

# K-12 EDUCATION

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## 2007 LEGISLATIVE REGULAR AND SPECIAL SESSIONS

### SUMMARY OF LEGISLATION RELATED TO K - 12 EDUCATION

#### PREPARED BY:



OFFICE OF PUBLIC INSTRUCTION



MONTANA ASSOCIATION OF BUSINESS OFFICIALS



MONTANA RURAL EDUCATION ASSOCIATION



MONTANA SCHOOL BOARDS ASSOCIATION



SCHOOL ADMINISTRATORS OF MONTANA



MEA-MFT

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**PLEASE NOTE:** This document contains brief summaries of bills relating to K-12 education that were considered by the Montana Legislature during the 2007 regular and special sessions. The summaries are not offered as legal advice nor as a definitive interpretation of these bills. For a more comprehensive understanding of these laws, please consult the original legislation and/or one of the associations that participated in developing these summaries.

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# ACCREDITATION/CURRICULUM

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## **HB 121 Bill McChesney**

**Clarify DOT duties for driver education programs**

**Chapter: 8                                      Effective Date: 10/1/07**

HB 121 clarifies the responsibility of the Department of Transportation to cooperate with the Office of Public Instruction (OPI) in supporting and maintaining driver training facilities as part of the administration of the Montana Highway Traffic Safety Program.

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## **SB 538 Jim Elliott**

**Establish bill of rights day**

**Chapter: 477                                      Effective Date: 10/1/07**

SB 538 establishes a Bill of Rights Day for the State of Montana on December 15 of each year to commemorate the day in 1791 when three-fourths of the states ratified the Bill of Rights as part of the U.S. Constitution.

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## **SJ 12 John Brueggeman**

**Encourage international education to Board of Regents**

SJ 12 is a resolution by the Montana Legislature encouraging international education to ensure that students and future leaders are prepared to meet the challenges of a global society.

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## **Failed Legislation -- Accreditation/Curriculum**

### **HB 181 Mike Jopek**

2 additional PIR days -- content decided by local board

### **HB 612 Teresa Henry**

Create responsible sexual health program

### **HB 615 Edward Butcher**

SAT required for student graduation and school funding

### **HB 702 Rick Jore**

Reject No Child Left Behind Act

### **HB 716 Mike Jopek**

Local food education and market grant program

### **HB 796 Roger Koopman**

Revise education laws

### **HJ 21 Robin Hamilton**

Encourage science curriculum on sound scientific principles

**SB 228 Jesse Laslovich**

Revise laws on driver education courses

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**APPROPRIATIONS**

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**HB 3 Eve Franklin**

**Supplemental appropriations**

**Chapter: 301                      Effective Date: 4/27/07**

HB 3 gives the OPI additional appropriation authority to complete FY 2007 payments for state-paid tuition and state transportation aid to K-12 schools. State-paid tuition is appropriated an additional \$200,000 and state transportation aid is appropriated an additional \$380,000.

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**HB 4 John Musgrove**

**Appropriations normally made by budget amendment**

**Chapter: 302                      Effective Date: 4/27/07**

HB 4 continues budget authority for OPI for several federal programs that are still active in the 2009 biennium. All remaining fiscal year 2007 federal budget amendment authority for the Jobs and Growth Tax Relief Reconciliation Act fund is authorized to continue into federal fiscal year 2009 for: technical assistance for the No Child Left Behind Act, recognizing American Indian cultural heritage, and Reading First.

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**HB 21 Penny Morgan**

**Revision of revenue estimating resolution for special sessions**

**Chapter: 5                        Effective Date: 2/13/07**

HB 21 allows the revenue and transportation interim committee of the legislature to prepare, for introduction during a special session of the legislature, an estimate of the amount of projected revenue.

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**HB 811 Jack Wells**

**Traditional arts and crafts state special revenue account**

**Chapter: 289                      Effective Date: 4/26/07**

HB 811 establishes a special revenue fund to purchase traditional arts and crafts by American Indian master artists. This bill allows the Montana Arts Council to purchase and sell traditional American Indian arts and crafts and requires the Department of Fish, Wildlife, and Parks to deposit the money they have already received with the Montana Arts Council to purchase traditional arts and crafts by American Indian master artists.

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**Special Session HB 2 Edith Clark**

**General appropriations act**

**Chapter: 5                        Effective Date: 7/1/07**

Special Session HB 2 contains the majority of state agency appropriations for the biennium beginning July 1, 2007. The appropriations include \$821.1 million in FY 2008 and \$799.3 million in FY 2009 for distributions of state and federal aid to local education agencies.

The following summary includes appropriations that were increased above the FY2006 base expenditures:

## **K-12 EDUCATION, HB 2:**

- **K-12 Base Aid, including Full-Time Kindergarten**

Appropriates \$515.121 million in FY 2008 and \$525.803 million in FY 2009 for K-12 BASE aid to implement SB 2 (special session May 2007) and other legislation that affects state support for K-12 schools. The appropriations increase the state K-12 BASE aid payments to schools by \$230.945 million in the 2009 biennium above the FY 2006 base budget level. Compared to the FY 2007 funding levels, the K-12 BASE aid appropriation is increased by \$112.675 million. The distributions to school districts that are included in the K-12 BASE aid appropriations are the basic and per-ANB entitlements, guaranteed tax base aid, quality educator payments, Indian Education for All payments, American Indian Achievement Gap payments, and school district audit payments.

- **Transportation Aid**

Appropriates \$12.473 million in FY 2008 and \$12.573 million in FY 2009 for state reimbursements to school districts for pupil transportation. The appropriations increase the state payments for school district on-schedule transportation costs by \$760,000 in the 2009 biennium. Increased costs are primarily due to changes in the number of bus miles and the size of the buses approved by county school transportation committees.

- **Special Education**

Appropriates \$40.434 million in FY 2008 and \$41.647 million in FY 2009 for state special education payments to schools. The appropriations increase the state payment for special education allowable costs by \$1.720 million over the biennium to maintain the state's level of effort at the FY07 level as required by federal maintenance of effort provisions. In addition, it allows for inflationary increases of 2.76% (\$1.086 million) in FY 2008 and 3% (\$2.299 million) in FY 2009.

- **School Facility Payments**

Appropriates \$10.509 million in each year of the 2009 biennium for school facility payments to school districts that are eligible for guaranteed tax base aid and have outstanding bonded indebtedness. The appropriations increase state funding for school facility payments to schools by \$1.098 million in each year of the 2009 biennium.

- **Adult Basic Education**

Appropriates \$525,000 in each year of the 2009 for adult basic education programs. The appropriations increase the adult basic education payments by \$250,000 in each year of the 2009 biennium.

- **Gifted and Talented Grant Program – On-going and OTO**

Appropriates \$1.25 million in each year of the 2009 biennium for school district gifted and talented programs. Of this amount, \$250,000 is on-going funding and \$1 million is one-time only. The funds will be distributed through an application process in the same manner that gifted and talented funding is currently distributed.

- **HB 124 Block Grants**

Appropriates \$50.979 million in FY 2008 and \$51.367 million in FY 2009 for block grants to school districts and counties. These appropriations comply with the requirement in Section 20-9-630 which provides for an annual 0.76 percent increase in school district block grants. These block grants originated from HB 124 in the 2001 legislative session.

- **State Tuition Payments**

Appropriates \$606,138 in each year of the 2009 biennium for tuition payments to schools that enroll students placed by state agencies or courts under mandatory attendance agreements.

- **At-Risk Payment**

Appropriates \$5 million in each year of the 2009 biennium for at-risk student payments under 20-9-328 to the school district general funds. The monies are distributed to schools using the federal Title I formula.

- **Federal Grant Awards**

Appropriates \$139.285 million in FY 2008 and \$145.149 million in FY 2009 for distribution of federal education grant monies to school districts. The majority of this funding is provided to schools through the No Child Left Behind Act and the Individuals with Disabilities Education Act.

- **Full-Time Kindergarten Start-Up Costs – OTO**

Appropriates \$10 million in one-time only payments to school districts for full-time kindergarten start-up costs. The mechanism for distributing these one-time only monies for full-time kindergarten start-up costs is contained in SB 2.

- **Indian Education for All - OTO**

Appropriates \$1.5 million in one-time only payments for Indian Education for All to be deposited in the school district miscellaneous programs fund. The mechanism for distributing these one-time only monies is defined in SB 2. (This appropriation is in addition to the \$20.40 per-ANB of on-going funding provided under 20-9-329 to the school district general fund.)

- **Capital Investment and Deferred Maintenance - OTO**

Appropriates funding to school districts for capital investment and deferred maintenance contingent upon FY 2007 state general fund revenues exceeding the legislative revenue estimate. To the extent that the unaudited general fund revenue received in fiscal year 2007 exceeds \$1,762,355,000, the excess, up to \$30 million, is appropriated for distribution to schools for capital investment and deferred maintenance. The mechanism for distributing these one-time only monies is defined in SB 2.

