

HOUSE BILL 40

Introduced by Cobb

6/20	Introduced
6/21	Referred to Education & Cultural Resources
6/22	Hearing Died in Committee

1 HOUSE BILL NO. 40  
2 INTRODUCED BY CS

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A LEGISLATIVE  
5 OVERSIGHT COMMITTEE ON SCHOOL FUNDING IMPLEMENTATION;  
6 APPROPRIATING FUNDS FOR THE COMMITTEE'S USE; AND PROVIDING  
7 AN IMMEDIATE EFFECTIVE DATE."  
8

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

10 NEW SECTION. Section 1. Definition. As used in [this  
11 act], "committee" means the legislative oversight committee  
12 on school funding implementation created in [section 2].

13 NEW SECTION. Section 2. Legislative oversight  
14 committee on school funding implementation -- composition  
15 and appointment. (1) There is a legislative oversight  
16 committee on school funding implementation.

17 (2) The committee consists of 11 members, including:

18 (a) four members of the house of representatives  
19 appointed by the speaker of the house;

20 (b) four members of the senate appointed by the  
21 committee on committees of the senate;

22 (c) the superintendent of public instruction or his  
23 designee as an ex officio nonvoting member;

24 (d) a member of the board of public education as an ex  
25 officio nonvoting member; and

1 (f) the governor or his designee as an ex officio  
2 nonvoting member.

3 (3) No more than two legislative members from each  
4 house may be of the same political party. Legislative  
5 members must be appointed no later than July 14, 1989.

6 NEW SECTION. Section 3. Term of office -- vacancies.

7 (1) A committee member shall serve until the committee  
8 terminates as provided in [section 7].

9 (2) A vacancy on the committee must be filled in the  
10 same manner as the original appointment.

11 NEW SECTION. Section 4. Officers -- meetings --

12 quorum -- compensation. (1) The committee shall choose from  
13 its membership a chairman and vice chairman.

14 (2) The committee shall meet upon the call of the  
15 chairman or at the request of any five members.

16 (3) Six members constitute a quorum to transact  
17 business.

18 (4) A legislative member is entitled to compensation  
19 as provided in 5-2-302.

20 NEW SECTION. Section 5. Duties of the committee. The

21 duties of the committee include but are not limited to:

22 (1) monitoring the implementation of school funding  
23 equalization, including:

24 (a) identification of any problems in implementation  
25 and of options for resolving these problems;

1 (b) continued analysis of school district budget and  
 2 expenditure data and of improvements in school district  
 3 accounting and reporting procedures; and  
 4 (c) examination of other issues related to  
 5 implementation;  
 6 (2) directing the following studies of issues related  
 7 to school funding equalization:  
 8 (a) school transportation equalization, including but  
 9 not limited to:  
 10 (i) mechanisms to equalize transportation funding; and  
 11 (ii) analysis of issues related to the costs and  
 12 efficiencies of school transportation, including  
 13 reimbursement schedules, load requirements, 3-mile limit,  
 14 transporting ineligible transportees, functions of the  
 15 county transportation committee, and school district  
 16 reporting and budgeting duties;  
 17 (b) school district capital outlay and debt service  
 18 equalization, including but not limited to:  
 19 (i) analysis of school district funds and budgets for  
 20 various school district capital outlay and debt service  
 21 obligations;  
 22 (ii) options for equalizing school district capital  
 23 outlay and debt service obligations; and  
 24 (c) continued study of issues related to equalization,  
 25 including but not limited to comprehensive insurance,

1 uncollected taxes, tuition, student-based funding  
 2 distribution methods, special education funding, and federal  
 3 Public Law 81-874 revenue, especially as it pertains to  
 4 revenue not linked to Native American students;  
 5 (3) ongoing analysis of revenue sources related to  
 6 school funding;  
 7 (4) holding discussions with any party contemplating  
 8 litigation regarding compliance with the rulings by the  
 9 supreme court and district court on school funding  
 10 equalization; and  
 11 (5) reporting its findings, options for legislative  
 12 consideration, and any proposed legislation to the governor  
 13 and the 52nd legislature.  
 14 NEW SECTION. Section 6. Staff assistance. The  
 15 committee may request the following governmental entities to  
 16 provide staff assistance to the committee:  
 17 (1) the office of public instruction;  
 18 (2) the governor's office of budget and program  
 19 planning;  
 20 (3) the board of public education;  
 21 (4) the legislative council;  
 22 (5) the office of the legislative fiscal analyst; and  
 23 (6) the office of the legislative auditor.  
 24 NEW SECTION. Section 7. Termination. [This act]  
 25 terminates December 31, 1990.

1        NEW SECTION.   **Section 8.**   **Appropriation.**   There   is  
2   appropriated from the general fund \$20,000 to the  
3   legislative council for the biennium ending June 30, 1991,  
4   for use by the committee.

5        NEW SECTION.   **Section 9.**   **Effective date.**   [This act] is  
6   effective on passage and approval.

-End-