

SENATE BILL 104

Introduced by Jergeson, et al.

1/13	Introduced
1/13	Referred to Education & Cultural Resources
1/14	Fiscal Note Requested
1/27	Fiscal Note Received
1/30	Fiscal Note Printed
2/13	Hearing
	Died in Committee

1 *Senate* BILL NO. *104*
2 INTRODUCED BY *Jorgeson Selby Mong Blair*
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO DEFINE A BASIC
5 SYSTEM OF FREE QUALITY PUBLIC SCHOOL EDUCATION AS REQUIRED
6 BY THE 1972 MONTANA CONSTITUTION AND TO LINK THE DEFINITION
7 TO FOUNDATION PROGRAM AND OTHER SCHOOL FUNDING; AND AMENDING
8 SECTION 20-9-301, MCA."
9

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

11 **Section 1.** Section 20-9-301, MCA, is amended to read:

12 "~~20-9-301. Purpose and definition of~~ Basic system of
13 education -- foundation program -- and general fund. (1) For
14 the purposes of this section, the term "basic system of free
15 quality public school education" includes:

16 (a) the basic instructional program defined and
17 specified by the accreditation standards adopted by the
18 board of public education as provided in 20-7-111;

19 (b) salaries and mandated employee benefits for the
20 certified and noncertified employees employed by a district
21 to execute the basic instructional program and any mandated
22 special education program;

23 (c) resources and equipment required to provide the
24 basic instructional program, including but not limited to
25 textbooks, supplies, and media materials;

1 (d) staff development and in-service training required
2 to execute the basic instructional program in an effective
3 and efficient manner;

4 (e) cocurricular and extra curricular programs adopted
5 in the general fund budget of a district to enhance pupil
6 utilization of the basic instructional program and the
7 school experience;

8 (f) physical plant maintenance and operation, which
9 includes funds used for the insurance, improvement,
10 equipping, renovating, or repairing of school buildings or
11 school facilities, but does not include funds used for
12 acquisition of land or new construction of school buildings
13 or facilities; and

14 (g) transportation to and from public schools as
15 required under the provisions of this title.

16 (2) A uniform basic system of free quality public
17 schools school education sufficient for the education equal
18 educational opportunity of and--open--to all school age
19 children of the state shall be established and maintained
20 throughout the state of Montana. The state shall aid in the
21 support of its several school districts on the basis of
22 their financial need as measured by the foundation program
23 and in--the--manner other school equalization programs
24 established in this title.

25 {2}(3) The principal budgetary vehicle for achieving

LC 0269/01

1 the ~~minimum~~ financing as established by the foundation
2 program shall be the general fund of the district. The
3 purpose of the general fund shall be to finance those
4 ~~general--maintenance-and-operational~~ costs of a basic system
5 of education of a district as defined in subsection (1) and
6 not financed by other funds established for special purposes
7 in this title.

8 {3}(4) The amount of the general fund budget for each
9 school fiscal year ~~shall~~ may not exceed the financing
10 limitations established by this title ~~but--shall~~ and may not
11 be no less than the amount established by law as the
12 foundation program. The general fund budget shall be
13 financed by the foundation program revenues and may be
14 supplemented by the permissive levy and additional voted
15 levies in the manner provided by law."

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB104, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an Act entitled " An Act to define a basic system of free quality public school education as required by the 1972 Montana Constitution and to link the definition to Foundation Program and other school funding; and amending Section 20-9-301, MCA."

ASSUMPTIONS:

1. SB104 establishes a definition of basic education, but does not establish funding levels.
2. SB104 lists the expenditure categories to be included in the Foundation Program--General Fund.
3. Retirement, insurance, and transportation costs are added to the General Fund.
4. Current expenditure categories are retained with the exception of non-mandated employee benefits.

FISCAL IMPACT:

SB104 establishes a definition, but does not address the funding component; therefore, the fiscal impact could not be estimated.

EFFECT ON COUNTY:

Unable to estimate.

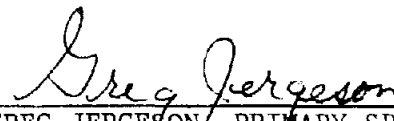
TECHNICAL DEFECTS:

1. Non-mandated employee benefits appear to be excluded from the Foundation Program--General Fund.
2. Current retirement, insurance, and transportation statutes have not been amended to reflect the changes in this legislation.



1/28/89

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



1/28/89

GREG JERGESON, PRIMARY SPONSOR DATE

Fiscal Note for SB104, as introduced

SB 104