## **OPI OPERATIONS AND TECHNICAL ASSISTANCE TO SCHOOLS**

- **OPI Curriculum Specialists**

Appropriates \$1.885 million to provide technical assistance to K-12 schools in curricular areas such as communication arts, mathematics, science, early childhood education, school library media, and middle school/at-risk programs. Funding is included for 6.0 FTE curriculum specialist positions to develop resources for teachers and administrators based on research-proven best practices in curriculum and classroom instruction, assist with the delivery of professional development, facilitate the revision of the state content and performance standards on the cycle adopted by the Board of Public Education, and assist with the development of model curriculum and assessment tools to measure students progress towards the standards.

- **Indian Education for All and Indian Education Achievement Gap**

Appropriates \$3.331 million over the biennium for OPI to work with educators to ensure that Indian Education for All is imbedded in classroom instruction and to assist schools in addressing the American Indian student achievement gap. Funding is provided for a statewide system of professional development to fully implement Indian Education for All at the school district level. Funding is also included for 1.0 FTE position for an Indian achievement gap specialist to gather data, analyze successful strategies, and provide technical assistance to improve Indian student achievement.

- **Indian Education for All Tribal History – OTO**

Appropriates \$475,000 to complete the Montana tribal history project that was begun in the 2007 biennium and to develop tribal history curriculum for use by K-12 schools. Of the total, \$25,000 is appropriated for each of the seven tribal colleges in Montana to complete its tribal histories; \$200,000 is for the Little Shell Tribal Nation to write its tribal history; and \$100,000 is for OPI to oversee the development of K-12 curriculum and materials from the tribal histories.

- **K-12 Education Data System**

Appropriates \$3.459 million over the biennium for the continuation of the Achievement in Montana (AIM) student information system, the electronic grants management system, and for the development of a school staffing information system to be used by K-12 public schools and the Office of Public Instruction. The 4.0 FTE positions that were initially approved by the 2005 legislature were reauthorized by the 2007 legislature as permanent positions.

- **Storage Area Network -OTO**

Appropriates one-time only monies of \$160,000 for replacement of OPI's storage area network (SAN). The appropriation covers the cost of equipment, software and fiber switches associated with the storage area network.

- **Federal Grant Award Adjustments**

Appropriates \$12.673 million in FY 2008 and \$12.737 million in FY 2009 for state level activities associated with federal programs administered by the Office of Public Instruction. The appropriations increase spending authority by \$1.767 million over the biennium in anticipation of increases in federal programs currently administered by OPI.

In addition to the appropriations in HB 2, OPI is statutorily appropriated from the state guarantee account an estimated \$50.0 million in FY 2008 and \$50.9 million in FY 2009 for K-12 BASE aid payments and an estimated \$3.8 million in FY 2008 and \$4.4 million in FY 2009 for grants for school technology purchases. Revenues for the state guarantee account are generated from state school trust lands. (The guarantee account is the first source of funding for K-12 BASE aid, and monies from the guarantee account offset expenditures that would otherwise be paid from the state general fund.)

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## **Failed Legislation -- Appropriations**

### **HB 002 John Sinrud**

General appropriations act

### **HB 515 William Glaser**

Funding for distance learning and related technologies

### **HB 566 Galen Hollenbaugh**

After-school capacity

### **HB 603 Veronica Small-Eastman**

Authorize and fund community-based family literacy

**HB 691 Dan Villa**

Create Montana Film Arts Program

**HB 700 Jonathan Windy Boy**

Fund college youth leadership

**HB 750 Franke Wilmer**

Provide funding for the revitalization of Montana tribal languages

**HB 807 Jack Wells**

Biennial funding for university system and community colleges

**HB 809 William Glaser**

Biennial funding for K-12 education and education related agencies

**HB 810 Jack Wells**

Fund account for teacher loan forgiveness program

**HB 820 Janna Taylor**

Biennial funding for certain executive branch agencies

**HB 830 Dave Kasten**

Appropriate money for construction and maintenance of public buildings and systems

**SB 565 Trudi Schmidt**

Clarify statutory authority for multiple appropriation bills



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## **AT-RISK YOUTH**

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### **HB 64 Edith Clark**

#### **Remove total care language from developmental disability commitment**

**Chapter: 122**

**Effective Date: 10/1/07**

HB 64 removes the requirement for an individual to have self-help deficits so severe as to require total care as a condition of being identified as “seriously developmentally disabled.” This revision applies to Department of Public Health and Human Services (DPHHS) placements in residential facilities for individuals with developmental disabilities.

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### **HB 98 Eve Franklin**

#### **Reduce out-of-home placements of children**

**Chapter: 123**

**Effective Date: 7/1/07**

HB 98 establishes a children’s system of care account in the state special revenue fund to help state agencies reduce out-of-home and out-of-community placements of children with multiagency service needs. Funds in this account can be used to reimburse in-state, community-based providers for the purpose of children’s care, protection, and mental, social, and physical development. Revenue for the account will generally come from existing appropriations transferred by state agencies.

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### **HB 117 Theresa Henry**

#### **Newborn hearing testing**

**Chapter: 251**

**Effective Date: 10/1/07**

HB 117 requires hospitals and health care facilities that provide obstetric services to perform newborn hearing screenings on infants and to report results to the DPHHS. Licensed audiologists conducting evaluations on infants identified in the screenings must also report their results to the department. The department is responsible for sharing information on infants diagnosed as hard of hearing with the Montana School for the Deaf and Blind.

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### **HB 154 Edith Clark**

#### **Community commitment for developmentally disabled**

**Chapter: 252**

**Effective Date: 10/1/07**

HB 154 revises commitment proceedings for individuals with developmental disabilities by allowing courts to order community treatment. The bill also clarifies certain procedures, timelines, and standards that must be followed when considering a commitment. Residential facility screening teams may not recommend commitment to community treatment plans unless the plan includes assurances for safety, effective habilitation services, available funding, and availability of qualified providers.

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**HB 162 Cynthia Hiner****Revise requirement for appointment of counsel for developmentally disabled****Chapter: 34****Effective Date: 10/1/07**

HB 162 removes the requirement that a parent, guardian or responsible person must first request the assignment of legal counsel before an individual with a serious developmental disability is committed to a residential facility. The court is now required to assign legal counsel for all commitments to residential facilities.

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**HB 195 Michael Lange****Revise developmental disabilities services****Chapter: 374****Effective Date: 7/1/07**

HB 195 provides the DPHHS \$156,640 in FY 2008 and \$161,320 in FY 2009 in one-time only funds to contract with school districts or to provide direct assistance to individuals to purchase community-based services. The funds are limited to individuals who are qualified to receive developmental disability services from the department and who have graduated from high school but have not turned 19 on or before September 10 in the school year or years following graduation.

Payments to school districts are available to serve these students provided that the trustees of the district voluntarily choose to admit the individual to school.

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**HB 286 Shannon Augare****Revise allocation of workforce training funds to high poverty areas****Chapter: 104****Effective Date: 7/1/07**

HB 286 revises the Big Sky Economic Development Program to encourage workforce development, training, and job creation in high poverty counties by providing targeted assistance, incentives, and more flexibility in rules governing programs in high poverty counties. The bill defines a high poverty county as a county in which 14% or more of the people are living in poverty.

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**HB 414 Michele Reinhart****Revise records regarding involuntary commitment of developmentally disabled****Chapter: 34****Effective Date: 10/1/07**

HB 414 protects the confidentiality of persons with developmental disabilities who have been committed to a residential facility by requiring that records concerning the individual are sealed prior to the release of the individual from the facility. The court may open a sealed record for good cause.

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**HB 769 Bob Lake****Require registration of alternative adolescent programs and rules for regulation****Chapter: 178****Effective Date: 4/10/07**

HB 769 updates the requirements of the Private Alternative Adolescent Residential and Outdoor Programs (PAARP) board that is administered through the Department of Labor and Industry (DLI). The PAARP board's purpose is to license and regulate private alternative adolescent residential or outdoor programs. The board

must write and adopt rules that address program criteria, licensing requirements, evaluation procedures for the license applications, and set fees for licensing. The PAARP board will license programs for one to three years and may also issue provisional licenses.

Programs are required to submit information and a set of fingerprints for each employee that has or will have direct access to program participants so that the board may conduct a background investigation.

It is unlawful to operate a program without a license. The types of programs that do not have to be licensed include: an organization, boarding school, or residential school with the sole focus on academics; residential training or vocational programs with a sole focus on education and vocational training; an organization, boarding school, or residential school that is an adjunct ministry of a church incorporated in the State of Montana.

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**SB 22 Dan Weinberg**

**Allow expansion of CHIP eligibility up to 175% of federal poverty level**

**Chapter: 490**

**Effective Date: 7/1/07**

SB 22 expands the eligibility criteria for the Children's Health Insurance Program (CHIP) to allow a child whose family has a combined income at or below 175% of the federal poverty level, or at a lower level determined by the DPHHS. Previously, the income requirement was 150% of poverty level or below.

