

HOUSE BILL NO. 69

INTRODUCED BY DONALDSON

BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE

IN THE HOUSE

January 6, 1981	Introduced and referred to Committee on Appropriations.
January 7, 1981	Fiscal note requested.
January 14, 1981	Fiscal note returned.
February 23, 1981	Committee recommend bill do pass as amended. Report adopted.
February 24, 1981	Bill printed and placed on members' desks. On motion rules suspended and bill placed on second reading this day. Second reading, do pass. On motion rules suspended and bill placed on third reading this day. Correctly engrossed.
February 25, 1981	Third reading, passed. Ayes, 95; Noes, 0. Transmitted to Senate.

IN THE SENATE

March 3, 1981	Introduced and referred to Committee on Finance and Claims.
March 18, 1981	Committee recommend bill be concurred in. Report adopted.

March 20, 1981	Second reading, concurred in.
March 23, 1981	Third reading, not concurred in. Ayes, 23; Noes, 24.
	On motion Senate reconsider its action taken on third reading and rerefer to second reading. Motion adopted.
March 24, 1981	Second reading, concurred in.
March 26, 1981	Third reading, concurred in. Ayes, 37; Noes, 9.

IN THE HOUSE

March 27, 1981	Returned from Senate. Concurred in. Sent to enrolling.
March 30, 1981	Correctly enrolled.
March 31, 1981	Signed by Speaker.
April 1, 1981	Signed by President.
	Delivered to Governor.
April 7, 1981	Returned from Governor with recommended amendments.
April 9, 1981	Second reading, Governor's amendments concurred in.
	On motion rules suspended and bill placed on third reading this day.
	Third reading, Governor's amendments concurred in. Ayes, 91; Noes, 2. Transmitted to Senate.

IN THE SENATE

April 10, 1981	Bill received from House.
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April 11, 1981

Passed consideration.

April 13, 1981

Second reading, Governor's amendments concurred in.

April 14, 1981

Third reading, Governor's amendments concurred in.
Ayes, 44; Noes, 3.

IN THE HOUSE

April 15, 1981

Returned from Senate. Concurred in. Sent to enrolling.

Reported correctly enrolled.

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 2 INTRODUCED BY DONALDSON
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 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE
 6 APPROPRIATION AND BUDGET PROCEDURES RELATING TO COMMUNITY
 7 COLLEGES; AMENDING SECTIONS 20-15-403 AND 20-15-404, MCA;
 8 AND REPEALING SECTIONS 20-15-302, 20-15-303, 20-15-306, AND
 9 20-15-307, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 NEW SECTION. Section 1. Proposed budget. The board of
 13 trustees of a community college district shall submit a
 14 proposed budget to the board of regents by August 15
 15 immediately preceding each regular legislative session. The
 16 proposed budget shall be for the next biennium and in a form
 17 approved by the state budget director and the commissioner
 18 of higher education and shall be calculated in the same
 19 manner as the operating budget described in [section 4]. The
 20 board of regents shall review the proposed budget and all
 21 its components and make any changes it determines necessary.
 22 By the following September 1, the board of regents shall
 23 submit its proposal for funding the community colleges to
 24 the budget director and the legislative fiscal analyst.
 25 NEW SECTION. Section 2. Appropriation. It is the

1 intent of the legislature that all community college
 2 spending, other than from restricted funds or funds
 3 generated by an optional, voted levy, be controlled under
 4 provisions of the state general appropriations act. The
 5 unrestricted budget shall be based on a calculated dollar
 6 amount per full-time equivalent student. The student count
 7 may not include those enrolled in community service courses
 8 as defined by the board of regents.

9 NEW SECTION. Section 3. Funding sources. The annual
 10 operating budget of a community college district shall be
 11 financed from the following sources:
 12 (1) the estimated revenues to be realized from student
 13 tuition and fees, except those related to community service
 14 courses as defined by the board of regents;
 15 (2) a mandatory mill levy on the community college
 16 district;
 17 (3) the 1-mill adult education levy authorized under
 18 provisions of 20-15-305;
 19 (4) the state general fund appropriation;
 20 (5) an optional voted levy on the community college
 21 district that shall be submitted to the electorate in
 22 accordance with general school election laws;
 23 (6) all other income, revenue, balances, or reserves
 24 not restricted by a source outside the community college
 25 district to a specific purpose;

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1 (7) income, revenue, balances, or reserves restricted
2 by a source outside the community college district to a
3 specific purpose. Student fees paid for community service
4 courses as defined by the board of regents shall be
5 considered restricted to a specific purpose.

6 NEW SECTION. Section 4. Calculation and approval of
7 operating budget. (1) Annually by June 15, the board of
8 trustees of a community college district shall submit to the
9 board of regents in a form acceptable to the board of
10 regents an operating budget that shall be calculated and
11 presented as follows:

12 (a) The general appropriations act shall specify for
13 each college the factor that, when multiplied by the general
14 fund appropriation, yields the total unrestricted spending
15 authority.

16 (b) An estimate of items specified in subsections (1),
17 (3), and (6) of [section 3] shall be added to the state
18 general fund appropriation and the total subtracted from the
19 total unrestricted spending authority. The difference shall
20 be obtained by a mandatory levy.

21 (c) The funding obtained under subsections (1) through
22 (4) and (6) of [section 3] is the amount of the unrestricted
23 budget. A detailed expenditure schedule shall be submitted
24 for the unrestricted budget.

25 (d) The amount estimated to be raised by the voted

1 levy shall be detailed separately in an expenditure
2 schedule.

3 (e) The spending of each restricted funding source
4 shall be detailed separately in an expenditure schedule.

5 (f) The expenditure schedules provided in subsections
6 (c), (d), and (e) of subsection (1) shall be aggregated into
7 the total community college budget.

8 (g) If revenues to the unrestricted budget exceed
9 estimates, the excess shall be used to reduce the mandatory
10 levy in the subsequent year unless the board of regents
11 approves a budget amendment, in which case the unrestricted
12 expenditures per student may not exceed the amount approved
13 by the legislature.

14 (2) The board of regents shall review the proposed
15 total operating budget and all its components and make any
16 changes it determines necessary. A board of trustees of a
17 community college district shall operate within the limits
18 of the operating budget approved by the board of regents.

19 NEW SECTION. Section 5. Tax levy. On the second
20 Monday in August, the board of county commissioners of any
21 county where a community college district is located shall
22 fix and levy a tax on all the real and personal property
23 within the community college district at the rate required
24 to finance the mandatory mill levy prescribed by subsection
25 (1)(b) of [section 4] and the voted levy prescribed by

1 subsection (5) of [section 3] if one has been approved by
2 the voters. When a community college district has territory
3 in more than one county, the board of county commissioners
4 in each county shall fix and levy the community college
5 district tax on all the real and personal property of the
6 community college district situated in its county.

