

HOUSE BILL NO. 888

2/19 Introduced
2/19 Referred to Appropriations
2/21 Fiscal Note Requested
2/27 Fiscal Note Received
3/08 Hearing
Died in Committee

1 HOUSE BILL NO. 888
2 INTRODUCED BY Wanda Newman
3 Richard

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE BOARD OF
5 PUBLIC EDUCATION TO SUBMIT ANY REQUEST FOR A LEGISLATIVE
6 APPROPRIATION FOR STATE EQUALIZATION AID TO THE BUDGET
7 DIRECTOR PRIOR TO A LEGISLATIVE SESSION; TO APPROPRIATE
8 FUNDS TO THE BOARD OF PUBLIC EDUCATION FOR THE PURPOSE OF
9 PREPARING SUCH A BUDGET REQUEST; AMENDING SECTIONS 17-7-111,
10 17-7-112, 20-2-121, AND 20-9-344, MCA."

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

13 Section 1. Section 17-7-111, MCA, is amended to read:
14 "17-7-111. Agency program budgets -- form distribution
15 and contents. (1) In the preparation of a state budget, the
16 budget director shall, not later than July 1 in the year
17 preceding the convening of the legislature, distribute to
18 all state offices and departments, including the judicial
19 branch and the legislative branch, the proper forms
20 necessary for the preparation of budget estimates. These
21 forms shall be prescribed by the budget director to procure
22 the information required by ~~subsection~~ subsections (2) and
23 (3).

24 (2) The agency budget requests, when completed by the
25 budget office, must set forth a balanced financial plan for

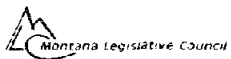
1 the agency completing the forms for each fiscal year of the
2 ensuing biennium. ~~The~~ Except as provided in subsection (3),
3 the plan must consist of:

4 (a) a consolidated agency budget summary for current
5 level expenditures and for each modification request setting
6 forth the aggregate figures of the full-time equivalent
7 personnel positions (FTE) and the budget in such manner as
8 to show a balance between the total proposed disbursements
9 and the total anticipated receipts, together with the other
10 means of financing the budget for each fiscal year of the
11 ensuing biennium, contrasted with the corresponding figures
12 for the last completed fiscal year and the fiscal year in
13 progress. The consolidated budget summary must be supported
14 by schedules classifying receipts and disbursements
15 contained therein by fund and, where applicable,
16 organizational unit.

17 (b) a schedule of the actual and projected receipts,
18 disbursements, and solvency of each accounting entity within
19 each fund for the current and subsequent biennium;

20 (c) a detailed schedule of receipts, by accounting
21 entity within each fund, indicating classification and
22 source of funds;

23 (d) an agency schedule summarizing past and proposed
24 spending plans and the means of financing the proposed plan.
25 Information presented shall include the following:



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1 (i) a statement of agency goals and objectives and a
2 statement of goals and objectives for each program of the
3 agency;

4 (ii) actual FTE and disbursements for the completed
5 fiscal year of the current biennium, estimated FTE and
6 disbursements for the current fiscal year, and the agency's
7 request for the ensuing biennium, by program; and

8 (iii) actual disbursements for the completed fiscal
9 year of the current biennium, estimated disbursements for
10 the current fiscal year, and the agency's recommendations
11 for the ensuing biennium, by disbursement category;

12 (e) any other information the budget director feels is
13 necessary for the preparation of a budget.

14 (3) The board of public education shall submit any
15 request for a legislative appropriation for state
16 equalization aid, as provided in 20-9-343, in the form and
17 manner prescribed by the budget director.

18 ~~(3)(4)~~ The budget director must also prepare and
19 submit to the legislative fiscal analyst in accordance with
20 17-7-112:

21 (a) detailed recommendations for the state long-range
22 building program. Each recommendation shall be presented by
23 department, institution, agency, or branch by funding
24 source, with a description of each proposed project; and

25 (b) the proposed pay plan schedule for all executive

1 branch employees, with the specific cost and funding
2 recommendations for each agency. Submission of a pay plan
3 schedule under this subsection is not an unfair labor
4 practice under 39-31-401."