This change potentially increases enrollment in the program by 2,100 children, contingent on availability of state and federal funding. The state cost was funded at \$877, 725 for FY 2008 and \$934,920 for FY 2009. The CHIP program is scheduled for federal reauthorization during federal fiscal year 2007, so Montana's federal allocation is not currently known.

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**SB 45 Dan Weinberg**

**Revise laws governing inpatient behavioral health facilities**

**Chapter: 116**

**Effective Date: 10/1/07**

SB 45 redefines "behavioral health inpatient facility" as a facility, or distinct part of a facility, with 16 beds or less providing secure inpatient psychiatric services to children or adults. The bill allows the DPHHS to license inpatient psychiatric care facilities and directs the department to establish health and safety standards for the facilities. SB 45 also allows licensed behavioral health inpatient facilities to admit a person for voluntary treatment.

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**SB 48 John Esp**

**Caretaker relative consent to medical care**

**Chapter: 393**

**Effective Date: 10/1/07**

SB 48 gives a relative caring for a child willfully surrendered to their care, the same authority as a custodial parent to consent to medical care for the child for which parental consent is usually required. SB 48 also prescribes the affidavit for caretaker relative medical authorization and specifically authorizes a caretaker relative to designate an adult in the school to administer glucagon or to consent to self-administration of asthma medication.

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**SB 49 John Esp****School enrollment by relative caretaker****Chapter: 442****Effective Date: 7/1/07**

SB 49 grants certain authority to a child's relative caretaker as defined in this bill. This includes the authority to enroll a child under the attendance with mandatory approval statute, discuss school-related matters, and consent to school-related medical care. SB 49 also lists exclusions for granting attendance under this provision. The bill also prescribes the form for the caretaker relative educational authorization affidavit.

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**SB 119 Lynda Moss****Clarify exchange of youth court record info with youth detention facilities****Chapter: 139****Effective Date: 10/1/07**

SB 119 allows sharing of formal or informal youth court records with a short-term detention center, a youth care facility, a youth assessment center, or a youth detention facility upon placement of a youth within the facility.

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**SB 146 Jim Shockley****Revise juvenile delinquency intervention act****Chapter: 398****Effective Date: 6/30/07**

SB 146 revises over 20 laws that apply to the Department of Corrections (DOC), the Supreme Court, and district courts mostly in areas of fiscal management of programs that serve juvenile delinquents. Revisions include:

- the function of youth placement committees;
- how juvenile placement funds are allocated;
- the responsibility of Youth Court to pay for medical and psychological evaluations; and
- clarification of the management of funds for prevention and intervention.

The biggest change is in the membership of the cost containment panel, which is an advisory board to Court Administration in regard to the expenditure of funds used for prevention. The duties of the cost containment review panel have been expanded to include establishing formulas for allocations to judicial districts, approving requests for allocations from the cost containment pool, and approving out of home placements, programs and services for youth.

SB 146 also clarifies various responsibilities as well as the relationship between the DOC and Youth Courts and provides increased accountability for use of funds. The stated purpose is to respond to juvenile delinquency through early intervention, control costs, enhance community safety while holding youth accountable, reduce out-of-state residential placements and use state youth correctional facilities when appropriate.

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**SB 164 Steve Gallus****Clarify role of counsel and guardian ad litem to prevent conflict of interest****Chapter: 184****Effective Date: 4/10/07**

SB 164 clarifies the responsibilities of assigned legal counsel to individuals who are incapacitated. Counsel that has been assigned to represent an incapacitated individual in proceedings to assign guardianship no longer has the powers and duties of a guardian ad litem.

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**SB 478 Dan Weinberg****Implement suicide prevention program****Chapter: 471****Effective Date: 7/1/07**

SB 478 requires the DPHHS to implement a suicide prevention program no later than January 1, 2008. The bill requires the department to employ a suicide prevention officer to coordinate prevention activities across state agencies, conduct statewide public awareness campaigns that are culturally appropriate, provide grants for suicide prevention activities, and provide training for professionals, including school personnel, on recognizing early warning signs of depression, mental illness, and suicide risk. The department is also required to establish a suicide crisis hot line that is available 24 hours a day 365 days a year.

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**Failed Legislation -- At-Risk Youth****HB 354 Mary Caferro**

Expand services for deaf children in schools

**HB 365 Bill Jones**

Fund voluntary mental health screening and suicide prevention program

**HB 387 Mary Caferro**

Increase CHIP eligibility level

**HB 404 Rick Jore**

Eliminate compulsory attendance laws

**HB 418 Roger Koopman**

Fund methamphetamine project

**HB 577 Mary Caferro**

Children's Health Care Act

**HB 580 Roger Koopman**

Create incentives for success program

**HB 651 Douglas Cordier**

Increase age of compulsory school attendance to 17

**HB 813 Veronica Small-Eastman**

Affordability and success for foster children in higher education

**SB 129 Trudi Schmidt**

Revise truancy laws

**SB 288 Trudi Schmidt**

Revise laws related to board of private adolescent programs

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# ELECTIONS

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## **HB 206 Pat Ingraham**

### **Revise county mill levy elections**

**Chapter: 170**

**Effective Date: 10/1/07**

HB 206 requires the ballots for school district and county elections that are subject to 15-10-425 to state either the amount of money and approximate mills to be raised by the levy or the specific number of mills and the approximate amount of money to be raised. The ballot must also state whether the levy is permanent or the duration of the levy.

This bill allows city-county governments, counties, and incorporated cities or towns to reduce their levy in a fiscal year and later impose the amount or number of mills approved on a ballot in a subsequent year. That provision of the bill does not apply to school districts.

The school district election statutes potentially affected by HB 206 are:

20-9-353: School district general fund over-BASE levy election. The levy authorized by a vote under 20-9-353 (as amended under HB 363) allows an increase of the amount of over-BASE tax levies. Logically, the ballot must state a dollar amount so that the general fund budget laws recognize the amount of the tax increase. The durational limit of the levy is permanent once approved by voters, assuming the district levies that amount each year thereafter. However, lowering over-BASE tax levies in any year will lower the amount of permissive over-BASE levies in subsequent years.

20-9-502: Building reserve levy election. The changes in HB 206 do not affect the current ballot requirements for building reserve levies, which include specific items listed in 20-9-502.

20-9-533: Technology acquisition and depreciation levy. Current law does not state a durational limit on a technology levy election, but HB 206 requires the ballot to be specific in the durational limit or permanency of the levy. Since the amount levied in a year is limited to 20% of the original cost of technology equipment, computers, and network access, and a district must not levy more than 150% of the original costs over time, the logical ballot language for this levy will state the dollar amount and approximate number of mills.

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## **HB 242 Rick Ripley**

### **Revise filing deadline for write in candidates**

**Chapter: 191**

**Effective Date: 10/1/07**

HB 242 allows a write-in candidate to file a declaration of intent no later than 5 p.m. on the 10<sup>th</sup> day before the date established under 13-13-205 on which a ballot must be available for absentee voting for the election.

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## **HJ 46 Diane Sands**

### **Interim study of election laws**

House Joint Resolution 46 calls for a comprehensive study to recommend cleanup and clarification of current election laws and to study possible revisions to permit all elections to be conducted by mail ballot. It also calls for draft legislation to be presented to the 61st Legislature for consideration.

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**SB 225 Lynda Moss****May choose new mill levy election date after legislative session****Chapter: 192****Effective Date: 4/11/07**

HB 225 allows trustees, in legislative years, to order an alternate date for a school election so that the electors can consider a proposition requesting additional funding under 20-9-353.

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**SB 502 Mike Cooney****Clarify polling place accessibility standards****Chapter: 228****Effective Date: 10/1/07**

SB 502 clarifies two standards for polling places: accessible or inaccessible. The law further requires an election administrator to request, in writing, an exemption from the standards of accessibility. The bill also describes the conditions under which such a request can be granted by the Secretary of State.

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**SB 517 Jerry Black****Revise time certain polling places are open****Chapter: 360****Effective Date: 10/1/07**

SB 517 provides that polling hours for a general election must conform to the hours for the school election as provided in 20-20-106, when the school and general election are held simultaneously in the same polling place.

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**Failed Legislation -- Elections****HB 686 Alan Olson**

Constitutional amendment to require that election be by majority vote

**HB 777 Edward Butcher**

Revise ballot issue laws

**HB 797 Duane Ankney**

Provide for an early presidential primary

**HB 841 Duane Ankney**

Revise election laws change primary election date

**SB 358 Lane Larson**

Allow any election to be conducted by mail

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## **EMPLOYMENT RELATIONS**

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### **HB 13 Jon Sesso**

#### **Pay plan for state employees**

**Chapter: 81                      Effective Date: 7/1/07**

HB 13 moves all state employees in Pay Plans 60 and 68 to the Broadband Pay Plan (PP 20). The bill provides most state employees with a 3% base salary increase on October 1, 2007 and 2008. It increases the longevity allowance from 1.5% to 2% after 10 years of uninterrupted state service. The bill provides funding (0.6%) for market progression, job performance, or employee competencies, etc. at the discretion of each agency. HB 13 also provides for an increase in employer contributions for group benefit costs to \$577 a month through December 2007, \$590 a month for 2008, and \$626 a month for January 2009 and each succeeding month.