7 Section 6. Section 20-15-403, MCA, is amended to read:

8 "20-15-403. Applications of other school district
9 provisions. (1) When the term "school district" appears in
10 the following sections outside of Title 20, the term
11 includes community college districts and the provisions of
12 those sections applicable to school districts apply to
13 community college districts: 2-9-101, 2-9-111, 2-9-316,
14 2-16-114, 2-15-602, 2-15-614, 2-19-703, 7-3-1101, 7-6-2604,
15 7-6-2801, 7-7-123, 7-8-2214, 7-8-2215, 7-8-2216, 7-11-103,
16 7-12-4106, 7-13-110, 7-13-210, 7-15-4206, 10-1-703,
17 15-1-101, 15-6-204, 15-16-101, 15-16-601, 15-18-108,
18 ~~15-24-502~~, 15-24-505, 15-30-221, 15-55-106, 15-70-301,
19 15-70-322, 17-5-101, 17-5-202, 17-6-103, 17-6-204, 17-6-213,
20 17-7-201, 18-1-102, 18-1-105, 18-1-112, 18-1-201, 18-2-101,
21 18-2-103, 18-2-113, 18-2-114, ~~18-2-115~~, 18-2-404, 18-2-409,
22 18-5-205, 19-1-102, 19-1-602, 19-1-311, 22-1-309, 25-1-402,
23 27-18-405, 33-20-1104, 39-3-104, 39-4-107, 39-31-103,
24 39-31-304, 39-71-116, 39-71-117, 39-71-2106, 39-71-2206,
25 40-6-237, ~~40-8-124~~, ~~40-8-125~~, ~~40-8-124~~, 41-5-912, 49-3-101,

1 49-3-102, 53-20-304, 77-3-321, 82-10-201, 82-10-202,
2 82-10-203, 85-7-2158, and 90-6-208 and Rules 4D(2)(g) and
3 15(c), M.R.Civ.P., as amended.

4 (2) When the term "school district" appears in a
5 section outside of Title 20 but the section is not listed in
6 subsection (1), the school district provision does not apply
7 to a community college district."

8 Section 7. Section 20-15-404, MCA, is amended to read:

9 "20-15-404. Trustees to adhere to certain other laws.
10 Unless the context clearly indicates otherwise, the trustees
11 of a community college district shall:

- 12 (1) adhere to the teachers' retirement provisions of
13 Title 19, chapter 4, as amended;
- 14 (2) adhere to the provisions of 20-1-201, 20-1-205,
15 20-1-211, and 20-1-212, as amended;
- 16 (3) adhere to the school property provisions of
17 20-6-605, 20-6-621, 20-6-622, 20-6-624, 20-6-631, and
18 20-6-633 through 20-6-636, as amended;
- 19 (4) adhere to the adult education provisions of
20 20-7-701 through 20-7-712, as amended;
- 21 (5) adhere to the administration of finances
22 provisions of 20-9-115, 20-9-134, subsections (2), (3), (4),
23 and (5) of 20-9-161, 20-9-163, 20-9-165, 20-9-207 through
24 20-9-210, 20-9-215, and 20-9-221 through 20-9-224, as
25 amended;

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1 (6) adhere to the school bond provisions of 20-9-401
2 through 20-9-412, 20-9-421 through 20-9-446, 20-9-451
3 through 20-9-456, and 20-9-461 through 20-9-465, as amended;

4 (7) adhere to the special purpose funds provisions of
5 ~~20-9-501 through 20-9-502~~, 20-9-503, 20-9-507, 20-9-508, and
6 20-9-511, as amended;

7 (8) adhere to the educational cooperative agreements
8 provisions of 20-9-701 through 20-9-704, as amended;

9 (9) adhere to the school elections provisions of Title
10 20, chapter 20, as amended;

11 (10) adhere to the students' rights provisions of
12 20-25-511 through 20-25-516, as amended; and

13 (11) adhere to the health provisions of 50-1-206."

14 Section 8. Repealer. Sections 20-15-302, 20-15-303,
15 20-15-306, and 20-15-307, MCA, are repealed.

16 Section 9. Effective date. This act is effective on
17 passage and approval.

-End-

STATE OF MONTANA

REQUEST NO. 50-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 7, , 19 81 , there is hereby submitted a Fiscal Note for H. B. 69 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

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:

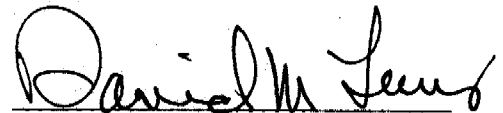
HB 69 proposes to revise the appropriation and budget procedures relating to the community colleges.

COMMENTS:

No dollar amount can be arrived at from the information given in HB 69. General fund support is determined by the following formula:

$$\frac{\text{Number of FTE Students} \times \text{Cost per Student}}{\text{Total Budget}} \times \text{\% of State Support} = \text{General Fund Support}$$

Because the legislature will determine all factors of the calculation, i.e., Number of FTE Students, Cost per Student, and % of State Support, it is impossible to determine what the fiscal impact is.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-13-81

Approved by Comm.
on Appropriations

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proposed budget to the board of regents by August 15
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district to a specific purpose;

1 (7) income, revenue, balances, or reserves restricted
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 9 ~~estimates, the excess shall be used to reduce the mandatory~~
 10 ~~levy in the subsequent year unless the board of regents~~
 11 ~~approves a budget amendment, in which case the unrestricted~~
 12 ~~expenditures per student may not exceed the amount approved~~
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14 (2) ~~The board of regents shall review the proposed~~
 15 ~~total operating budget and all its components and make any~~
 16 ~~changes it determines necessary. A board of trustees of a~~
 17 ~~community college district shall operate within the limits~~
 18 ~~of the operating budget approved by the board of regents.~~

19 NEW SECTION. SECTION 4. CALCULATION AND APPROVAL OF
 20 OPERATING BUDGET. (1) ANNUALLY BY JUNE 15, THE BOARD OF
 21 TRUSTEES OF A COMMUNITY COLLEGE SHALL SUBMIT AN OPERATING
 22 BUDGET TO THE BOARD OF REGENTS FOR THEIR REVIEW. THE
 23 OPERATING BUDGET OF THE COMMUNITY COLLEGE SHALL BE FINANCED
 24 IN THE FOLLOWING MANNER:

25 (A) GENERAL FUND APPROPRIATION. THE GENERAL FUND

1 APPROPRIATION SHALL REPRESENT A SPECIFIC PERCENTAGE OF THE
 2 TOTAL UNRESTRICTED BUDGET AUTHORIZED BY THE LEGISLATURE AND
 3 APPROVED BY THE REGENTS. THIS PERCENTAGE SHALL BE SPECIFIED
 4 IN THE APPROPRIATIONS ACT APPROPRIATING FUNDS TO THE
 5 COMMUNITY COLLEGES FOR EACH BIENNIUM.

