# HOUSE BILL NO. 518

INTRODUCED BY STICKNEY, DEVLIN, JOHNSON, CODY, CONNELLY, COHEN, SPAETH, PECK, HANSON, KASTEN, SCHYE, SMITH, OWENS, R. NELSON, ZOOK, DARKO, NATHE, RUSSELL

## IN THE HOUSE

FEBRUARY 1, 1989 INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.

FIRST READING.

- FEBRUARY 18, 1989 COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
- FEBRUARY 20, 1989 PRINTING REPORT.
- FEBRUARY 21, 1989 SECOND READING, DO PASS.
  - ENGROSSING REPORT.

THIRD READING, PASSED. AYES, 96; NOES, 2.

TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 28, 1989

FEBRUARY 22, 1989

FIRST READING.

MARCH 28, 1989 COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

MARCH 29, 1989 THIRD READING, CONCURRED IN. AYES, 41; NOES, 8.

RETURNED TO HOUSE WITH AMENDMENTS.

INTRODUCED AND REFERRED TO COMMITTEE

ON EDUCATION & CULTURAL RESOURCES.

IN THE HOUSE

MARCH 31, 1989

- -

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS CONCURRED IN.

APRIL 1, 1989 THIRD READING, AMENDMENTS CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

LC 1477/01

House BILL NO. 519 1 INTRODUCED BY the day Andrew St 2 ٦ A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE BUDGET 4 PROCEDURES FOR COMMUNITY COLLEGES; TO ALLOW A COMMUNITY -5 COLLEGE TO RETAIN AND EXPEND STUDENT TUITION AND FEE REVENUE. б 7 IN EXCESS OF A CERTAIN AMOUNT: AMENDING SECTIONS 20-15-310 8 AND 20-15-312, MCA; AND PROVIDING AN EFFECTIVE DATE."

9

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

Section 1. Section 20-15-310, MCA, is amended to read: 11 "20-15-310. Appropriation. It is the intent of the 12 13 legislature that all community college spending, other than 14 from restricted funds or funds generated by an optional, 15 voted levy, be controlled-under governed by the provisions of this part and the state general appropriations act. The 16 unrestricted appropriated budget shall must be based on a 17 calculated dollar amount per full-time equivalent student. 18 19 The student count may not include those enrolled in community service courses as defined by the board of 20 21 regents."

Section 2. Section 20-15-312, MCA, is amended to read:
"20-15-312. Calculation and approval of operating
budget. (1) Annually by June 15, the board of trustees of a
community college shall submit an operating budget to the

1 board of regents for their review. The operating budget of 2 the community college shall must be financed in the 3 following manner:

4 (a) General---fund--appropriation: The general fund 5 appropriation shall <u>must</u> represent a specific percentage of 6 the total unrestricted <u>appropriated</u> budget authorized by the 7 legislature and approved by the regents. This percentage 8 shall <u>must</u> be specified in the appropriations act 9 appropriating funds to the community colleges for each 10 biennium.

11 (b) (i) An estimate of revenues to be generated by 12 student tuition and fees, and all other unrestricted income, 13 revenues, or balances shall must be added to the state 14 general fund appropriation and the total subtracted from the 15 total unrestricted budget. The difference shall must be 16 obtained by a mandatory levy.

17 (ii) For the purpose of subsection (1)(b)(i), student
18 tuition and fee revenue must be calculated in the following
19 manner:
20 (A) the calculated dollar amount per full-time
21 equivalent student, as required in 20-15-310, for the school

22 fiscal year is divided by \$3,642; and

(B) the individual tuition and fee schedules
established for school fiscal year 1989 are multiplied by
the calculation in subsection (1)(b)(iii)(A).

-2 INTRODUCED BILL 43 518



## LC 1477/01

(c) (i) The funding obtained in subsection--(b)--of
 subsection (1)(b) is the amount of the unrestricted
 appropriated budget.