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### **HB 62 Hal Jacobson**

#### **Authorize contributions of annual leave to sick leave fund**

**Chapter: 47                      Effective Date: 7/1/07**

HB 62 allows state employees to contribute annual vacation leave to the sick leave fund.

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### **HB 105 Jonathan Windy Boy**

#### **Revise training of state agency personnel on tribal issues**

**Chapter: 124                      Effective Date: 4/5/07**

HB 105 revises the laws relating to training of state agency managers and key employees (who have regular communication with tribes) on the legal status of tribes, the legal rights of tribal members, and social, economic and cultural issues of concern to tribes. At least annually, the Governor shall convene in Helena a working meeting with representatives of state agencies and tribal officials, including tribal presiding officers, to discuss tribal concerns with rules and policies that directly impact tribal government and tribal populations; other issues of concern to either the state or the tribes; and potential solutions to the concerns. By August 15 of each year, each state agency shall submit to the Governor a report for the prior fiscal year describing the activities of the state agency relating to tribal government and tribal populations. By September 15 of each year, the Governor shall provide to each tribal government a report with an overview of all state and tribal activities for the prior fiscal year.

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### **HB 125 Dave Kasten**

#### **Repay loan for startup costs of the defined contribution retirement plan**

**Chapter: 307                      Effective Date: 4/28/07**

In 1999, the legislature authorized the Department of Administration to use public debt to create an optional, defined contribution retirement system for PERS members. Estimates at the time of the bill's passage suggested that growing membership in the defined contribution plan would provide adequate administrative fees to retire the debt by the end of FY 2007. A total of \$1.8 million was initially loaned to the department to establish the defined contribution option under PERS. By January of 2007, only \$400,000 of the original debt had been retired. HB 125 authorizes the state to pay off the remaining \$1.4 million in outstanding obligations.



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**HB 129 Dave Gallik****Revise retirement laws to conform to federal law and decisions****Chapter: 128****Effective Date: 10/1/07**

HB 129 is a general housekeeping bill to ensure compliance with federal tax law, clarify the provisions for service purchase, clarify the period for members to elect the defined benefit or defined contribution plan, and make common sense corrections to existing statutes.

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**HB 131 Jon Sesso****Actuarial funding for MPERA retirement system****Chapter: 371****Effective Date: 7/1/07**

HB 131 increases the employer contribution to PERS by 0.27% of the compensation paid to all of a public employer's employees (except those excluded from PERS). Amendments to the bill implement the increase over 4 years. The bill also reduces the guaranteed annual benefit adjustment (GABA) from 3% to 1.5% for benefit recipients hired on or after July 1, 2007.

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**HB 665 Elsie Arntzen****License and regulate athletic trainers****Chapter: 388****Effective Date: 10/1/07**

HB 665 sets up a Board of Athletic Trainers and provides for licensing and regulating of athletic trainers. The bill contains exemptions for a school employee or volunteer providing a First Aid procedure and for an intern or student trainer. The bill also expressly does not prohibit "a coach, physical education teacher, athletic director, other school employee, or supervised volunteer from providing First Aid, preventative care, or continuous follow-up care of athletes and athletic injuries in a school setting."

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**HJ 7 John Ward****Urge determination and implementation of telecommuting**

HJ 7 is a joint resolution that urges agencies to identify functions that could be performed through telework and adopt policies and procedures to implement telework.

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**HJ 59 Dennis Himmelberger****Study public retirement systems**

HJ 59 directs the Legislative Council to study the PERS and produce a product that includes comparisons of plan design and funding options and offers findings and recommendations.

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**SB 89 Carol Williams****Provide for breast feeding in the work place****Chapter: 290****Effective Date: 10/1/07**

SB 89 requires that public employers have written policies in support of women who continue breastfeeding

after returning from maternity leave. Government employers will be required to make reasonable efforts to provide private areas and unpaid break time for working mothers to express breast milk.

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**SB 168 Larry Jent**

**Transfer public employee accrued leave into post-retirement health care**

**Chapter: 503**

**Effective Date: 7/1/07**

SB 168 allows public employees' conversion of annual vacation leave to an employee health care expense trust account (VEBA). All members of a VEBA group must agree to contribute annual leave for any member of the group to do so. This conversion will only be available on termination of employment.

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**SB 219 Joe Balyeat**

**Prohibit severance pay for state employees**

**Chapter: 341**

**Effective Date: 4/27/07**

SB 219 clarifies that, on termination of employment, a state employee may not receive severance pay, a bonus, or any other type of monetary payment except accumulated wages, vacation leave, sick leave, and compensatory time. The amended bill excludes payments for settlements of legal disputes, etc.

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**SB 342 Carolyn Squires**

**Fingerprint criminal background checks for social workers and counselors**

**Chapter: 460**

**Effective Date: 10/1/07**

SB 342 requires that applicants for initial licensure as social workers and professional counselors submit fingerprints for the purpose of fingerprint checks by the Montana Department of Justice and the Federal Bureau of Investigation. The criminal background check shall be used by the respective licensing board to determine whether the applicant should be awarded or denied a license. The bill does not affect individuals who are renewing an existing social worker or professional counselor license.

**See also: Teacher Recruitment and Retention**

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## **Failed Legislation -- Employment Relations**

**HB 159 Carol Lambert**

Increase employer contribution rates for PERB systems

**HB 163 Roger Koopman**

School volunteers and tax deduction

**HB 213 Jonathan Windy Boy**

Healthy workplace

**HB 338 Jill Cohenour**

Paid leave for certain state employees for disaster and emergency

**HB 498 Diane Sands**

Revise sick leave eligibility for public employees

**HB 513 Jack Wells**

Authorize termination at-will employment

**HB 530 Ken Peterson**

Require paid rest breaks for certain employees

**HB 553 Galen Hollenbaugh**

Injured worker choice of rehabilitation services

**HB 618 John Sinrud**

Establish statewide account for employee termination costs

**HB 679 Scott Sales**

Revise leave law for new public employees

**HB 792 Dennis Himmelberger**

Index postretirement GABA for future PERS and TRS members

**HB 827 Dennis Himmelberger**

Revise pension plans for new hires

**SB 113 Dave Lewis**

Increase meal reimbursement rates for state employees

**SB 255 Daniel McGee**

Restrict expenditure of public funds for employee benefits

**SB 258 Jim Shockley**

Deny licenses and license renewal to illegal aliens

**SB 355 David Wanzenried**

Unemployment for certain school employees between terms

**SB 360 Jim Peterson**

Allow at-will termination of employment that has no specified term of employment

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# GOVERNANCE

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## **HB 70 Edith Clark**

**Revise laws governing publication and distribution of administrative rules**

**Chapter: 88**

**Effective Date: 10/1/07**

HB 70 requires the Attorney General to prepare model rules of practices for agencies to use as a guide for contested case hearings and declaratory rulings. The bill also allows for sending rule adoption notices and adopted rules in electronic format unless a hard copy is requested.

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## **HB 132 Jon Sesso**

**Revise laws on access to state publications**

**Chapter: 95**

**Effective Date: 10/1/07**

HB 132 defines “state publication” and “depository library” and allows for maintaining permanent public access to state publications. These publications include information produced by a state agency or at the expense of an state agency that is intended for distribution outside the agency.

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## **HB 347 Scott Boggio**

**Revise law on school trustee letting contracts and bids**

**Chapter: 106**

**Effective Date: 3/30/07**

HB 347 amended 20-9-204 to raise the amount of a purchase for which a contract is required for building, furnishing, repairing, or other work for the benefit of the school district, or for purchasing supplies for a school district. The new threshold requiring a contract is \$50,000. School districts may, but are not required to, solicit bids for projects or purchases up to \$50,000. The previous amount of a purchase requiring a contract and bid process was \$25,000.

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## **HB 611 Hal Jacobson**

**Revise laws related to telecommunications access services**

**Chapter: 325**

**Effective Date: 4/28/07**

HB 611 updates laws that address telecommunications access services for persons with disabilities by clarifying that provisions of the law apply to all providers of telecommunications services including wireless and Internet protocol enabled communications services. The law also clarifies how fees used to fund specialized telecommunications equipment and relay services are assessed to service providers including prepaid wireless services; establishes requirements for providers to maintain records for collection of fees; and how fees collected by providers are managed and accounted.