6 (B) AN ESTIMATE OF REVENUES TO BE GENERATED BY STUDENT
 7 TUITION AND FEES, AND ALL OTHER UNRESTRICTED INCOME,
 8 REVENUES, OR BALANCES SHALL BE ADDED TO THE STATE GENERAL
 9 FUND APPROPRIATION AND THE TOTAL UNRESTRICTED BUDGET. THE
 10 DIFFERENCE SHALL BE OBTAINED BY A MANDATORY LEVY.

11 (C) THE FUNDING OBTAINED IN SUBSECTION (B) OF
 12 SUBSECTION (1) IS THE AMOUNT OF THE UNRESTRICTED BUDGET. A
 13 DETAILED EXPENDITURE SCHEDULE FOR THE UNRESTRICTED BUDGET
 14 SHALL BE SUBMITTED TO THE BOARD OF REGENTS FOR THEIR REVIEW
 15 AND APPROVAL.

16 (D) THE AMOUNT ESTIMATED TO BE RAISED BY THE VOTED
 17 LEVY SHALL BE DETAILED SEPARATELY IN AN EXPENDITURE
 18 SCHEDULE.

19 (E) THE SPENDING OF EACH RESTRICTED FUNDING SOURCE
 20 SHALL BE DETAILED SEPARATELY IN AN EXPENDITURE SCHEDULE.

21 (F) THE EXPENDITURE SCHEDULES PROVIDED IN SUBSECTIONS
 22 (C), (D), AND (E) OF SUBSECTION (1) SHALL REPRESENT THE
 23 TOTAL OPERATING BUDGET OF THE COMMUNITY COLLEGE.

24 (G) IF REVENUES TO THE UNRESTRICTED BUDGET EXCEED
 25 ESTIMATES, THE EXCESS SHALL BE USED TO REDUCE THE MANDATORY

1 LEVY IN THE SUBSEQUENT YEAR.

2 (2) THE BOARD OF REGENTS SHALL REVIEW THE PROPOSED
 3 TOTAL OPERATING BUDGET AND ALL ITS COMPONENTS AND MAKE ANY
 4 CHANGES IT DETERMINES NECESSARY. A BOARD OF TRUSTEES OF A
 5 COMMUNITY COLLEGE DISTRICT SHALL OPERATE WITHIN THE LIMITS
 6 OF THE OPERATING BUDGET APPROVED BY THE BOARD OF REGENTS.

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 8 Monday in August, the board of county commissioners of any
 9 county where a community college district is located shall
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 11 within the community college district at the rate required
 12 to finance the mandatory mill levy prescribed by subsection
 13 (1)(b) of [section 4] and the voted levy prescribed by
 14 subsection (5) of [section 3] if one has been approved by
 15 the voters. When a community college district has territory
 16 in more than one county, the board of county commissioners
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 18 district tax on all the real and personal property of the
 19 community college district situated in its county.

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1 (1) adhere to the health provisions of 50-1-206.*
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5 passage and approval.

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23 (6) all other income, revenue, balances, or reserves
 24 not restricted by a source outside the community college
 25 district to a specific purpose;

1 (7) income, revenue, balances, or reserves restricted
2 by a source outside the community college district to a
3 specific purpose. Student fees paid for community service
4 courses as defined by the board of regents shall be
5 considered restricted to a specific purpose.

6 NEW SECTION. Section 4. Calculation and approval of
7 operating budgets. (1) Annually by June 15, the board of
8 trustees of a community college district shall submit to the
9 board of regents in a form acceptable to the board of
10 regents an operating budget that shall be calculated and
11 presented as follows:

12 (a) The general appropriations act shall specify for
13 each college the factor that, when multiplied by the general
14 fund appropriations, yields the total unrestricted spending
15 authority.

16 (b) An estimate of items specified in subsections (1) and
17 (3) and (6) of [section 3] shall be added to the state
18 general fund appropriation and the total subtracted from the
19 total unrestricted spending authority. The difference shall
20 be obtained by a mandatory levy.

21 (c) The funding obtained under subsections (1) through
22 (4) and (6) of [section 3] is the amount of the unrestricted
23 budget. A detailed expenditure schedule shall be submitted
24 for the unrestricted budget.

25 (d) The amount estimated to be raised by the voted

1 levy shall be detailed separately in an expenditure
2 schedule.

3 (e) The spending of each restricted funding source
4 shall be detailed separately in an expenditure schedule.

5 (f) The expenditure schedules provided in subsections
6 (c) and (d) and (e) of subsection (1) shall be aggregated into
7 the total community college budget.

8 (g) If revenues to the unrestricted budget exceed
9 estimates, the excess shall be used to reduce the mandatory
10 levy in the subsequent year unless the board of regents
11 approves a budget amendment in which case the unrestricted
12 expenditures per student may not exceed the amount approved
13 by the legislature.

14 (2) The board of regents shall review the proposed
15 total operating budget and all its components and make any
16 changes it determines necessary. A board of trustees of a
17 community college district shall operate within the limits
18 of the operating budget approved by the board of regents.

19 NEW SECTION. SECTION 4. CALCULATION AND APPROVAL OF
20 OPERATING BUDGET. (1) ANNUALLY BY JUNE 15, THE BOARD OF
21 TRUSTEES OF A COMMUNITY COLLEGE SHALL SUBMIT AN OPERATING
22 BUDGET TO THE BOARD OF REGENTS FOR THEIR REVIEW. THE
23 OPERATING BUDGET OF THE COMMUNITY COLLEGE SHALL BE FINANCED
24 IN THE FOLLOWING MANNER:

25 (A) GENERAL FUND APPROPRIATION. THE GENERAL FUND

1 APPROPRIATION SHALL REPRESENT A SPECIFIC PERCENTAGE OF THE
 2 TOTAL UNRESTRICTED BUDGET AUTHORIZED BY THE LEGISLATURE AND
 3 APPROVED BY THE REGENTS. THIS PERCENTAGE SHALL BE SPECIFIED
 4 IN THE APPROPRIATIONS ACT APPROPRIATING FUNDS TO THE
 5 COMMUNITY COLLEGES FOR EACH BIENNIUM.