4 (ii) Any student tuition and fee revenue collected in 5 excess of the tuition and fee amount calculated according to 6 subsection (1)(b)(ii)(A) may be expended by the community 7 college on approval of the board of regents. This amount 8 and the unrestricted appropriated budget are the total 9 unrestricted budget.

10 (d) A detailed expenditure schedule for the total 11 unrestricted budget shall must be submitted to the board of 12 regents for their review and approval.

13 (d)(e) The amount estimated to be raised by the voted
14 levy shall <u>must</u> be detailed separately in an expenditure
15 schedule.

16 (e)(f) The spending of each restricted funding source
17 shall must be detailed separately in an expenditure
18 schedule.

19 (f)(g) The expenditure schedules provided in 20 subsections (c) $\tau$  (d), and (e), and (f) of subsection (1) 21 shall must represent the total operating budget of the 22 community college.

23 (g)--If--revenues--to--the--unrestricted--budget-exceed 24 estimates--the-excess-shall-be-used-to-reduce-the--mandatory 25 levy in the-subsequent-year-

- 3-

1(2) The board of regents shall review the proposed2total operating budget and all its components and make any3changes it determines necessary. A The board of trustees of4a community college district shall operate within the limits5of the operating budget approved by the board of regents."6NEW SECTION.7effective July 1, 1989.

-End-

LC 1477/01

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# STATE OF MONTANA - FISCAL NOTE Form BD-15 In compliance with a written request, there is hereby submitted a Fiscal Note for <u>HB518</u>, <u>as introduced</u>.

# DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act entitled: "An act to revise the budget procedures for community colleges; to allow a community college to retain and expend student tuition and fee revenue in excess of a certain amount; amending Sections 20-15-310 and 20-15-312, MCA; and providing an effective date.

FISCAL IMPACT: No fiscal impact.

RAY/SHACKLEFORD, BUDGET DIRECTOR DATE OFFICE OF BUDGET AND PROGRAM PLANNING

JESSICA STICKNEY, PRIMARY SPONSOR DATE

Fiscal	Note	for_	HB518,	as	intro	duced
					HB	518

#### 51st Legislature

### HB 0518/02

#### APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

iontana Legislative Council

HOUSE BILL NO. 518
INTRODUCED BY STICKNEY, DEVLIN, JOHNSON, CODY, CONNELLY,
COHEN, SPAETH, PECK, HANSON, KASTEN, SCHYE, SMITH, OWENS,
R. NELSON, ZOOK, DARKO, NATHE, RUSSELL
A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE BUDGET
PROCEDURES FOR COMMUNITY COLLEGES; TO ALLOW A COMMUNITY
COLLEGE TO RETAIN AND EXPEND STUDENT TUITION AND FEE REVENUE
IN-EXCESS-OF-A-CERTAIN-AMOUNT; AMENDING SECTIONS 20-15-310
AND 20-15-312, MCA; AND PROVIDING AN EFFECTIVE DATE."
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
(Refer to Introduced Bill)
(Refer to Introduced Bill) Strike everything after the enacting clause and insert:
Strike everything after the enacting clause and insert:
Strike everything after the enacting clause and insert: Section 1. Section 20-15-310, MCA, is amended to read:
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Strike everything after the enacting clause and insert: Section 1. Section 20-15-310, MCA, is amended to read: "20-15-310. Appropriation. It is the intent of the legislature that all community college spending, other than from restricted funds or funds generated by an optional, voted levy, be controlled-under governed by the provisions of this part and the state general appropriations act. The unrestricted-budget-shall state general fund appropriation
Strike everything after the enacting clause and insert: Section 1. Section 20-15-310, MCA, is amended to read: "20-15-310. Appropriation. It is the intent of the legislature that all community college spending, other than from restricted funds or funds generated by an optional, voted levy, be controlled-under governed by the provisions of this part and the state general appropriations act. The unrestricted-budget-shall state general fund appropriation must be based on a calculated dollar amount per full-time

