, and only salary and benefits negotiated above that base may be submitted for an additional levy.

(3) Whenever the board of trustees operating a postsecondary vocational-technical center submit to the qualified electorate of the district an additional levy proposition required by subsection (1), the levy proposition must be included as a part of the high school voted levy (if any exists) of the district.

Section 2. Increased budget -- additional levy proposition -- submission to electorate. The board of trustees of a district operating a postsecondary vocational-technical center may, with approval of the board of public education, adopt an operating budget for the center in excess of the budget funded by the legislature. Whenever the board of trustees proposes such a budget, it must submit an additional levy proposition to the qualified electors of the district. The additional levy proposition must be submitted to the electorate in accordance with general school election and budgeting laws.

-End-

STATE OF MONTANA

Request No. 222-79

FISCAL NOTE

Form BD-15

In compliance with a written request received February 5, 1979, there is hereby submitted a Fiscal Note for House Bill 547 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.

This amended fiscal note is submitted to correct the previous fiscal note which tied a cost to the proposed legislation. The bill itself has no fiscal impact since it merely provides for the submission of a levy proposition.

DESCRIPTION OF PROPOSED LEGISLATION:

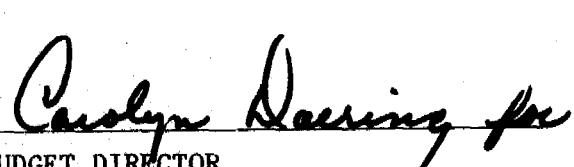
House Bill 547 allows a voted levy whenever negotiated salary and benefits increases of postsecondary vocational-technical employees exceed increases given to state employees, or when operational costs approved by the Board of Public Education exceed those appropriated by the Legislature.

FISCAL IMPACT:

None at the state level.

LOCAL IMPACT:

The fiscal impact at the local level depends on the requirements of the postsecondary vocational-technical centers and approval of levies submitted.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-13-79

STATE OF MONTANA

REQUEST NO. 222-79

FISCAL NOTE

Form BD-15

In compliance with a written request received February 5, 1979, there is hereby submitted a Fiscal Note for House Bill 547 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 547 allows a voted levy whenever the negotiated salary and benefits increases of post-secondary vocational-technical employees exceed increases given to state employees.

ASSUMPTIONS:

1. The act will become effective in Fiscal Year 1981.
2. There will be a 6% increase in state employee pay.

FISCAL IMPACT:

None at the state level.

LOCAL IMPACT:

Increased local voted levies will be required at the 5 centers as follows:

	FY80		FY81	
	Dollars	Mills	Dollars	Mills
Billings	\$29,797	.21	\$40,498	.28
Butte	42,863	.78	56,192	1.03
Great Falls	24,995	.31	51,543	.64
Missoula	65,627	.64	105,161	1.02
Helena	58,670	1.17	87,329	1.74
	<u>\$221,952</u>		<u>\$340,723</u>	

Richard L. Tracy Jr.
BUDGET DIRECTOR
Office of Budget and Program Planning
Date: 2/9/79

Approved by Committee
on Taxation

1 approves a negotiated salary and benefit contract with
2 postsecondary vocational-technical teachers and employees
3 that provides increases LEVELS in excess of the salary and
4 benefit increases LEVELS approved by the legislature for
5 state employees.

6 (2) For the purposes of subsection (1), the salary and
7 benefit levels established for postsecondary
8 vocational-technical center teachers and employees on or
9 before July 1, 1979, constitute a base, and only salary and
10 benefits negotiated above that base may be submitted for an
11 additional levy.

12 (3) Whenever the board of trustees operating a
13 postsecondary vocational-technical center submit to the
14 qualified electorate of the district an additional levy
15 proposition required by subsection (1), the levy proposition
16 must be included as a part of the high school voted levy (if
17 any exists) of the district.