6 (B) AN ESTIMATE OF REVENUES TO BE GENERATED BY STUDENT
 7 TUITION AND FEES, AND ALL OTHER UNRESTRICTED INCOME,
 8 REVENUES, OR BALANCES SHALL BE ADDED TO THE STATE GENERAL
 9 FUND APPROPRIATION AND THE TOTAL UNRESTRICTED BUDGET. THE
 10 DIFFERENCE SHALL BE OBTAINED BY A MANDATORY LEVY.

11 (C) THE FUNDING OBTAINED IN SUBSECTION (B) OF
 12 SUBSECTION (1) IS THE AMOUNT OF THE UNRESTRICTED BUDGET. A
 13 DETAILED EXPENDITURE SCHEDULE FOR THE UNRESTRICTED BUDGET
 14 SHALL BE SUBMITTED TO THE BOARD OF REGENTS FOR THEIR REVIEW
 15 AND APPROVAL.

16 (D) THE AMOUNT ESTIMATED TO BE RAISED BY THE VOTED
 17 LEVY SHALL BE DETAILED SEPARATELY IN AN EXPENDITURE
 18 SCHEDULE.

19 (E) THE SPENDING OF EACH RESTRICTED FUNDING SOURCE
 20 SHALL BE DETAILED SEPARATELY IN AN EXPENDITURE SCHEDULE.

21 (F) THE EXPENDITURE SCHEDULES PROVIDED IN SUBSECTIONS
 22 (C), (D), AND (E) OF SUBSECTION (1) SHALL REPRESENT THE
 23 TOTAL OPERATING BUDGET OF THE COMMUNITY COLLEGE.

24 (G) IF REVENUES TO THE UNRESTRICTED BUDGET EXCEED
 25 ESTIMATES, THE EXCESS SHALL BE USED TO REDUCE THE MANDATORY

1 LEVY IN THE SUBSEQUENT YEAR.

2 (2) THE BOARD OF REGENTS SHALL REVIEW THE PROPOSED
 3 TOTAL OPERATING BUDGET AND ALL ITS COMPONENTS AND MAKE ANY
 4 CHANGES IT DETERMINES NECESSARY. A BOARD OF TRUSTEES OF A
 5 COMMUNITY COLLEGE DISTRICT SHALL OPERATE WITHIN THE LIMITS
 6 OF THE OPERATING BUDGET APPROVED BY THE BOARD OF REGENTS.

7 NEW SECTION. Section 5. Tax levy. On the second
 8 Monday in August, the board of county commissioners of any
 9 county where a community college district is located shall
 10 fix and levy a tax on all the real and personal property
 11 within the community college district at the rate required
 12 to finance the mandatory mill levy prescribed by subsection
 13 (1)(b) of [section 4] and the voted levy prescribed by
 14 subsection (5) of [section 3] if one has been approved by
 15 the voters. When a community college district has territory
 16 in more than one county, the board of county commissioners
 17 in each county shall fix and levy the community college
 18 district tax on all the real and personal property of the
 19 community college district situated in its county.

20 Section 6. Section 20-15-403, MCA, is amended to read:

21 "20-15-403. Applications of other school district
 22 provisions. (1) When the term "school district" appears in
 23 the following sections outside of Title 20, the term
 24 includes community college districts and the provisions of
 25 those sections applicable to school districts apply to

1 community college districts: 2-9-101, 2-9-111, 2-9-316,
 2 2-16-114, 2-16-602, 2-16-614, 2-18-703, 7-3-1101, 7-6-2604,
 3 7-6-2801, 7-7-123, 7-8-2214, 7-8-2215, 7-8-2216, 7-11-103,
 4 7-12-4106, 7-13-110, 7-13-210, 7-15-4206, 10-1-703,
 5 15-1-101, 15-6-204, 15-16-101, 15-16-601, 15-18-108,
 6 ~~15-24-502~~, ~~15-24-505~~, 15-30-221, 15-55-106, 15-70-301,
 7 15-70-322, 17-5-101, 17-5-202, 17-6-103, 17-6-204, 17-6-213,
 8 17-7-201, 18-1-102, 18-1-105, 18-1-112, 18-1-201, 18-2-101,
 9 18-2-103, 18-2-113, 18-2-114, ~~18-2-115~~, 18-2-404, 18-2-408,
 10 18-5-205, 19-1-102, 19-1-602, 19-1-811, 22-1-309, 25-1-402,
 11 27-18-406, 33-20-1104, 39-3-104, 39-4-107, 39-31-103,
 12 39-31-304, 39-71-116, 39-71-117, 39-71-2106, 39-71-2206,
 13 40-6-237, ~~40-8-124~~, ~~40-8-125~~, ~~40-8-128~~, 41-5-912, 49-3-101,
 14 49-3-102, 53-20-304, 77-3-321, 82-10-201, 82-10-202,
 15 82-10-203, 85-7-2158, and 90-6-208 and Rules 40(2)(g) and
 16 15(c), M.R.Civ.P., as amended.

17 (2) When the term "school district" appears in a
 18 section outside of Title 20 but the section is not listed in
 19 subsection (1), the school district provision does not apply
 20 to a community college district."

21 Section 7. Section 20-15-404, MCA, is amended to read:
 22 "20-15-404. Trustees to adhere to certain other laws.
 23 Unless the context clearly indicates otherwise, the trustees
 24 of a community college district shall:

25 (1) adhere to the teachers' retirement provisions of

1 Title 19, chapter 4, as amended;
 2 (2) adhere to the provisions of 20-1-201, 20-1-205,
 3 20-1-211, and 20-1-212, as amended;
 4 (3) adhere to the school property provisions of
 5 20-6-605, 20-6-621, 20-6-622, 20-6-624, 20-6-631, and
 6 20-6-633 through 20-6-636, as amended;
 7 (4) adhere to the adult education provisions of
 8 20-7-701 through 20-7-712, as amended;
 9 (5) adhere to the administration of finances
 10 provisions of 20-9-115, 20-9-134, subsections (2), (3), (4),
 11 and (5) of 20-9-161, 20-9-163, 20-9-165, 20-9-207 through
 12 20-9-210, 20-9-215, and 20-9-221 through 20-9-224, as
 13 amended;
 14 (6) adhere to the school bond provisions of 20-9-401
 15 through 20-9-412, 20-9-421 through 20-9-446, 20-9-451
 16 through 20-9-456, and 20-9-461 through 20-9-465, as amended;
 17 (7) adhere to the special purpose funds provisions of
 18 ~~20-9-501 through 20-9-502~~, 20-9-503, 20-9-507, 20-9-508, and
 19 20-9-511, as amended;
 20 (8) adhere to the educational cooperative agreements
 21 provisions of 20-9-701 through 20-9-704, as amended;
 22 (9) adhere to the school elections provisions of Title
 23 20, chapter 20, as amended;
 24 (10) adhere to the students' rights provisions of
 25 20-25-511 through 20-25-516, as amended; and

1 (11) adhere to the health provisions of 50-1-206.*
2 Section 8. Repealer. Sections 20-15-302, 20-15-303,
3 20-15-306, and 20-15-307, MCA, are repealed.
4 Section 9. Effective date. This act is effective on
5 passage and approval.