Section 2. Section 20-15-312, MCA, is amended to read: "20-15-312. Calculation and approval of operating budget. (1) Annually by June 15, the board of trustees of a community college shall submit an operating budget to the board of regents for their review. The operating budget of the community college shall must be financed in the following manner:

8 (a) General---fund--appropriation. The general fund 9 appropriation shall <u>must</u> represent a specific percentage of 10 the total-unrestricted-budget-authorized-by-the-legislature 11 and-approved-by-the-regents <u>calculated dollar amount per</u> 12 <u>full-time equivalent student</u>. This percentage shall <u>must</u> be 13 specified in the appropriations act appropriating funds to 14 the community colleges for each biennium.

15 (b) An-estimate-of-revenues-to-be-generated-by-student tuition---and--fees,--and--all--other--unrestricted--income, 16 17 revenues--or-balances-shall-be-added-to--the--state--general 18 fund--appropriation--and-the-total-subtracted-from-the-total 19 unrestricted-budget--The-difference-shall-be-obtained--by--a 20 mandatory--levy. The mandatory levy amount must represent a specific percentage of the calculated dollar amount per 21 full-time equivalent student. This percentage must be 22 specified for each community college by the board of 23 trustees of the district and approved by the board of 24 25 regents.

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HB 518 SECOND READING

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1 (c) The funding obtained in subsection <u>subsections (a)</u> 2 <u>and (b) of subsection (1) plus the revenue derived from</u> 3 <u>tuition and fee schedules approved by the board of regents</u> 4 <u>and unrestricted income from any other source</u> is the amount 5 of the unrestricted budget. A detailed expenditure schedule 6 for the unrestricted budget shall <u>must</u> be submitted to the 7 board of regents for their review and approval.

8 (d) The amount estimated to be raised by the voted
9 levy shall <u>must</u> be detailed separately in an expenditure
10 schedule.

11 (e) The spending of each restricted funding source12 shall be detailed separately in an expenditure schedule.

(f) The expenditure schedules provided in subsections
(c), (d), and (e) of subsection (1) shall must represent the
total operating budget of the community college.

16 (g)--If--revenues--to--the--unrestricted--budget-exceed 17 estimates7-the-excess-shall-be-used-to-reduce-the--mandatory 18 levy-in-the-subsequent-year-

(2) The board of regents shall review the proposed
total operating budget and all its components and make any
changes it determines necessary. A <u>The</u> board of trustees of
a community college district shall operate within the limits
of the operating budget approved by the board of regents."
<u>NEW SECTION.</u> Section 3. Effective date. [This act] is
effective July 1, 1989.

-End--3- HB 518

#### HB 0518/02

1	HOUSE BILL NO. 518	1	Sectio
2	INTRODUCED BY STICKNEY, DEVLIN, JOHNSON, CODY, CONNELLY,	2	20-1
3	COHEN, SPAETH, PECK, HANSON, KASTEN, SCHYE, SMITH, OWENS,	3	budget. (1
4	R. NELSON, ZOOK, DARKO, NATHE, RUSSELL	. 4	community of
5		5	board of
6	A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE BUDGET	6	the commu
7	PROCEDURES FOR COMMUNITY COLLEGES; TO ALLOW A COMMUNITY	7	following r
8	COLLEGE TO RETAIN AND EXPEND STUDENT TUITION AND FEE REVENUE	8	(a) (
9	IN-EXCESS-OF-A-CERTAIN-AMOUNT; AMENDING SECTIONS 20-15-310	9	appropriat
10	AND 20-15-312, MCA; AND PROVIDING AN EFFECTIVE DATE."	10	the total
11		11	and-approv
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	12	<u>full-time</u>
13	(Refer to Introduced Bill)	13	specified
14	Strike everything after the enacting clause and insert:	14	the commun
15	Section 1. Section 20-15-310, MCA, is amended to read:	15	(b)
16	<b>"20-15-310. Appropriation.</b> It is the intent of the	16	tuition
17	legislature that all community college spending, other than	17	revenues;-
18	from restricted funds or funds generated by an optional,	18	fundappr
19	voted levy, be controlled-under governed by the provisions	19	unrestrict
20	of this part and the state general appropriations act. The	20	mandatory-
21	unrestricted-budget-shall state general fund appropriation	21	specific p
2 2	must be based on a calculated dollar amount per full-time	22	full-time
23	equivalent student. The student count may not include those	23	specified
24	enrolled in community service courses as defined by the	24	trustees
25	board of regents."	25	regents.