18 Section 2. Increased budget -- additional levy
19 proposition -- submission to electorate. The board of
20 trustees of a district operating a postsecondary
21 vocational-technical center may, with approval of the board
22 of public education, adopt an operating budget for the
23 center in excess of the budget funded by the legislature.
24 Whenever the board of trustees proposes such a budget, it
25 must submit an additional levy proposition to the qualified

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

-End-

HOUSE BILL NO. 547

INTRODUCED BY DAILY, LORY, HAND, MENAHAN, GOULD,
PAVLOVICH, STAIGMILLER, K. ROBBINS, QUILICI,
HARRINGTON, KANDUCH, SOUTH, SCULLY, TROPILA,
BENGSTON, HEMSTAD, KEYSER, JOHNSTON

7 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE AN
8 ADDITIONAL LEVY PROPOSITION TO BE SUBMITTED TO THE QUALIFIED
9 ELECTORATE OF A DISTRICT WHENEVER THE NEGOTIATED SALARY AND
10 BENEFITS OF POSTSECONDARY VOCATIONAL-TECHNICAL CENTER
11 EMPLOYEES EXCEED THE SALARY AND BENEFIT INCREASES AUTHORIZED
12 FOR STATE EMPLOYEES TO SUPPORT THE AMOUNT THE DISTRICT BOARD
13 PROPOSES TO BUDGET FOR PERSONAL SERVICES IN EXCESS OF THE
14 AMOUNT APPROPRIATED BY THE LEGISLATURE FOR PERSONAL SERVICES
15 OR WHENEVER THE DISTRICT BOARD OF TRUSTEES HAS RECEIVED
16 BOARD OF PUBLIC EDUCATION APPROVAL TO ADOPT AN OPERATING
17 BUDGET IN EXCESS OF THE BUDGET FUNDED BY THE LEGISLATURE;
18 AND PROVIDING CERTAIN CONDITIONS FOR THE ADDITIONAL LEVIES."

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

21 Section 1. Additional levy proposition for salaries
22 and benefits. (1) The board of trustees of a district
23 operating a postsecondary vocational-technical center must
24 submit an additional levy proposition to the qualified
25 electorate of the district whenever--the--district-board

1 approves a negotiated salary and benefit contract with
2 postsecondary vocational technicians teachers and employees
3 that provides increases LEVELS in excess of the salary and
4 benefit increases LEVELS approved by the legislature for
5 state employees, WHICH WILL SUPPORT THE AMOUNT THE DISTRICT
6 BOARD PROPOSES TO BUDGET FOR PERSONAL SERVICES IN EXCESS OF
7 THE AMOUNT APPROPRIATED BY THE LEGISLATURE FOR PERSONAL
8 SERVICES.

9 (2) For the purposes of subsection (1), the salary and
10 benefit levels established for postsecondary
11 vocational-technical center teachers and employees on or
12 before-duty-in-1979, constitute a base and only salary and
13 benefits negotiated above that base may be submitted for an
14 additional levy. THE LEGISLATURE SHALL USE THE APPROPRIATION
15 FOR PERSONAL SERVICES DURING THE SECOND PRECEDING YEAR FOR
16 EACH POSTSECONDARY VOCATIONAL-TECHNICAL CENTER IN
17 ESTABLISHING THE APPROPRIATION FOR PERSONAL SERVICES.

18 (3) whenever the board of trustees operating a
19 postsecondary vocational-technical center submit to the
20 qualified electorate of the district an additional levy
21 proposition required by subsection (1), the levy proposition
22 must be included as a part of the high school voted levy (if
23 any exists) of the district.

24 Section 2. Increased budget -- additional levy
25 proposition -- submission to electorate. The board of

1 trustees of a district operating a postsecondary
2 vocational-technical center may, with approval of the board
3 of public education, adopt an operating budget for the
4 center in excess of the budget funded by the legislature.
5 Whenever the board of trustees proposes such a budget, it
6 must submit an additional levy proposition to the qualified
7 electors of the district. The additional levy proposition
8 must be submitted to the electorate in accordance with
9 general school election and budgeting laws.