-End-

1 HOUSE BILL NO. 69

2 INTRODUCED BY DONALDSON

3 BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE
6 APPROPRIATION AND BUDGET PROCEDURES RELATING TO COMMUNITY
7 COLLEGES; AMENDING SECTIONS 20-15-403 AND 20-15-404, MCA;
8 AND REPEALING SECTIONS 20-15-302, 20-15-303, 20-15-306, AND
9 20-15-307, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

12 NEW SECTION. Section 1. Proposed budget. The board of
13 trustees of a community college district shall submit a
14 proposed budget to the board of regents by August 15
15 immediately preceding each regular legislative session. The
16 proposed budget shall be for the next biennium and in a form
17 approved by the state budget director and the commissioner
18 of higher education and shall be calculated in the same
19 manner as the operating budget described in [section 4]. The
20 board of regents shall review the proposed budget and all
21 its components and make any changes it determines necessary.
22 By the following September 1, the board of regents shall
23 submit its proposal for funding the community colleges to
24 the budget director and the legislative fiscal analyst.

25 NEW SECTION. Section 2. Appropriation. It is the

1 intent of the legislature that all community college
2 spending, other than from restricted funds or funds
3 generated by an optional, voted levy, be controlled under
4 provisions of the state general appropriations act. The
5 unrestricted budget shall be based on a calculated dollar
6 amount per full-time equivalent student. The student count
7 may not include those enrolled in community service courses
8 as defined by the board of regents.

9 NEW SECTION. Section 3. Funding sources. The annual
10 operating budget of a community college district shall be
11 financed from the following sources:

12 (1) the estimated revenues to be realized from student
13 tuition and fees, except those related to community service
14 courses as defined by the board of regents;

15 (2) a mandatory mill levy on the community college
16 district;

17 (3) the 1-mill adult education levy authorized under
18 provisions of 20-15-305;

19 (4) the state general fund appropriation;

20 (5) an optional voted levy on the community college
21 district that shall be submitted to the electorate in
22 accordance with general school election laws;

23 (6) all other income, revenue, balances, or reserves
24 not restricted by a source outside the community college
25 district to a specific purpose;

1 (7) income, revenue, balances, or reserves restricted
2 by a source outside the community college district to a
3 specific purpose. Student fees paid for community service
4 courses as defined by the board of regents shall be
5 considered restricted to a specific purpose.

6 ~~NEW SECTION. Section 4. Calculation and approval of~~
7 ~~operating budgets. (1) Annually by June 15, the board of~~
8 ~~trustees of a community college district shall submit to the~~
9 ~~board of regents in a form acceptable to the board of~~
10 ~~regents an operating budget that shall be calculated and~~
11 ~~presented as follows:~~

12 (a) The general appropriations act shall specify for
13 each college the factor that, when multiplied by the general
14 fund appropriation, yields the total unrestricted spending
15 authority.

16 (b) An estimate of items specified in subsections (1) and
17 (3) and (6) of [section 3] shall be added to the state
18 general fund appropriation and the total subtracted from the
19 total unrestricted spending authority. The difference shall
20 be obtained by a mandatory levy.

21 (c) The funding obtained under subsections (1) through
22 (4) and (6) of [section 3] is the amount of the unrestricted
23 budget. A detailed expenditure schedule shall be submitted
24 for the unrestricted budget.

25 (d) The amount estimated to be raised by the voted

1 levy shall be detailed separately in an expenditure
2 schedule.

3 (e) The spending of each restricted funding source
4 shall be detailed separately in an expenditure schedule.

5 (f) The expenditure schedules provided in subsections
6 (c), (d), and (e) of subsection (1) shall be aggregated into
7 the total community college budget.

8 (g) If revenues to the unrestricted budget exceed
9 estimates, the excess shall be used to reduce the mandatory
10 levy in the subsequent year unless the board of regents
11 approves a budget amendment, in which case the unrestricted
12 expenditures per student may not exceed the amount approved
13 by the legislature.

14 (2) The board of regents shall review the proposed
15 total operating budget and all its components and make any
16 changes it determines necessary. A board of trustees of a
17 community college district shall operate within the limits
18 of the operating budget approved by the board of regents.

19 NEW SECTION. SECTION 4. CALCULATION AND APPROVAL OF
20 OPERATING BUDGET. (1) ANNUALLY BY JUNE 15, THE BOARD OF
21 TRUSTEES OF A COMMUNITY COLLEGE SHALL SUBMIT AN OPERATING
22 BUDGET TO THE BOARD OF REGENTS FOR THEIR REVIEW. THE
23 OPERATING BUDGET OF THE COMMUNITY COLLEGE SHALL BE FINANCED
24 IN THE FOLLOWING MANNER:

25 (A) GENERAL FUND APPROPRIATION. THE GENERAL FUND

1 APPROPRIATION SHALL REPRESENT A SPECIFIC PERCENTAGE OF THE
 2 TOTAL UNRESTRICTED BUDGET AUTHORIZED BY THE LEGISLATURE AND
 3 APPROVED BY THE REGENTS. THIS PERCENTAGE SHALL BE SPECIFIED
 4 IN THE APPROPRIATIONS ACT APPROPRIATING FUNDS TO THE
 5 COMMUNITY COLLEGES FOR EACH BIENNIUM.

6 (B) AN ESTIMATE OF REVENUES TO BE GENERATED BY STUDENT
 7 TUITION AND FEES, AND ALL OTHER UNRESTRICTED INCOME,
 8 REVENUES, OR BALANCES SHALL BE ADDED TO THE STATE GENERAL
 9 FUND APPROPRIATION AND THE TOTAL UNRESTRICTED BUDGET. THE
 10 DIFFERENCE SHALL BE OBTAINED BY A MANDATORY LEVY.

11 (C) THE FUNDING OBTAINED IN SUBSECTION (B) OF
 12 SUBSECTION (1) IS THE AMOUNT OF THE UNRESTRICTED BUDGET. A
 13 DETAILED EXPENDITURE SCHEDULE FOR THE UNRESTRICTED BUDGET
 14 SHALL BE SUBMITTED TO THE BOARD OF REGENTS FOR THEIR REVIEW
 15 AND APPROVAL.

16 (D) THE AMOUNT ESTIMATED TO BE RAISED BY THE VOTED
 17 LEVY SHALL BE DETAILED SEPARATELY IN AN EXPENDITURE
 18 SCHEDULE.