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**HB 668 Wayne Stahl**  
**Revise criminal justice agency status of licensing boards**  
**Chapter: 389                      Effective Date: 10/1/07**

HB 668 gives licensing boards governed by Title 37 statutory authority to obtain a criminal background check as a prerequisite to the issuance of a license by requiring the applicant to submit fingerprints for checks by the Montana Department of Justice and the Federal Bureau of Investigation. This law affects licensed school professionals other than educators who are already required to submit fingerprints.

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**HB 744 Diane Rice**  
**Revise school district creation laws**  
**Chapter: 284                      Effective Date: 4/26/07**

HB 744 prohibits a petition to transfer territory to or from a K-12 district to be provided to a county superintendent unless both school boards and the county superintendents from the affected counties have agreed in writing.

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**HJ 45 Bill Thomas**  
**Study to examine options for state document systems to reflect actual names**

HJ 45 requests an interim study to identify issues and develop options to ensure that whenever state agency information technology systems are upgraded or replaced, state agencies use “best practices” and alternatives that record or present a person’s full legal name in a consistent format or manner. Any findings or recommendations are to be reported to the 61<sup>st</sup> Legislature.

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**SB 62 John Cobb**  
**Increase payment to advisory board members**  
**Chapter: 66                      Effective Date: 7/1/07**

SB 62 revises the law allowing daily pay compensation for individuals serving on advisory councils. The maximum daily payment for individuals who are not full-time public employees has increased from \$25 per day to \$50 per day. This amount is in addition to reimbursement at state rate for travel and per diem costs. The bill also provides for an inflationary adjustment for future increases in the daily pay compensation.

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**SB 177 Carolyn Squires**  
**Extend time for challenging agency actions**  
**Chapter: 211                      Effective Date: 10/1/07**

SB 177 extends the time period in which a petition may be filed with a district court to set aside an agency decision to thirty days from the date on which the petitioner learns, or reasonably should have learned, of the agency’s decision.

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**SB 266 Jim Shockley****Clarify school board member immunity****Chapter: 343****Effective Date: 4/28/07**

SB 266 clarifies that trustees of each district are individually immune from suit for damages when acting in their official capacity at a regular or special meeting of the board or a committee of the board.

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**SB 453 Jeff Essmann****Require licensing boards to provide public information regarding disciplinary actions****Chapter: 225****Effective Date: 1/1/09**

SB 453 requires the DLI to adopt rules for all boards and department programs to comply with public notice requirements when a hearing is being held to determine suspension or revocation of a professional license issued under the DLI's jurisdiction. The bill also requires the board or department to report subsequent action to the public when the public's right to know clearly exceeds a persons' right to privacy. This does not apply to educator licenses, but to other professions within a school setting such as occupational therapists, speech and language pathologists, professional counselors, etc.

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**SB 459 Jim Elliott****State government "buy American" products****Chapter: 226****Effective Date: 10/1/07**

SB 459 defines "American-made" and requires state agencies to give preference to a bidder, if any, offering American-made products or supplies, when there is a tie bid.

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**SB 485 John Brueggeman****Revise prohibition on mailing lists for certain professions and occupations****Chapter: 149****Effective Date: 10/1/07**

SB 485 allows an agency, board, bureau, commission, officer of the state or local government to compile and distribute a mailing list of persons holding professional or occupational licenses governed by Titles 23, 37 and 50 upon request. In the school setting, this would include occupational therapists, physical therapists, nurses, speech and language pathologists, etc.

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**Failed Legislation -- Governance****HB 312 Michael Lange**

Amend constitution to establish parental bill of rights

**HB 477 Holly Raser**

Revise law on transfer of information to schools from certain entities

**HB 693 Edward Butcher**

Electronic records, documents and communication preservation

**HB 694 Edward Butcher**

Revise fees for public documents and require timely response to requests

**HB 749 Jill Cohenour**

Government storage, display of social security numbers

**SB 33 Donald Steinbeisser**

Procedures governing social security numbers and computer security breaches

**SB 109 Rick Laible**

Clarify standing to challenge open meeting law violation

**SB 183 Rick Laible**

Clarify standing to challenge open meeting law violation

**SB 186 Dave Lewis**

School district access to health insurance loss information

**SB 256 Daniel McGee**

Revise regent's authority

**SB 257 Daniel McGee**

Elect board of education

**SB 410 Don Ryan**

Revise state holidays -- delete Columbus Day -- add September 11

**SB 458 Don Ryan**

Revise requirements for county superintendent of school

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## HIGHER EDUCATION

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### **HB 95 Alan Olson**

#### **Provide increase in employer contribution to optional retirement program**

**Chapter: 306**

**Effective Date: 7/1/07**

HB 95 provides a 1% increase in the state contribution to university system, TIAA-CREF retirement accounts. The increase provided by HB 95 will make Montana's retirement contribution more competitive and assist Montana higher education institutions to recruit and retain quality personnel.

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### **HB 283 Margaret Campbell**

#### **Increase amount for non-beneficiary students**

**Chapter: 255**

**Effective Date: 4/26/07**

HB 283 establishes \$3,024 as the maximum amount of financial assistance that a tribally controlled community college may receive annually from the Board of Regents for a resident nonbeneficiary student who is taking courses at the college. The limitation on financial assistance applies to students enrolled in courses for which credit is transferable to another Montana college or university.

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### **SB 12 Carol Williams**

#### **Revise community college funding**

**Chapter: 493**

**Effective Date: 7/1/07**

SB 12 is the culmination of work of the 2005-2006 interim Postsecondary Education Policy and Budget Committee to alter the state's funding formula for Montana's community colleges. SB 12 requires the legislature to establish both a fixed cost factor along with a per-student factor in funding community colleges. Prior to passage of SB 12, funding was completely dependent on student enrollments leading to budget shortfalls and program cuts when student numbers declined. SB 12 will establish a fixed cost factor that should help stabilize funding over time.

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### **SB 16 Bob Hawks**

#### **6-mill levy for university system referendum**

**Chapter: 82**

**Effective Date: 1/1/09 if approved by electorate**

SB 16 submits the 6-mill levy for support of the Montana University System to the electorate for reauthorization. If approved by Montana voters in November 2008, the 6-mills will be levied upon all taxable property for the support, maintenance, and improvement of the Montana university system beginning January 1, 2009 and terminating January 1, 2019.



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## **Failed Legislation -- Higher Education**

**HB 178 Franke Wilmer**

Revise laws and funding for university system

**HB 335 Sue Dickenson**

Appropriate funding for Great Falls College of Technology

**HB 525 Roger Koopman**

Encourage intellectual diversity in university system

**HB 614 Edward Butcher**

Require transferability of university system credits

**HJ 54 Jonathan Windy Boy**

Study credit transferability - all accredited institutions of higher education

**HJ 55 Roger Koopman**

Study intellectual diversity in Montana's university system

**SB 484 Jeff Essmann**

Fund MSU-Billings regional workforce training facility

**SB 566 Bob Hawks**

University system incentives and accountability measures

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# **SAFETY**

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## **HJ 42 Franke Wilmer**

### **Resolution for safe kids week**

HJ 42 notes the high frequency of childhood injuries and accidental death of children 14 years of age and younger and proclaims April 28 through May 5, 2007 as Safe Kids Week in Montana.

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## **SB 289 Steve Gallus**

### **Allow prescribed epinephrine use in school for severe allergies and anaphylaxis**

**Chapter: 346**

**Effective Date: 7/1/07**

SB 289 expands the circumstances under which a student may possess and self-administer medications to include severe allergies or anaphylaxis. Schools shall permit the possession or self-administration of prescribed medication by a pupil who has asthma, severe allergies, or anaphylaxis, provided the parents or guardians provide:

- written authorization acknowledging and agreeing to liability;
- a written statement from a licensed health care provider indicating dosage and circumstances for administration;
- documentation that the pupil has the skill necessary to self administer the medication; and
- a treatment plan for managing the asthma, severe allergies, or anaphylaxis during school hours.

The bill also requires that immediately after using epinephrine during school hours, a student shall report to the school nurse or other adult at the school who shall provide follow-up care, including making a 911 emergency call.

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## **SJ 16 Greg Lind**

### **Resolution for gun safety education for grades 1 through 3**

SJ 16 urges the OPI to encourage public and private schools to deliver each year the “Be Safe” program to all students in grades one through three. The resolution also asks the OPI to circulate copies of the resolution, statutory requirements for firearms safety education, and “Be Safe” program materials to all public and private schools in Montana. “Be Safe - Gun Safety for Boys and Girls in Montana” is published by the Montana Shooting Sports Association.