Nontana Legislative Council

Section 2. Section 20-15-312, MCA, is amended to read: "20-15-312. Calculation and approval of operating budget. (1) Annually by June 15, the board of trustees of a community college shall submit an operating budget to the board of regents for their review. The operating budget of the community college shall must be financed in the following manner:

8 (a) General---fund--appropriation. The general fund 9 appropriation shall <u>must</u> represent a specific percentage of 10 the total-unrestricted-budget-authorized-by-the-legislature 11 and-approved-by-the-regents <u>calculated dollar</u> amount per 12 <u>full-time equivalent student</u>. This percentage shall <u>must</u> be 13 specified in the appropriations act appropriating funds to 14 the community colleges for each biennium.

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1 (c) The funding obtained in subsection <u>subsections (a)</u> 2 <u>and (b) of subsection (1) <u>plus the revenue derived from</u> 3 <u>tuition and fee schedules approved by the board of regents</u> 4 <u>and unrestricted income from any other source</u> is the amount 5 of the unrestricted budget. A detailed expenditure schedule 6 for the unrestricted budget shall <u>must</u> be submitted to the 7 board of regents for their review and approval.</u>

8 (d) The amount estimated to be raised by the voted
9 levy shall must be detailed separately in an expenditure
10 schedule.

11 (e) The spending of each restricted funding source12 shall be detailed separately in an expenditure schedule.

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16 (g)--ff--revenues--to--the--unrestricted--budget-exceed 17 estimates;-the-excess-shall-be-used-to-reduce-the--mandatory 18 levy-in-the-subsequent-year;

(2) The board of regents shall review the proposed
 total operating budget and all its components and make any
 changes it determines necessary. A The board of trustees of
 a community college district shall operate within the limits
 of the operating budget approved by the board of regents."
 <u>NEW SECTION.</u> Section 3. Effective date. [This act] is

25 effective July 1, 1989.

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-End-

HB 518

## SENATE STANDING COMMITTEE REPORT

March 27, 1989

MR. PRESIDENT: We, your committee on Education and Cultural Resources, having had under consideration HB 518 (third reading copy -- blue), respectfully report that HB 518 be amended and as so amended be concurred in. Sponsor: Stickney (Nathe) 1. Page 1, line 22. Strike: "calculated dollar" Insert: "budget" 2. Page 1, line 23. Following: first "student" Insert: ", as determined by the legislature" 3. Page 2, line 11. Strike: "calculated dollar" Insert: "budget" 4. Page 2, line 12. Following: "student" Insert: ", as determined by the legislature" 5. Page 2, line 14. Following: "biennium." Insert: "This percentage does not apply to any portion of the unrestricted budget in excess of the budget amount per fulltime equivalent student, as determined by the legislature." 6. Page 2, line 21. Strike: "calculated dollar" Insert: "budget" 7. Page 2, line 22 Following: "student" Insert: ", as determined by the legislature" AND AS AMENDED BE CONCURRED IN Signed: I Whan