19 (E) THE SPENDING OF EACH RESTRICTED FUNDING SOURCE
 20 SHALL BE DETAILED SEPARATELY IN AN EXPENDITURE SCHEDULE.

21 (F) THE EXPENDITURE SCHEDULES PROVIDED IN SUBSECTIONS
 22 (C), (D), AND (E) OF SUBSECTION (1) SHALL REPRESENT THE
 23 TOTAL OPERATING BUDGET OF THE COMMUNITY COLLEGE.

24 (G) IF REVENUES TO THE UNRESTRICTED BUDGET EXCEED
 25 ESTIMATES, THE EXCESS SHALL BE USED TO REDUCE THE MANDATORY

1 LEVY IN THE SUBSEQUENT YEAR.

2 (2) THE BOARD OF REGENTS SHALL REVIEW THE PROPOSED
 3 TOTAL OPERATING BUDGET AND ALL ITS COMPONENTS AND MAKE ANY
 4 CHANGES IT DETERMINES NECESSARY. A BOARD OF TRUSTEES OF A
 5 COMMUNITY COLLEGE DISTRICT SHALL OPERATE WITHIN THE LIMITS
 6 OF THE OPERATING BUDGET APPROVED BY THE BOARD OF REGENTS.

7 NEW SECTION. Section 5. Tax levy. On the second
 8 Monday in August, the board of county commissioners of any
 9 county where a community college district is located shall
 10 fix and levy a tax on all the real and personal property
 11 within the community college district at the rate required
 12 to finance the mandatory mill levy prescribed by subsection
 13 (1)(b) of [section 4] and the voted levy prescribed by
 14 subsection (5) of [section 3] if one has been approved by
 15 the voters. When a community college district has territory
 16 in more than one county, the board of county commissioners
 17 in each county shall fix and levy the community college
 18 district tax on all the real and personal property of the
 19 community college district situated in its county.

20 Section 6. Section 20-15-403, MCA, is amended to read:
 21 "20-15-403. Applications of other school district
 22 provisions. (1) When the term "school district" appears in
 23 the following sections outside of Title 20, the term
 24 includes community college districts and the provisions of
 25 those sections applicable to school districts apply to

1 community college districts: 2-9-101, 2-9-111, 2-9-316,
 2 2-16-114, 2-16-602, 2-16-614, 2-18-703, 7-3-1101, 7-6-2604,
 3 7-6-2801, 7-7-123, 7-8-2214, 7-8-2215, 7-8-2216, 7-11-103,
 4 7-12-4106, 7-13-110, 7-13-210, 7-15-4206, 10-1-703,
 5 15-1-101, 15-6-204, 15-16-101, 15-16-601, 15-18-108,
 6 ~~15-24-502~~, ~~15-24-505~~, 15-30-221, 15-55-106, 15-70-301,
 7 15-70-322, 17-5-101, 17-5-202, 17-6-103, 17-6-204, 17-6-213,
 8 17-7-201, 18-1-102, 18-1-105, 18-1-112, 18-1-201, 18-2-101,
 9 18-2-103, 18-2-113, 18-2-114, ~~18-2-115~~, 18-2-404, 18-2-408,
 10 18-5-205, 19-1-102, 19-1-602, 19-1-811, 22-1-309, 25-1-402,
 11 27-18-406, 33-20-1104, 39-3-104, 39-4-107, 39-31-103,
 12 39-31-304, 39-71-116, 39-71-117, 39-71-2106, 39-71-2206,
 13 40-6-237, ~~40-8-124~~, ~~40-8-125~~, ~~40-8-128~~, 41-5-912, 49-3-101,
 14 49-3-102, 53-20-304, 77-3-321, 82-10-201, 82-10-202,
 15 82-10-203, 85-7-2158, and 90-6-208 and Rules 40(2)(g) and
 16 15(c), M.R.Civ.P., as amended.

17 (2) When the term "school district" appears in a
 18 section outside of Title 20 but the section is not listed in
 19 subsection (1), the school district provision does not apply
 20 to a community college district."

21 Section 7. Section 20-15-404, MCA, is amended to read:
 22 "20-15-404. Trustees to adhere to certain other laws.
 23 Unless the context clearly indicates otherwise, the trustees
 24 of a community college district shall:

25 (1) adhere to the teachers' retirement provisions of

1 Title 19, chapter 4, as amended;
 2 (2) adhere to the provisions of 20-1-201, 20-1-205,
 3 20-1-211, and 20-1-212, as amended;
 4 (3) adhere to the school property provisions of
 5 20-6-605, 20-6-621, 20-6-622, 20-6-624, 20-6-631, and
 6 20-6-633 through 20-6-636, as amended;
 7 (4) adhere to the adult education provisions of
 8 20-7-701 through 20-7-712, as amended;
 9 (5) adhere to the administration of finances
 10 provisions of 20-9-115, 20-9-134, subsections (2), (3), (4),
 11 and (5) of 20-9-161, 20-9-163, 20-9-165, 20-9-207 through
 12 20-9-210, 20-9-215, and 20-9-221 through 20-9-224, as
 13 amended;
 14 (6) adhere to the school bond provisions of 20-9-401
 15 through 20-9-412, 20-9-421 through 20-9-446, 20-9-451
 16 through 20-9-456, and 20-9-461 through 20-9-465, as amended;
 17 (7) adhere to the special purpose funds provisions of
 18 ~~20-9-501 through 20-9-502~~, 20-9-503, 20-9-507, 20-9-508, and
 19 20-9-511, as amended;
 20 (8) adhere to the educational cooperative agreements
 21 provisions of 20-9-701 through 20-9-704, as amended;
 22 (9) adhere to the school elections provisions of Title
 23 20, chapter 20, as amended;
 24 (10) adhere to the students' rights provisions of
 25 20-25-511 through 20-25-516, as amended; and

1 (11) adhere to the health provisions of 50-1-206.*
2 Section 8. Repealer. Sections 20-15-302, 20-15-303,
3 20-15-306, and 20-15-307, MCA, are repealed.
4 Section 9. Effective date. This act is effective on
5 passage and approval.