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## **Failed Legislation -- Safety**

### **HB 224 Jill Cohenour**

Require seat belts in new school buses

### **HB 239 Mike Phillips**

Increase fines for speeding in school zones -- require posting

### **HB 352 Debby Barrett**

Protect students from threats by other students

**HB 355 Carol Lambert**

Require background checks for commercial drivers transporting passengers

**HB 465 Rick Jore**

Revise medical and religious exemptions for immunization

**HB 479 Holly Raser**

Improve access to healthy school meals

**HB 733 Veronica Small-Eastman**

Cervical cancer immunization information for certain students

**SB 300 Mike Cooney**

Primary seatbelt and child passenger safety law

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# SCHOOL FINANCE

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## **HB 44 Bill McChesney**

### **Remove references to school bond contingency loan fund**

**Chapter: 14**

**Effective Date: 3/16/07**

HB 44 eliminates the school bond contingency loan fund. The contingency fund was established in 1992 at a time when the Montana Supreme Court had declared the school funding system unconstitutional and state funding had not yet been provided for school facility payments. In 1992, the legislature established a mechanism for providing state loans to school districts in the event that a school district is unable to make principal and interest payments on any school bonds (sold between January 1992 and January 1993) because the bond has been declared invalid or unenforceable by a court order on the grounds of a constitutional violation.

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## **HB 128 Arlene Becker**

### **Revise Attorney General's duties regarding public bonds and agreements**

**Chapter: 94**

**Effective Date: 10/1/07**

HB 128 removes requirements for school districts, community colleges, and other local governments to submit preliminary bond issuance proceedings to the Attorney General for review and approval. The bill repeals a requirement for full service education cooperatives (including special education cooperatives) to submit the cooperative contract for approval by the Attorney General. The Attorney General will no longer issue determinations as to whether a school district's bonds are affected by a court order declaring that the bonds of another district are invalid or unenforceable. This bill also repeals the requirement for textbook sellers to have their surety bond approved by the Attorney General.

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## **HB 363 John Ward**

### **Revise school budget laws**

**Chapter: 173**

**Effective Date: 4/10/07**

HB 363 amends the general fund budget limitations for K-12 school districts. Current budget limitations are replaced with a single set of limits that apply to all districts. Beginning in FY 2008, a district may adopt a general fund budget up to the previous year's adopted budget or the ensuing year's maximum budget level, whichever is higher.

The bill repeals separate voting requirements, which applied differently depending on whether a district adopts a budget that is over or under the maximum budget level, and applies a single voting requirement to all districts. For FY 2008, trustees must ask for voter approval to increase over-BASE taxes above the previous year's amount.

Trustees may add the increase in state funding for general fund payments under 20-9-327 through 20-9-330 (i.e., quality educator payment, at-risk student payment, Indian Education for All payment, and American Indian achievement gap payment) to the prior year's adopted budget for purposes of determining the general fund budget limitations.

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**HB 487 Cynthia Hiner****Revise threshold for local government audit****Chapter: 272****Effective Date: 10/1/07**

HB 487 increases the threshold for local governments, including school districts, to be audited. The current law requires school districts and other local governments to have an audit of each year in which the entity received more than \$200,000 of total revenue. This bill establishes the new threshold by reference to the level set by the federal Office of Management and Budget (OMB) under 31 U.S.C. 7502(a)(3). The effect is that the new threshold, when it becomes effective October 1, 2007, requires an audit if an entity received more than \$500,000 of total revenue for the year. (Section 7502(a)(3) requires that the director of OMB review the audit threshold every 2 years and may adjust the dollar amount if deemed necessary but may never adjust below \$300,000.) School districts that do not meet that threshold must have an audit review done every 4 years as directed by the OPI.

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**HB 609 Robin Hamilton****Requirements for dissolution of school district insurance fund****Chapter: 324****Effective Date: 4/27/07**

HB 609 requires that if a school district dissolves its self-insurance health plan, the reserves of the fund must be used only for employee health benefit costs as determined by a collective bargaining agreement or employer policy.

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**HB 672 William Glaser****Revise school bond laws****Chapter: 279****Effective Date: 7/1/07**

HB 672 allows an elementary or high school district to calculate its limit for bonded indebtedness as 50% of the district's taxable valuation. Previously, the limit was 45% of the taxable valuation. K-12 districts are limited to 100% of the district's taxable valuation. The ANB used in calculating the limit on indebtedness may be either the current year ANB or the 3-year ANB. The state and local funding for bonds is not affected by this bill.

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**HB 677 Elsie Arntzen****Fund after school programs****Chapter: 326****Effective Date: 7/1/07**

HB 677 provides a biennial appropriation of \$250,000 from the general fund to the Board of Crime Control to provide grants to sustain funding for existing prevention and after school programs for at-risk youth. The Board of Crime Control is authorized to leverage these funds with federal or private funds.

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**HB 738 Scott Mendenhall****Revise work comp law for claim closure and medical service rates****Chapter: 330****Effective Date: 7/1/07**

HB 738 revises workers' compensation laws by providing that the DLI may not set the rate for medical services at a rate greater than 10% above the average of the conversion factors used by the top 5 insurers or third party

administrators providing disability insurance within this state who use the resource based relative value scale to determine fees for covered services; modifying department procedures for establishing fee schedules for services and prescription drugs; and providing for utilization and treatment guidelines to be established by rule.

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**SB 108 Vicki Cocchiarella**

**Revise work comp laws -- IC -- medical fees -- impaired insurers, etc.**

**Chapter: 117**

**Effective date: 7/1/07**

SB 108 generally revises workers' compensation law by:

- requiring insurers to notify the DLI of changes in third party claims examiners;
- depositing penalty fees for failure to notify in the workers' compensation administration fund;
- modifying dispute resolution procedures pertaining to independent contractor status and certification;
- modifying department procedures for establishing annual fee schedules for medical services and prescription drugs;
- providing for utilization and reimbursement amounts for domiciliary care provided by a family member;
- providing that interest accrues on amounts not paid from security deposits when payment is demanded by the department;
- clarify that the penalty for failure to report certain information to the department may be assessed for each instance of failure to report;
- providing guidelines for determining when an insurer is impaired; and
- requiring security from plan 2 insurers to cover potential liability.

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**SB 291 Gary Perry**

**Allow creation of high school districts**

**Chapter: 194**

**Effective Date: 4/12/07**

SB 291 allows creation of a high school district for the purpose of expanding an elementary district into a K-12 district when certain limited conditions exist:

- nearest elementary building is at least 40 miles from the nearest high school;
- trip from the elementary to the nearest high school is 60 minutes or more;
- periodically, road conditions make it impractical to attend the nearest high school;
- at least 50 students reside in the elementary district ; and
- the taxable valuation and boundaries of the combining elementary and high school are the same.

The bill establishes a process for the creation of and transitional funding for the resulting K-12 district, establishes trustee roles, and clarifies the responsibilities of taxpayers in the combining districts for paying existing bonds.

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**SB 328 Donald Steinbeisser**

**Montana-produced foods to state institutions/optional procurement exception**

**Chapter: 146**

**Effective Date: 4/5/07**

SB 328 allows public institutions more flexibility to buy Montana-produced food through an optional exemption in the Montana Procurement Act.

Current state procurement laws require Montana institutions, such as universities and K-12 schools, to buy the least expensive product regardless of where it comes from -- a requirement that restricts food service managers the ability to buy Montana-produced food if it costs more than the national competition. This optional exemption from the Montana Procurement Act will allow institutions to buy Montana-grown food within

specified parameters. The exemption may be used only when consistent with the agency's fiscal goals and constraints.

Any public institution may choose to participate unless they are using federal dollars for the purchase. Because of a federal restriction and other budget constraints, colleges and universities are most likely to use the opportunity provided by SB 328.

SB 328 is not a "procurement preference" that would give an advantage to resident bidders. Instead, it removes "Montana-produced food" from the Montana Procurement Act by referring to the product (Montana-produced food), not the residency of the bidder.

School districts participating in the U.S. Department of Agriculture National School Lunch and School Breakfast Programs are encouraged to purchase locally produced foods to the maximum extent practicable and to make all purchases competitively, consistent with federal and state procurement laws and regulations.

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**SB 335 Bill Tash**

**Add youth challenge to quality educator payment**

**Chapter: 354                      Effective Date: 7/1/07**

SB 335 adds the Montana Youth Challenge program, operated by the Department of Military Affairs, to the list of state educational institutions eligible to receive a quality educator payment under 20-9-327 based on the number of licensed educators and professionals employed by the program.

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**SB 489 Vicki Cocchiarella**

**Constitutional amendment to allow investment of public funds in corporate stock**

**Chapter: 479                      Effective Date: Upon approval by electorate**

SB 489 submits a constitutional amendment to the electorate to allow for the investment of up to 25 percent of public funds in private corporate capital stock in the same manner that a prudent expert acting in a fiduciary capacity and familiar with the circumstances would use in investing a fund guaranteed against loss or diversion. The proposition will be on the ballot in November 2008.

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**SB 549 Bob Story**

**Revise property tax classification criteria of certain agricultural land**

**Chapter: 478                      Effective Date: 5/8/07**

SB 549 revises the method for classifying land as agricultural for property tax purposes. Contiguous parcels of land of 20 acres or more, but less than 160 acres, under one ownership must be actively devoted to agricultural use in order to be eligible for valuation, assessment, and taxation as agricultural land. For grazing land to be eligible for classification as agricultural land, the land must be capable of sustaining a minimum number of animal unit months of carrying capacity equivalent to \$1,500 in annual gross income.