5 Section 2. Section 17-7-112, MCA, is amended to read:

6 "17-7-112. Submission deadline. (1) It shall be the
7 duty of each department, agency, and office, including the
8 Montana university system and the board of public education,
9 to submit the information required under 17-7-111 to the
10 budget director on or before September 1 in the even year
11 preceding the convening of the legislature.

12 (2) Between August 15 and September 30 in the year
13 preceding the convening of the legislature, the director
14 must submit each state agency's budget request required
15 under 17-7-111(2) or (3) to the legislative fiscal analyst.
16 The transfer of budget information shall be done on a
17 schedule mutually agreed to by the budget director and the
18 legislative fiscal analyst in a manner that facilitates an
19 even transfer of budget information during the month of
20 September and which allows each office to maintain a
21 reasonable staff workflow.

22 (3) If any department, institution, university unit,
23 or agency shall fail to present such information within the
24 time herein specified, the budget director shall note that
25 fact in the budget submitted to the governor and the budget

1 director shall prepare and submit to the legislative fiscal
2 analyst and the governor by October 30 a budget request on
3 behalf of such department, institution, university unit, or
4 agency, based upon his studies of the operations, plans, and
5 needs thereof.

6 (4) The proposed pay plan schedule required by
7 17-7-111~~(3)~~(4) must be submitted to the legislative fiscal
8 analyst no later than November 15 in the year preceding the
9 convening of the legislature."

10 Section 3. Section 20-2-121, MCA, is amended to read:

11 "20-2-121. Board of public education -- powers and
12 duties. The board of public education shall:

13 (1) effect an orderly and uniform system for teacher
14 certification and specialist certification and for the
15 issuance of an emergency authorization of employment by
16 adopting the policies prescribed by 20-4-102 and 20-4-111;

17 (2) consider the suspension or revocation of teacher
18 or specialist certificates and appeals from the denial of
19 teacher or specialist certification in accordance with the
20 provisions of 20-4-110;

21 (3) administer and order the distribution of state
22 equalization aid in accordance with the provisions of
23 20-9-344;

24 (4) adopt and enforce policies to provide uniform
25 standards and regulations for the design, construction, and

1 operation of school buses in accordance with the provisions
2 of 20-10-111;

3 (5) approve or disapprove a reduction of the number of
4 hours in a district's school day in accordance with the
5 provisions of 20-1-302;

6 (6) adopt policies prescribing the conditions when
7 school may be conducted on Saturday and the types of
8 pupil-instruction-related days and approval procedure for
9 such days in accordance with the provisions of 20-1-303 and
10 20-1-304;

11 (7) adopt standards of accreditation and establish the
12 accreditation status of every school in accordance with the
13 provisions of 20-7-101 and 20-7-102;

14 (8) approve or disapprove educational media selected
15 by the superintendent of public instruction for the
16 educational media library in accordance with the provisions
17 of 20-7-201;

18 (9) adopt policies for the conduct of special
19 education in accordance with the provisions of 20-7-402;

20 (10) adopt rules for issuance of documents certifying
21 equivalency of completion of secondary education in
22 accordance with 20-7-131; and

23 (11) adopt policies for the conduct of programs for
24 gifted and talented children in accordance with the
25 provisions of 20-7-903 and 20-7-904; and

1 (12) submit any request for a legislative appropriation
2 for state equalization aid, as provided in 20-9-343, to the
3 budget director under the provisions of 17-7-111 on or
4 before September 1 in the even-numbered year preceding the
5 convening of the legislature; and

6 ~~(12)~~(13) perform any other duty prescribed from time to
7 time by this title or any other act of the legislature."

8 Section 4. Section 20-9-344, MCA, is amended to read:

9 "20-9-344. Purpose of state equalization aid and
10 duties of the board of public education for distribution.

