

HOUSE BILL 3

Introduced by Boharski

6/15	Introduced
6/19	Referred to Education & Cultural Resources
6/20	Hearing Died in Committee

1 HOUSE BILL NO. 3
2 INTRODUCED BY BOHARSKI
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING BASIC SYSTEM
5 OF FREE QUALITY PUBLIC ELEMENTARY AND SECONDARY SCHOOLS;
6 DEFINING THE STATE'S SHARE OF SUPPORT FOR THE SYSTEM; AND
7 AMENDING SECTION 20-9-301, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Basic system of free quality
11 public elementary and secondary schools defined. As
12 prescribed by Article X, section 1, of the Montana
13 constitution and as used in this title, the term "basic
14 system of free quality public elementary and secondary
15 schools" means:

16 (1) the basic instructional program defined and
17 specified by the accreditation standards adopted by rule by
18 the board of public education, as provided in 20-2-121(7)
19 and 20-7-111, and subject to funding approval by the
20 legislature as provided in 20-2-115, including salaries and
21 benefits for certified and noncertified personnel and
22 resources and equipment sufficient to provide the basic
23 instructional program;

24 (2) transportation of eligible pupils to and from the
25 school of attendance, as required and provided for in this

1 title;

2 (3) maintenance and operation of physical facilities
3 sufficient to provide the basic instructional program,
4 including insurance, improvement, equipping, renovating, or
5 repairing of school buildings or other facilities but not
6 including acquisition of land or new construction of school
7 buildings or facilities; and

8 (4) other instructional programs specifically mandated
9 by federal or state law.

10 **Section 2.** Section 20-9-301, MCA, is amended to read:

11 "20-9-301. Purpose---and---definition Obligation to
12 provide basic system of schools -- state's share of cost --
13 purpose of foundation program and district general fund. (1)
14 A uniform basic system of free quality public elementary and
15 secondary schools ~~sufficient-for-the-education-of-and-open~~
16 to that provides equal educational opportunity for all
17 school age children of the state ~~shall~~ must be established
18 and maintained throughout the state of Montana. The state
19 shall ~~aid--in--the~~ provide support ~~of-its-several-school~~
20 ~~districts-on-the-basis-of-their-financial-need--as--measured~~
21 by for the basic elementary and secondary school system
22 through the foundation program and in--the--manner other
23 school equalization programs established in this title. The
24 state's share of the cost of providing a basic elementary
25 and secondary school system is determined by the foundation

1 program as provided in 20-9-303, special education allowable
2 costs as provided in 20-7-431 and 20-9-321, and
3 transportation schedule reimbursement as provided in Title
4 20, chapter 10, part 1.

5 (2) The principal budgetary vehicle for achieving the
6 minimum state's share of financing as established by the
7 foundation program ~~shall--be~~ is the general fund of the
8 district. The purpose of the general fund ~~shall--be~~ is to
9 finance those general maintenance and operational costs of a
10 district not financed by other funds established for special
11 purposes in this title.

12 (3) The amount of the general fund budget for each
13 school fiscal year ~~shall~~ may not exceed the financing
14 limitations established by this title but ~~shall--be--no~~ may
15 not be less than the amount established by law as the
16 foundation program. The general fund budget ~~shall~~ must be
17 financed by the foundation program revenues revenue and may
18 be supplemented by the permissive levy and ~~additional--voted~~
19 ~~levies-in-the-manner~~ as provided by law 20-9-353."

20 NEW SECTION. Section 3. Codification instruction.
21 [Section 1] is intended to be codified as an integral part
22 of Title 20, chapter 9, and the provisions of Title 20,
23 chapter 9, apply to [section 1].

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