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**SJ 4 Aubyn Curtiss**

**Support funding for Secure Rural School and Community Self-Determination Act**

SJ 4 urges the U.S. Congress to reauthorize the Secure Rural Schools and Community Self-Determination Act

and work toward a permanent solution to compensate states and local governments for lost tax revenue on federal land within Montana.

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**SJ 31 Jeff Essmann**

**Interim study of taxation and school funding**

SJ 31 requests an interim study to examine the future viability of the use of property taxes to fund education, examine the concept of a statewide equalization district to levy against specific classes of property, and review the possibility of a statewide sales tax to provide education funding that would include property tax relief. The study is to be concluded prior to September 15, 2008 and the results reported to the 61<sup>st</sup> Legislature.

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**Special Session SB 2 Carol Williams**

**Revise education laws**

**Chapter: 1**

**Effective Date: 7/1/07**

SB 2 includes the following changes to school funding laws:

- Increases the basic and per-ANB entitlements by 2.76% in FY 2008 and by 3.0% in FY 2009. The basic and per-ANB entitlements are set as follows:

<u>Entitlement</u>	<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2009</u>
Elementary Basic	\$20,718	\$21,290	\$21,929
Middle School Basic	---	\$60,275	\$62,083
High School Basic	\$230,199	\$236,552	\$243,649
Elementary Per ANB	\$4,456	\$4,579	\$4,716
High School Per ANB	\$5,704	\$5,861	\$6,037

- Increases the quality educator payment to \$3,036 in FY 2008 and \$3,042 in FY 2009. Licensed social workers and licensed psychologists are added to the list of licensed professionals included in the quality educator payment, which is deposited in the district general fund.
- Provides state ANB funding for students enrolled in full-time kindergarten programs. A school district may offer a half-time (a minimum of 360 hours) or a full-time (a minimum of 720 hours) kindergarten program. If the district enrolls students in a full-time kindergarten program, full-time ANB funding will be provided. Schools must allow a parent to enroll a child half-time in a full-time kindergarten program.
- Allows the Superintendent of Public Instruction to increase the ANB count for a district that is transitioning from half-time to full-time kindergarten. Kindergarten enrollment in the previous year is counted as full-time enrollment for determining ANB counts for the current year. OPI will use enrollment counts reported to OPI in October 2006 and February 2007 to determine kindergarten ANB for FY 2008. For the purpose of calculating the 3-year average ANB, one-half of the previous year's kindergarten enrollment will be added to the 3-year average ANB.
- Creates a mechanism for distributing a one-time only payment to elementary districts for start-up costs for full-time kindergarten. The money will be distributed based on kindergarten enrollment reported to OPI in FY 2007. To receive the money, a school district must indicate its intent to offer full-time kindergarten by FY 2012. For school districts that do not indicate their intent to offer full-time kindergarten by July 1, 2012, the money designated for these districts will revert to the state general fund. HB 2 appropriates \$10 million for distribution to elementary programs, which is estimated to be



approximately \$971 per kindergarten student.

- Creates a basic entitlement for middle school and 7-8 grade programs and eliminates the weighted elementary basic entitlement that existed previously. An elementary district with an approved and accredited junior high school, 7-8 grade program, or middle school will receive a basic entitlement for the K-6 program of \$21,290 and a basic entitlement for its 7-8 grade program of \$60,275 in FY 2008. The total basic entitlement for the elementary district with an approved and accredited junior high school, 7-8 grade program, or middle school is \$81,565 in FY 2008. An elementary district that offers a K-8 elementary program will receive \$21,290.
- Defines one-quarter enrollment for ANB purposes to be 180 to 359 aggregate hours of pupil instruction. The previous definition was based on 181 to 359 hours.
- Increases the percentage of the statewide taxable valuation included in the calculation of the “statewide GTB ratio” from 175% to 193% effective for the FY 2008 school year. The number of school districts eligible for guaranteed tax base aid is estimated to increase from 306 to 323 as a result of this change.
- Limits the expenditure of the Indian Education for All payment to curriculum development, providing curriculum materials to students, and providing training to teachers about the curriculum and materials. Requires school districts to file an annual report to OPI that specifies how the Indian Education for All funds were expended.
- Creates a mechanism for distributing a one-time only payment for Indian Education for All on a per-ANB basis with a minimum of \$500 per district. HB 2 appropriates \$1.5 million per year to be distributed to schools’ miscellaneous programs fund for Indian Education for All.
- Creates a mechanism for distributing a one-time only payment to school districts of up to \$30 million in FY 2008 for capital investment and deferred maintenance. School districts must deposit the money in the miscellaneous programs fund. The money must be spent by the end of FY 2017 to avoid reversion to the state.
- This funding will be distributed per school unit, which is defined as 800 ANB for a high school district; 250 ANB for the K-6 ANB of an elementary district with an approved 7-8 grade program, junior high school or middle school; 250 ANB for the K-8 ANB of an elementary district without an approved 7-8 grade program, junior high school or middle school; and 450 ANB for the 7-8 grade ANB of an elementary district with an approved 7-8 grade program, junior high school or middle school. The number of school units for a district is determined using current year ANB. It is estimated that there will be 878.4 school units in FY 2008.
- The amount that will be distributed to schools is the amount by which the unaudited general fund revenue in FY 2007 exceeds the revenue estimate of \$1,762,355,000. The total appropriation for the school unit payment is limited to \$30 million. At \$30 million, the school unit payment is estimated to be \$33,948 per school unit in FY 2008. The amount of money available for distribution to schools is expected to be known in August 2007. The money will be distributed to school districts on the same schedule as direct state aid.
- Creates a school facility account in the state special revenue fund to provide money to schools to implement the recommendations of the school facility condition and needs assessment and energy audit that will be completed in July 2008. The money will not be distributed to schools in the 2009 biennium. The purpose of the account is to set aside money for major deferred maintenance; improving energy efficiency in school facilities; and critical infrastructure in school districts. The source of revenue for the school facility account is mineral royalties from production on school trust lands. The amount of
  - Creates a quality educator loan assistance program, administered by the board of regents, to assist educators in the repayment of educational loans in an amount of up to \$3,000 annually for four years. The loan assistance is available to educators and licensed professionals who are:
    - employed in the K-12 public school system, including school districts, special education cooperatives, the Montana School for the Deaf and Blind, the Montana Youth Challenge Program, and state youth correctional facilities; and
    - teaching in a school and subject area that are impacted by critical quality educator shortages as

recommended by the OPI and approved by the Board of Public Education.

- Revises the Governor’s postsecondary scholarship program to provide scholarships on the basis of need and merit to Montana residents towards the cost of attending 2-year and 4-year postsecondary institutions and to allocate some of the scholarships to specific areas of study that promote economic development or address critical workforce shortage areas in Montana.

See also provisions set forth in **HB 2** under Appropriations.

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## **Failed Legislation -- School Finance**