-End-

April 6, 1981

GOVERNOR'S PROPOSED AMENDMENTS TO HOUSE BILL NO. 69;
REFERENCE COPY, AS FOLLOWS:

1. Page 5, line 9
Following: "TOTAL"
Insert: "SUBTRACTED FROM THE TOTAL"

1 HOUSE BILL NO. 69

2 INTRODUCED BY DONALDSON

3 BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE
6 APPROPRIATION AND BUDGET PROCEDURES RELATING TO COMMUNITY
7 COLLEGES; AMENDING SECTIONS 20-15-403 AND 20-15-404, MCA;
8 AND REPEALING SECTIONS 20-15-302, 20-15-303, 20-15-306, AND
9 20-15-307, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

12 NEW SECTION. Section 1. Proposed budget. The board of
13 trustees of a community college district shall submit a
14 proposed budget to the board of regents by August 15
15 immediately preceding each regular legislative session. The
16 proposed budget shall be for the next biennium and in a form
17 approved by the state budget director and the commissioner
18 of higher education and shall be calculated in the same
19 manner as the operating budget described in [section 4]. The
20 board of regents shall review the proposed budget and all
21 its components and make any changes it determines necessary.
22 By the following September 1, the board of regents shall
23 submit its proposal for funding the community colleges to
24 the budget director and the legislative fiscal analyst.

25 NEW SECTION. Section 2. Appropriation. It is the

1 intent of the legislature that all community college
2 spending, other than from restricted funds or funds
3 generated by an optional, voted levy, be controlled under
4 provisions of the state general appropriations act. The
5 unrestricted budget shall be based on a calculated dollar
6 amount per full-time equivalent student. The student count
7 may not include those enrolled in community service courses
8 as defined by the board of regents.

9 NEW SECTION. Section 3. Funding sources. The annual
10 operating budget of a community college district shall be
11 financed from the following sources:

12 (1) the estimated revenues to be realized from student
13 tuition and fees, except those related to community service
14 courses as defined by the board of regents;

15 (2) a mandatory mill levy on the community college
16 district;

17 (3) the 1-mill adult education levy authorized under
18 provisions of 20-15-305;

19 (4) the state general fund appropriation;

20 (5) an optional voted levy on the community college
21 district that shall be submitted to the electorate in
22 accordance with general school election laws;

23 (6) all other income, revenue, balances, or reserves
24 not restricted by a source outside the community college
25 district to a specific purpose;

1 (7) income, revenue, balances, or reserves restricted
 2 by a source outside the community college district to a
 3 specific purpose. Student fees paid for community service
 4 courses as defined by the board of regents shall be
 5 considered restricted to a specific purpose.

6 ~~NEW SECTION. Section 4. Calculation and approval of~~
~~operating budget. (1) Annually by June 15, the board of~~
~~trustees of a community college district shall submit to the~~
~~board of regents in a form acceptable to the board of~~
~~regents an operating budget that shall be calculated and~~
~~presented as follows:~~

12 (a) The general appropriations act shall specify for
 13 each college the factor that, when multiplied by the general
 14 fund appropriation, yields the total unrestricted spending
 15 authority.

16 (b) An estimate of items specified in subsections (1),
 17 (3), and (6) of [section 3] shall be added to the state
 18 general fund appropriation and the total subtracted from the
 19 total unrestricted spending authority. The difference shall
 20 be obtained by a mandatory levy.

21 (c) The funding obtained under subsections (1) through
 22 (4) and (6) of [section 3] is the amount of the unrestricted
 23 budget. A detailed expenditure schedule shall be submitted
 24 for the unrestricted budget.

25 (d) The amount estimated to be raised by the voted

1 levy shall be detailed separately in an expenditure
 2 schedule.

3 (e) The spending of each restricted funding source
 4 shall be detailed separately in an expenditure schedule.

5 (f) The expenditure schedules provided in subsections
 6 (c), (d), and (e) of subsection (1) shall be aggregated into
 7 the total community college budget.

8 (g) If revenues to the unrestricted budget exceed
 9 estimates, the excess shall be used to reduce the mandatory
 10 levy in the subsequent year unless the board of regents
 11 approves a budget amendment in which case the unrestricted
 12 expenditures per student may not exceed the amount approved
 13 by the legislature.

14 (2) The board of regents shall review the proposed
 15 total operating budget and all its components and make any
 16 changes it determines necessary. A board of trustees of a
 17 community college district shall operate within the limits
 18 of the operating budget approved by the board of regents.

19 NEW SECTION. SECTION 4. CALCULATION AND APPROVAL OF
 20 OPERATING BUDGET. (1) ANNUALLY BY JUNE 15, THE BOARD OF
 21 TRUSTEES OF A COMMUNITY COLLEGE SHALL SUBMIT AN OPERATING
 22 BUDGET TO THE BOARD OF REGENTS FOR THEIR REVIEW. THE
 23 OPERATING BUDGET OF THE COMMUNITY COLLEGE SHALL BE FINANCED
 24 IN THE FOLLOWING MANNER:

25 (A) GENERAL FUND APPROPRIATION. THE GENERAL FUND

1 APPROPRIATION SHALL REPRESENT A SPECIFIC PERCENTAGE OF THE
 2 TOTAL UNRESTRICTED BUDGET AUTHORIZED BY THE LEGISLATURE AND
 3 APPROVED BY THE REGENTS. THIS PERCENTAGE SHALL BE SPECIFIED
 4 IN THE APPROPRIATIONS ACT APPROPRIATING FUNDS TO THE
 5 COMMUNITY COLLEGES FOR EACH BIENNIUM.

6 (B) AN ESTIMATE OF REVENUES TO BE GENERATED BY STUDENT
 7 TUITION AND FEES, AND ALL OTHER UNRESTRICTED INCOME,
 8 REVENUES, OR BALANCES SHALL BE ADDED TO THE STATE GENERAL
 9 FUND APPROPRIATION AND THE TOTAL SUBTRACTED FROM THE TOTAL
 10 UNRESTRICTED BUDGET. THE DIFFERENCE SHALL BE OBTAINED BY A
 11 MANDATORY LEVY.

12 (C) THE FUNDING OBTAINED IN SUBSECTION (B) OF
 13 SUBSECTION (1) IS THE AMOUNT OF THE UNRESTRICTED BUDGET. A
 14 DETAILED EXPENDITURE SCHEDULE FOR THE UNRESTRICTED BUDGET
 15 SHALL BE SUBMITTED TO THE BOARD OF REGENTS FOR THEIR REVIEW
 16 AND APPROVAL.

17 (D) THE AMOUNT ESTIMATED TO BE RAISED BY THE VOTED
 18 LEVY SHALL BE DETAILED SEPARATELY IN AN EXPENDITURE
 19 SCHEDULE.

20 (E) THE SPENDING OF EACH RESTRICTED FUNDING SOURCE
 21 SHALL BE DETAILED SEPARATELY IN AN EXPENDITURE SCHEDULE.

22 (F) THE EXPENDITURE SCHEDULES PROVIDED IN SUBSECTIONS
 23 (C), (D), AND (E) OF SUBSECTION (1) SHALL REPRESENT THE
 24 TOTAL OPERATING BUDGET OF THE COMMUNITY COLLEGE.