Hammond, Chairman

SENATE HB 518

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HB 0518/03

HOUSE BILL NO. 518 board of regents." 1 INTRODUCED BY STICKNEY, DEVLIN, JOHNSON, CODY, CONNELLY, 2 Section 2. Section 20-15-312, MCA, is amended to read: COHEN, SPAETH, PECK, HANSON, KASTEN, SCHYE, SMITH, OWENS, "20-15-312. Calculation and approval of operating 3 R. NELSON, ZOOK, DARKO, NATHE, RUSSELL 4 budget. (1) Annually by June 15, the board of trustees of a 5 community college shall submit an operating budget to the A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE BUDGET board of regents for their review. The operating budget of 6 PROCEDURES FOR COMMUNITY COLLEGES; TO ALLOW A COMMUNITY the community college shall must be financed in the 7 COLLEGE TO RETAIN AND EXPEND STUDENT TUITION AND FEE REVENUE 8 following manner: **IN-EXCESS-OP-A-CERTAIN-AMOUNT: AMENDING SECTIONS 20-15-310** 9 (a) General--fund--appropriation. The general AND 20-15-312, MCA; AND PROVIDING AN EFFECTIVE DATE." 10 appropriation shall must represent a specific percentage of 11 the total-unrestricted-budget-authorized-by-the--legislature BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 12 and--approved-by-the-regents calculated-dellar BUDGET amount (Refer to Introduced Bill) 13 per full-time equivalent student, AS DETERMINED BY THE Strike everything after the enacting clause and insert: 14 LEGISLATURE. This percentage shall must be specified in the Section 1. Section 20-15-310, MCA, is amended to read: 15 appropriations act appropriating funds to the community "20-15-310. Appropriation. It is the intent of the 16 colleges for each biennium. THIS PERCENTAGE DOES NOT APPLY legislature that all community college spending, other than 17 TO ANY PORTION OF THE UNRESTRICTED BUDGET IN EXCESS OF THE from restricted funds or funds generated by an optional. 18 BUDGET AMOUNT PER FULL-TIME EQUIVALENT STUDENT, AS voted levy, be controlled-under governed by the provisions 19 DETERMINED BY THE LEGISLATURE. of this part and the state general appropriations act. The 20 (b) An~estimate-of-revenues-to-be-generated-by-student unrestricted-budget-shall state general fund appropriation 21 tuition--and--fees,--and--all--other--unrestricted---income; must be based on a calculated--dollar BUDGET amount per

22 revenues,---or---balances---shall-be-added-to-the-state-general 23

fund-appropriation-and-the-total-subtracted-from--the--total

24 unrestricted--budget---The-difference-shall-be-obtained-by-a

25 mandatory-levy; The mandatory levy amount must represent a

-2-

REFERENCE BILL

Montana Legislative Council

full-time equivalent student, AS DETERMINED BY THE

LEGISLATURE. The student count may not include those

enrolled in community service courses as defined by the

HB 0518/03

fund

1 specific percentage of the calculated-dollar BUDGET amount per full-time equivalent student, AS DETERMINED BY THE 2 3 LEGISLATURE. This percentage must be specified for each 4 community college by the board of trustees of the district 5 and approved by the board of regents. 6 (c) The funding obtained in subsection subsections (a) 7 and (b) of subsection (1) plus the revenue derived from 8 tuition and fee schedules approved by the board of regents 9 and unrestricted income from any other source is the amount 10 of the unrestricted budget. A detailed expenditure schedule for the unrestricted budget shall must be submitted to the 11 12 board of regents for their review and approval.

13 (d) The amount estimated to be raised by the voted
14 levy shall must be detailed separately in an expenditure
15 schedule.

16 (e) The spending of each restricted funding source17 shall be detailed separately in an expenditure schedule.

18 (f) The expenditure schedules provided in subsections
19 (c), (d), and (e) of subsection (1) shall must represent the
20 total operating budget of the community college.

21 (g)--If-revenues--to--the--unrestricted--budget--exceed 22 estimates7--the-excess-shall-be-used-to-reduce-the-mandatory 23 levy-in-the-subsequent-year7

24 (2) The board of regents shall review the proposed25 total operating budget and all its components and make any

HB 0518/03

changes it determines necessary. A <u>The</u> board of trustees of
 a community college district shall operate within the limits
 of the operating budget approved by the board of regents."
 <u>NEW SECTION.</u> Section 3. Effective date. [This act] is
 effective July 1, 1989.

-End-

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-4-

HB 518