-End-

1 operating a postsecondary vocational-technical center must
2 submit an additional levy proposition to the qualified
3 electorate of the district whenever--the--district--board
4 approves--negotiated--salary--and--benefit--contract--with
5 postsecondary--vocational-technical--teachers--and--employees
6 that--provides--increases LEVELS--in--excess--of--the--salary--and
7 benefit--increases LEVELS--approved--by--the--legislature--for
8 state--employees--~~HIGH WILL SUPPORT THE AMOUNT THE DISTRICT~~
9 ~~BOARD PROPOSES TO BUDGET FOR PERSONAL SERVICES IN EXCESS OF~~
10 ~~THE AMOUNT APPROPRIATED BY THE LEGISLATURE FOR PERSONAL~~
11 ~~SERVICES~~ WHENEVER THE DISTRICT BOARD APPROVES A NEGOTIATED
12 SALARY AND BENEFIT CONTRACT WITH POSTSECONDARY
13 VOCATIONAL-TECHNICAL TEACHERS AND EMPLOYEES THAT PROVIDES
14 INCREASES IN EXCESS OF THE SALARY AND BENEFIT INCREASES
15 APPROVED BY THE LEGISLATURE FOR STATE EMPLOYEES.

16 (2) For the purposes of subsection (1), the salary-and
17 benefit--levels--established--for--postsecondary
18 vocational-technical--center--teachers--and--employees--on--or
19 before--duty--in--1979--constitute--a--base--and--only--salary--and
20 benefits--negotiated--above--that--base--may--be--submitted--for--an
21 additional--levy. ~~THE LEGISLATURE SHALL USE THE APPROPRIATION~~
22 ~~FOR PERSONAL SERVICES DURING THE SECOND PRECEDING YEAR FOR~~
23 ~~EACH POSTSECONDARY VOCATIONAL-TECHNICAL CENTER IN~~
24 ~~ESTABLISHING THE APPROPRIATION FOR PERSONAL SERVICES IN THE~~
25 ~~SALARY AND BENEFIT LEVELS ESTABLISHED FOR POSTSECONDARY~~

1 VOCATIONAL-TECHNICAL CENTER TEACHERS AND EMPLOYEES ON OR
2 BEFORE JULY 1, 1979, CONSTITUTE A BASE, AND ONLY SALARY AND
3 BENEFITS NEGOTIATED ABOVE THAT BASE MAY BE SUBMITTED FOR AN
4 ADDITIONAL LEVY.

5 (3) Whenever the board of trustees operating a
6 postsecondary vocational-technical center submit to the
7 qualified electorate of the district an additional levy
8 proposition required by subsection (1), the levy proposition
9 must be included as a part of the high school voted levy (if
10 any exists) of the district.

11 Section 2. Increased budget -- additional levy
12 proposition -- submission to electorate. The board of
13 trustees of a district operating a postsecondary
14 vocational-technical center may, with approval of the board
15 of public education, adopt an operating budget for the
16 center in excess of the budget funded by the legislature.
17 Whenever the board of trustees proposes such a budget, it
18 must submit an additional levy proposition to the qualified
19 electors of the district. The additional levy proposition
20 must be submitted to the electorate in accordance with
21 general school election and budgeting laws.

-End-

April 6, 1979

SENATE STANDING COMMITTEE REPORT
(Taxation)

That House Bill No. 547, third reading bill, be amended as follows:

1. Title, line 12.

Following: "EMPLOYEES"

Strike: remainder of line 12 through line 14

Insert: "WHENEVER THE NEGOTIATED SALARY AND BENEFITS OF POSTSECONDARY VOCATIONAL-TECHNICAL CENTER EMPLOYEES EXCEED THE SALARY AND BENEFIT INCREASES AUTHORIZED FOR STATE EMPLOYEES"

2. Page 2, line 5.

Following: "employees"

Strike: remainder of line 5 through line 8

Insert: "whenever the district board approves a negotiated salary and benefit contract with postsecondary vocational-technical teachers and employees that provides increases in excess of the salary and benefit increases approved by the legislature for state employees."

3. Page 2, line 14.

Following: "levy?"

Strike: remainder of line 14 through line 17

Insert: "the salary and benefit levels established for postsecondary vocational-technical center teachers and employees on or before July 1, 1979, constitute a base, and only salary and benefits negotiated above that base may be submitted for an additional levy."