25 (G) IF REVENUES TO THE UNRESTRICTED BUDGET EXCEED

1 ESTIMATES, THE EXCESS SHALL BE USED TO REDUCE THE MANDATORY
 2 LEVY IN THE SUBSEQUENT YEAR.

3 (2) THE BOARD OF REGENTS SHALL REVIEW THE PROPOSED
 4 TOTAL OPERATING BUDGET AND ALL ITS COMPONENTS AND MAKE ANY
 5 CHANGES IT DETERMINES NECESSARY. A BOARD OF TRUSTEES OF A
 6 COMMUNITY COLLEGE DISTRICT SHALL OPERATE WITHIN THE LIMITS
 7 OF THE OPERATING BUDGET APPROVED BY THE BOARD OF REGENTS.

8 NEW SECTION. Section 5. Tax levy. On the second
 9 Monday in August, the board of county commissioners of any
 10 county where a community college district is located shall
 11 fix and levy a tax on all the real and personal property
 12 within the community college district at the rate required
 13 to finance the mandatory mill levy prescribed by subsection
 14 (1)(b) of [section 4] and the voted levy prescribed by
 15 subsection (5) of [section 3] if one has been approved by
 16 the voters. When a community college district has territory
 17 in more than one county, the board of county commissioners
 18 in each county shall fix and levy the community college
 19 district tax on all the real and personal property of the
 20 community college district situated in its county.

21 Section 6. Section 20-15-403, MCA, is amended to read:
 22 "20-15-403. Applications of other school district
 23 provisions. (1) When the term "school district" appears in
 24 the following sections outside of Title 20, the term
 25 includes community college districts and the provisions of

1 those sections applicable to school districts apply to
 2 community college districts: 2-9-101, 2-9-111, 2-9-316,
 3 2-16-114, 2-16-602, 2-16-614, 2-18-703, 7-3-1101, 7-6-2604,
 4 7-6-2801, 7-7-123, 7-8-2214, 7-8-2215, 7-8-2216, 7-11-103,
 5 7-12-4106, 7-13-110, 7-13-210, 7-15-4206, 10-1-703,
 6 15-1-101, 15-6-204, 15-16-101, 15-16-601, 15-18-108,
 7 ~~15-24-502~~, ~~15-24-505~~, 15-30-221, 15-55-106, 15-70-301,
 8 15-70-322, 17-5-101, 17-5-202, 17-6-103, 17-6-204, 17-6-213,
 9 17-7-201, 18-1-102, 18-1-105, 18-1-112, 18-1-201, 18-2-101,
 10 18-2-103, 18-2-113, 18-2-114, ~~18-2-115~~, 18-2-404, 18-2-408,
 11 18-5-205, 19-1-102, 19-1-602, 19-1-811, 22-1-309, 25-1-402,
 12 27-18-406, 33-20-1104, 39-3-104, 39-4-107, 39-31-103,
 13 39-31-304, 39-71-116, 39-71-117, 39-71-2106, 39-71-2206,
 14 40-6-237, ~~40-8-124~~, ~~40-8-125~~, ~~40-8-128~~, 41-5-912, 49-3-101,
 15 49-3-102, 53-20-304, 77-3-321, 82-10-201, 82-10-202,
 16 82-10-203, 85-7-2158, and 90-6-208 and Rules 40(2)(g) and
 17 15(c), M.R.Civ.P., as amended.

18 (2) When the term "school district" appears in a
 19 section outside of Title 20 but the section is not listed in
 20 subsection (1), the school district provision does not apply
 21 to a community college district."

22 Section 7. Section 20-15-404, MCA, is amended to read:

23 "20-15-404. Trustees to adhere to certain other laws.
 24 Unless the context clearly indicates otherwise, the trustees
 25 of a community college district shall:

1 (1) adhere to the teachers' retirement provisions of
 2 Title 19, chapter 4, as amended;

3 (2) adhere to the provisions of 20-1-201, 20-1-205,
 4 20-1-211, and 20-1-212, as amended;

5 (3) adhere to the school property provisions of
 6 20-6-605, 20-6-621, 20-6-622, 20-6-624, 20-6-631, and
 7 20-6-633 through 20-6-636, as amended;

8 (4) adhere to the adult education provisions of
 9 20-7-701 through 20-7-712, as amended;

10 (5) adhere to the administration of finances
 11 provisions of 20-9-115, 20-9-134, subsections (2), (3), (4),
 12 and (5) of 20-9-161, 20-9-163, 20-9-165, 20-9-207 through
 13 20-9-210, 20-9-215, and 20-9-221 through 20-9-224, as
 14 amended;

15 (6) adhere to the school bond provisions of 20-9-401
 16 through 20-9-412, 20-9-421 through 20-9-446, 20-9-451
 17 through 20-9-456, and 20-9-461 through 20-9-465, as amended;

18 (7) adhere to the special purpose funds provisions of
 19 ~~20-9-501 through 20-9-502~~, 20-9-503, 20-9-507, 20-9-508, and
 20 20-9-511, as amended;

21 (8) adhere to the educational cooperative agreements
 22 provisions of 20-9-701 through 20-9-704, as amended;

23 (9) adhere to the school elections provisions of Title
 24 20, chapter 20, as amended;

25 (10) adhere to the students' rights provisions of

1 20-25-511 through 20-25-516, as amended; and
2 (11) adhere to the health provisions of 50-1-206."
3 Section 8. Repealer. Sections 20-15-302, 20-15-303,
4 20-15-306, and 20-15-307, MCA, are repealed.
5 Section 9. Effective date. This act is effective on
6 passage and approval.

-End-

State of Montana
Office of the Governor
Helena 59620



TED SCHWINDEN
GOVERNOR

April 6, 1981

The Honorable Robert L. Marks
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Jean Turnage
President of the Senate
State Capitol
Helena, Montana 59620

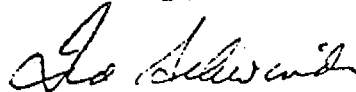
Dear Representative Marks and Senator Turnage:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 69, "AN ACT TO REVISE THE APPROPRIATION AND BUDGET PROCEDURES RELATING TO COMMUNITY COLLEGES; AMENDING SECTIONS 20-15-403 AND 20-15-404, MCA; AND REPEALING SECTIONS 20-15-302, 20-15-303, 20-15-306, AND 20-15-307, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE," without my signature and recommend the attached amendment for the following reason.

It appears that a phrase was inadvertently deleted from Section 4(1)(b) during the bill printing process. The proposed amendment is simply to insert the deletion.

I urge your concurrence in this amendment.

Sincerely,



TED SCHWINDEN
Governor