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House BILL NO. *546*

INTRODUCED BY *Susan Smith* *Alan Jare*
Keenan *Hayne* *Wells* *Tim Denny* *Slita* *Jim E.*

A BILL FOR AN ACT ENTITLED: "AN ACT RESTRICTING STATE PARTICIPATION IN CERTAIN FEDERAL EDUCATIONAL PROGRAMS UNLESS AUTHORIZED BY STATUTE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, the state has become too dependent on federal funding; and

WHEREAS, the federal government consistently develops and funds programs and later reduces or withdraws the funding; and

WHEREAS, education is the responsibility of state and local government.

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

NEW SECTION. **Section 1. Restriction on participation in federal programs.** A state agency may not participate in the provisions of Public Law 103-227 unless the participation is authorized by statute.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 20, chapter 1, part 2, and the provisions of Title 20, chapter 1, part 2, apply to [section 1].

NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0546, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

AN ACT RESTRICTING STATE PARTICIPATION IN CERTAIN FEDERAL EDUCATIONAL PROGRAMS UNLESS AUTHORIZED BY STATUTE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

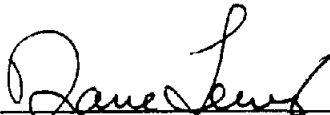
ASSUMPTIONS:

- Public Law 103-227 is known as "Goals 2000- Educate America Act." The Office of Public Instruction has requested and the Governor has recommended the appropriation of \$2,603,988 for FY96 and \$3,327,319 for FY97 for flow-through monies for schools and \$289,332 for FY96 and \$332,731 for FY97 for administration of the program.

	FY 1996	FY 1997
Distribution to Schools	\$2,603,998	\$3,327,319
OPI Administration	<u>\$ 289,332</u>	<u>\$ 332,731</u>
	\$2,893,320	\$3,660,050

- HB 546 states that a state agency may not participate in the provisions of Public Law 103-227 unless the participation is authorized by statute. If the legislature does not authorize the participation of the Office of Public Instruction in the federal Goals 2000-Educate America Act, the state will give up \$6,553,370 for the 1997 biennium.

FISCAL IMPACT: If the legislature does not authorize the appropriation for Goals 2000, the state will give up \$6,553,370 in federal funding for the 1997 biennium. Ten percent of these monies would be used for state administration; 90% would be distributed to public schools.

 2-16-95
 DAVE LEWIS, BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

 SUSAN SMITH, PRIMARY SPONSOR DATE
 Fiscal Note for HB0546, as introduced

HB 546