11 (1) The money available for state equalization aid shall be
12 distributed and apportioned to provide an annual minimum
13 operating revenue for the elementary and high schools in
14 each county, exclusive of revenues required for debt service
15 and for the payment of any and all costs and expense
16 incurred in connection with any adult education program,
17 recreation program, school food services program, new
18 buildings, new grounds, and transportation.

19 (2) The board of public education shall administer and
20 distribute the state equalization aid in the manner and with
21 the powers and duties provided by law. To this end, the
22 board of public education shall:

23 (a) adopt policies for regulating the distribution of
24 state equalization aid in accordance with the provisions of
25 law;

1 (b) have the power to require such reports from the
2 superintendent of public instruction, the county
3 superintendents, budget boards, county treasurers, and
4 trustees as it may deem necessary; and

5 (c) order the superintendent of public instruction to
6 distribute the state equalization aid on the basis of each
7 district's annual entitlement to such aid as established by
8 the superintendent of public instruction. In ordering the
9 distribution of state equalization aid, the board of public
10 education shall not increase or decrease the state
11 equalization aid distribution to any district on account of
12 any difference which may occur during the school fiscal year
13 between budgeted and actual receipts from any other source
14 of school revenue.

15 (3) Should a district receive more state equalization
16 aid than it is entitled to, the county treasurer must return
17 the overpayment to the state upon the request of the
18 superintendent of public instruction in the manner
19 prescribed by the department of commerce."

20 NEW SECTION. Section 5. Extension of authority. Any
21 existing authority of the board of public education to make
22 rules on the subject of the provisions of this act is
23 extended to the provisions of this act.

24 NEW SECTION. Section 6. Appropriation. There is
25 appropriated \$30,000 from the general fund to the Board of

LC 1901/01

1 Public Education for the biennium ending June 30, 1987, for
2 the purpose of preparing and submitting to the budget
3 director a detailed budget request for any legislative
4 appropriation for state equalization aid.

-End-

STATE OF MONTANA

FISCAL NOTE

REQUEST NO. FNN 498-85Form BD-15

In compliance with a written request received February 25, 19 85, there is hereby submitted a Fiscal Note for House Bill 888 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:

House Bill 888 is an act to require the Board of Public Education to submit any request for a legislative appropriation for state equalization aid to the budget director prior to a legislative session; to appropriate funds to the Board of Public Education for the purpose of preparing such a budget request.

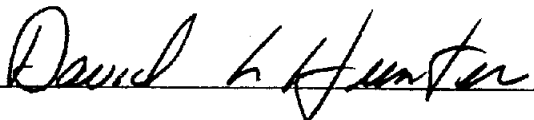
ASSUMPTIONS:

1. Calculation of state equalization aid request amounts for legislative appropriation can be made from existing data which is provided to the Office of Public Instruction by local school districts through the county superintendents' offices.
2. As described in Section 6 of this bill, there is appropriated from the general fund to the Board of Public Education \$30,000 to be used in preparing and submitting to the budget director a detailed budget request for any legislative appropriation for state equalization aid. This is a biennial appropriation.
3. A request approved by the Education Sub-committee appropriating funds for an additional FTE for compilation and management of records receives final approval by the legislature.

FISCAL IMPACT:

<u>Expenditures:</u>	<u>FY 1986</u>	<u>FY 1987</u>	<u>Total Biennium</u>
Present Law - Contracted Services	\$ 0	\$ 0	\$ 0
Proposed Law - Contracted Services	\$15,000	\$15,000	\$30,000
General Fund Cost	\$15,000	\$15,000	\$30,000

Section 6 of House Bill 888 provides for an appropriation of \$30,000 from the general fund to the Board of Public Education for the biennium ending June 30, 1987, for the purpose of preparing and submitting to the budget director a detailed budget request for any legislative appropriation for state equalization aid.



BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Feb 26, 1985

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AFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

No impact as long as information requested does not require modification in reporting, acquisition or presentation of school district data.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

N/A

TECHNICAL OR MECHANICAL DEFECTS OR CONFLICTS WITH EXISTING LEGISLATION:

N/A