SENATE BILL NO. 362

INTRODUCED BY JACOBSON, PECK

BY REQUEST OF THE SENATE FINANCE AND CLAIMS COMMITTEE

IN THE SENATE

FEBRUARY 18, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
FEBRUARY 21, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
	PRINTING REPORT.
FEBRUARY 24, 1987	SECOND READING, DO PASS.
FEBRUARY 25, 1987	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 50; NOES, 0.
	TRANSMITTED TO HOUSE.
	IN THE HOUSE
MARCH 3, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
MARCH 18, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 28, 1987	SECOND READING, CONCURRED IN.
MARCH 30, 1987	THIRD READING, CONCURRED IN. AYES, 96; NOES, 1.
	RETURNED TO SENATE.
	IN THE SENATE
MARCH 31, 1987	RECEIVED FROM HOUSE.

SENT TO ENROLLING.

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ı	Strate BILL NO. 362
2	INTRODUCED BY Jacobson Pork
3	BY REQUEST OF THE SENATE FINANCE AND CLAIMS COMMITTEE
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5	A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIF
6	RESPONSIBILITY FOR DETERMINING THE FINANCIAL IMPACT O
7	RULES, POLICIES, AND STANDARDS PROPOSED BY THE BOARD O
8	PUBLIC EDUCATION; AND AMENDING SECTION 20-2-115, MCA."
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Section 20-2-115, MCA, is amended to read
12	"20-2-115. Rules with substantial financial impact -
1.3	fiscal note effect without funding. (1) When developing
L 4	rules, policies, and standards under 20-2-121(6), (7), (9)
15	and (11), the board of public education shall concurrent!
16	develop-a-fiscal-note-to determine the financial impact o
17	the rule, policy, or standard on school districts.
18	(2) The superintendent of public instruction shal
L9	prepare a suggested fiscal note for submission to the
20	board, using criteria and assumptions developed by the
21	board. The fiscal note must be prepared within 30 days of
22	request unless the board agrees to a longer time. The board
23	may also accept other testimony and exhibits on the
24	financial impact to school districts before completing

final-fiscal-note proceeding to rulemaking.

ı	(3) If the financial impact of the proposed rule
2	policy, or standard is found by the board to be substantial
3	the board may not proceed-to-rulemaking implement the rule
4	until July 1 following the next regular legislative session
5	and shall request the next legislature to fund
6	implementation of the proposed rule, policy, or standard
7	through the foundation program. A substantial financia
8	impact is an amount that cannot be readily absorbed in the
9	budget of an existing school district program.

-End-

rulemaking be implemented at any time."

the board to have a substantial financial impact on school

districts or funded by the legislature may proceed--to

(4) A proposed rule, policy, or standard not found by

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APPROVED BY COMM. ON FINANCE AND CLAIMS

1 2 INTRODUCED BY 3 BY REQUEST OF THE SENATE FINANCE AND CLAIMS COMMITTEE 4 5 A BILL FOR AN ACT ENTITLED: CLARIFY "AN ACT TO RESPONSIBILITY FOR DETERMINING THE FINANCIAL IMPACT OF RULES, POLICIES, AND STANDARDS PROPOSED BY THE BOARD OF 7 PUBLIC EDUCATION; AND AMENDING SECTION 20-2-115, MCA." 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 11 Section 1. Section 20-2-115, MCA, is amended to read: 12 "20-2-115. Rules with substantial financial impact -fiscal note -- effect without funding. (1) When developing 13 rules, policies, and standards under 20-2-121(6), (7), (9), 14 and (11), the board of public education shall concurrently 15 develop-a-fiscal-note-to determine the financial impact of 16 17 the rule, policy, or standard on school districts. 18 (2) The superintendent of public instruction shall prepare a suggested fiscal note for submission to the 19 20 board, using criteria and assumptions developed by the board. The fiscal note must be prepared within 30 days of a 21 22 request unless the board agrees to a longer time. The board 23 may also accept other testimony and exhibits on the

financial impact to school districts before completing -- a

final-fiscal-note proceeding to rulemaking.



(3) If the financial impact of the proposed rule, 1 policy, or standard is found by the board to be substantial. the board may not proceed-to-rulemaking implement the rule 3 until July 1 following the next regular legislative session shall request the next legislature to fund 5 implementation of the proposed rule, policy, or standard through the foundation program. A substantial financial 7 impact is an amount that cannot be readily absorbed in the 8 budget of an existing school district program. 9

(4) A proposed rule, policy, or standard not found by 10 the board to have a substantial financial impact on school 11 12 districts or funded by the legislature may proceed--to rulemaking be implemented at any time." 13

-End-

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2	INTRODUCED BY Speakener Verk	
3	BY REQUEST OF THE SENATE FINANCE AND CLAIMS COMMITS	rei
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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY RESPONSIBILITY FOR DETERMINING THE FINANCIAL IMPACT OF RULES, POLICIES, AND STANDARDS PROPOSED BY THE BOARD OF PUBLIC EDUCATION: AND AMENDING SECTION 20-2-115, MCA."

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(2) The superintendent of public instruction shall prepare a suggested fiscal note for submission to the board+, using criteria and assumptions developed by the board. The fiscal note must be prepared within 30 days of a request unless the board agrees to a longer time. The board may also accept other testimony and exhibits on the financial impact to school districts before completing--a final-fiscal-note proceeding to rulemaking.



(3) If the financial impact of the proposed rule. policy, or standard is found by the board to be substantial. the board may not proceed-to-rulemaking implement the rule until July 1 following the next regular legislative session and shall request the next legislature implementation of the proposed rule, policy, or standard through the foundation program. A substantial financial impact is an amount that cannot be readily absorbed in the budget of an existing school district program.

(4) A proposed rule, policy, or standard not found by the board to have a substantial financial impact on school districts or funded by the legislature may proceed--to rulemaking be implemented at any time."

-End-

50th Legislature SB 0362/02 SB 0362/02

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17	the rule, policy, or standard on school districts.
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19	prepare a suggested fiscal note for submission to the
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10 (4) A proposed rule, policy, or standard not found by
11 the board to have a substantial financial impact on school
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13 rulemaking be implemented at any time."

-End-