### **HB 45 Dan Villa**

Revise school finance laws

### **HB 135 Kevin Furey**

Revise school bus mileage reimbursements

### **HB 152 Gary Branae**

Inflationary increases for K-12 BASE aid and general fund components

### **HB 164 Roger Koopman**

School volunteers and tax deduction

### **HB 182 Mike Jopek**

Fund school technology, at-risk, and gifted and talented

### **HB 204 Dave Kasten**

Revise state expenditure limit

### **HB 211 Jonathan Windy Boy**

Antidiversion and accountability for Indian Education for All Funds

### **HB 267 Ron Erickson**

Clarify impact fee laws

### **HB 315 Roger Koopman**

Property tax reduction for excess budget surplus

### **HB 356 Michael Lange**

Reduce property taxes by changes in state aid to schools

### **HB 417 Galen Hollenbaugh**

Revising school finance laws

### **HB 463 Dan Villa**

Revise taxation of new or expanded business enterprise property

**HB 478 Holly Raser**

Clarify tuition payments for homeless children

**HB 522 John Sinrud**

Revise definition of present law for budgeting purposes

**HB 529 Bob Lake**

Increase business equipment tax exemption and reduce tax rate

**HB 615 Edward Butcher**

SAT required for student graduation and school funding

**HB 678 Michael Lange**

Revise school funding and tax laws

**HB 701 William Glaser**

Generally revise school funding

**HB 793 Jack Wells**

Tax credit for contributions to school tuition organization

**HB 833 Wayne Stahl**

20-20 tax plan -- school mills income tax credit and increase exemption amount

**HB 847 JP Pomnichowski**

Reimburse local government and schools for tax reduction

**SB 23 Lynda Moss**

Add professionals to quality educator payment

**SB 38 Don Ryan**

Allow district to pay school-related travel from transportation budget

**SB 56 Don Ryan**

Retirement fund to pay costs for school employees paid with federal funds

**SB 64 John Cobb**

Increase membership in state group health insurance

**SB 123 Carol Williams**

Full-time kindergarten

**SB 152 Don Ryan**

Education funding including early childhood development for 5 year olds

**SB 297 Don Ryan**

Stop loss pool for school health insurance

**SB 307 Don Ryan**

Limit use of taxpayer money to sue for more state funding

**SB 362 John Cobb**

Revise compensation of school board trustees

**SB 390 Carol Juneau**

Increase funding for Indian Education for All

**SB 396 Rick Laible**

Revise school funding formula to be based on educationally relevant factors

**SB 456 Don Ryan**

Revise maximum school district general fund budget

**SB 457 Don Ryan**

Board of public education approval of extra-curricular cost increases

**SB 462 Sam Kitzenberg**

Statewide health insurance plan for school personnel

**SB 488 Don Ryan**

Define state share of basic system of quality schools

**SB 506 Bob Story**

Revise school laws

**SB 508 Bob Hawks**

Allow public school consideration in impact fees

**SB 528 David Wanzenried**

Create education trust fund

**SB 529 Jeff Essmann**

Constitutionally restrict property taxes

**SB 539 David Wanzenried**

Revise property tax appeal and create property tax protest reserve fund

**SB 554 Jeff Essmann**

Sales tax with property tax reform, school funding, and income tax credits

**SB 555 Jeff Essmann**

Refundable income tax credit for statewide school mills

**SB 564 Jim Elliott**

Exclude 95 school mills from new TIFs

**SB 568 David Wanzenried**

Provide for certain fund transfers

**SJ 28 Bob Hawks**

Study education funding and reform

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**STATE LANDS**

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**HB 19 Walter McNutt**

**Prohibit diversion of Morrill Act for revenue for administrative costs**

**Chapter: 247**

**Effective Date: 4/26/07**

HB 19 prohibits the diversion of interest or income generated by lands granted under the Morrill Act for management or administrative purposes. To replace the loss of this funding source, the bill creates a statutory appropriation for the management of the Morrill Act trust lands.

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**HB 37 Michele Reinhart**

**Weed control on state lands**

**Chapter: 164**

**Effective Date: 10/1/07**

HB 37 establishes a process and the authority for the Department of Natural Resources and Conservation (DNRC) to manage noxious weeds on state lands. It includes a notification process for noncompliant state lessees, authority for the DNRC to control weeds and recover costs, and provides for an administrative hearing process, and rulemaking authority.

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**HB 160 Ron Stoker**

**Repay land trusts for prior diversions**

**Chapter: 484**

**Effective Date: 7/1/07**

HB 160 transfers and appropriates general fund money to repay the land trusts and trust beneficiaries for diversions of administrative costs associated with the management of the Morrill Act trust lands.

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**HJ 14 Ralph Heinert**

**Urge congressional revision of laws on sale of public property**

HJ 14 urges Congress to include in any legislation considering the sale of federal land a right of first refusal for a state in which federal land is proposed for sale. The President's budget proposed the reauthorization of the Secure Rural Schools and Community Self-Determination Act of 2000 for another 5 years and recommended selling a number of acres of national forest lands around the nation to help fund this initiative.

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**HJ 57 Mike Jopek**

**Study conservation easements on state land**

HJ 57 provides that an interim study to evaluate the benefits of conservation easements on state trust lands will be concluded by September 15, 2008.

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**SB 8 Jim Shockley****Independent staff for Board of Land Commissioners****Chapter: Effective Date:**

(Note: This bill was passed by the house and senate but vetoed by Governor Schweitzer. A veto override vote is in progress.)

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**SB 25 Lane Larson****Revise contract timber harvest laws****Chapter: 494 Effective Date: 5/16/07**

SB 25 creates a contract timber harvesting program whereby the DNRC may contract directly for both the harvest and the sale of wood products on state trust lands within limits established in the bill.

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**SB 131 John Cobb****Revise land banking laws****Chapter: 396 Effective Date: 7/1/07**

SB 131 extends the sunset on the state land banking program to October, 2011. It also changes the term for calculation of the anticipated rate of return on some proposed land acquisitions, requires the party that nominates a parcel for sale to pay an estimated cost of preparing the land for sale, and reduces the timelines for posting of bid bonds and cancellation of a sale prior to the day of auction.

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**SB 213 John Cobb****Revise appraisals and land banking procedure****Chapter: 456 Effective Date: 5/8/07**

SB 213 requires that the estimated fair market value of land sold, purchased or exchanged by the state must be determined by a Montana-licensed and Montana-certified appraiser.

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**SB 293 Rick Laible****Establish state forest management policy****Chapter: 409 Effective Date: 10/1/07**

SB 293 articulates policy goals for public forest management in Montana to promote sustainable management of public forests and collaboration in consensus-based solutions with local and federal entities, to support forest restoration, to provide technical information to non-industrial private landowners, to promote forest management in the wildland urban interface, and to promote a viable forest and wood products industry on public forest lands.

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**SB 317 Dave Lewis**

**Restrict land trust merger of title**

**Chapter: 352**

**Effective Date: Sections 1-4, 6 & 7 - 4/27/07; Section 5 - 10/1/07**

SB 317 clarifies that a conservation easement runs with the land and may not be extinguished by purchase or transfer of the ownership of the parcel.

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**Failed Legislation -- State Lands**

**HB 200 Mike Jopek**

Expand state land classifications

**HB 231 Rick Ripley**

Revise funding for trust land administration

**HB 584 Mike Jopek**

Vote on sale of state lands

**HB 631 Mike Jopek**

Identify state lands with unique corner post

**HB 798 Carol Lambert**

Revise energy impact funding for natural resource development and cessation

**SB 55 Don Ryan**

Revise use of mineral royalties purchased with coal tax loan

**SB 75 Bob Hawks**

Revise administrative costs for trust land management

**SB 274 Rick Laible**

Revise laws relating to state land sales, trades, leases, and administration

**SB 391 Dan Weinberg**

Conservation easements on state land

**SB 534 David Wanzenried**

Redirect state trust land assets

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# TEACHER RECRUITMENT & RETENTION

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## **HB 63 John Musgrove**

### **Actuarially fund teacher retirement system**

**Chapter: 305**

**Effective Date: various**

HB 63 provides for actuarial funding of the Teachers' Retirement System (TRS) and changes some requirements for member benefits and state and employer contributions. The bill appropriates \$50 million of state funds to the TRS and also funds just over \$1.1 million per year in supplemental state contributions in FY 2008 and FY 2009.

The state's contributions to the system will increase by 2% of the total earned compensation of active K-12 and community college system members in FY 2008 and FY2009 and by 2.38% beginning in FY 2010. This is referred to in some sections of the bill as the state's supplemental contribution.

The definition of "full-time service" was changed from full-time service over a 9 month period to at least 180 days in a fiscal year or at least 140 hours a month during 9 months of a fiscal year. "Part-time service" is defined as service that is less than full-time, and the reference to service that totals less than 180 days in a normal academic year is no longer relevant.

The bill added a section of law stating the policy for providing equitable benefits based on each member's normal service retirement and salary, limiting effects of isolated salary increases such as end-of-career promotions and one-time salary enhancements, and limiting the compensation received by a retiree in a position normally covered by the TRS.

The current employer contribution rate of 7.47% continues through June 30, 2007. The employer contribution rate increases to 9.47% for FY 2008 and FY 2009 and to 9.85% beginning July 1, 2009.

For the Montana University System (MUS), the current optional retirement program supplemental employer contribution under 19-20-621 increases from 4.07% to 4.72% beginning in FY 2007.

The Option 2 retirement benefits under 19-20-706 will also require the employer to contribute an amount equal to the termination pay multiplied by the state's supplemental contribution rate (see first paragraph).

The provision allowing the Teachers' Retirement Board to increase the GABA up to a maximum of 3% was repealed. The GABA increase is 1.5% per year.

The benefits paid to a retiree continue to be limited to 1/3 of the member's final annual compensation. However, the bill allows a retiree to receive these payments and benefits without any adjustment of benefits:

- Health insurance premiums paid on the retiree's behalf;
- The value of housing provided to the retiree by the employer;
- Reimbursements for employment-related travel costs paid to the retiree;
- De minimus fringe benefits paid by the employer to, or on behalf of, the retiree; and
- Payroll taxes paid by the employer on behalf of the retiree.



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**HB 81 Robin Hamilton****Generally revise teacher retirement system= laws****Chapter: 90****Effective Date: 3/30/07**

HB 81 clarifies that paraprofessionals must be members of the TRS, requires retirees elected to the position of county superintendent to file a written membership election form, and clarifies that TRS members cannot concurrently participate in both the TRS and the Optional Retirement Program. HB 81 simplifies the division of benefits in the case of a divorce, clarifies that only active members or inactive vested members may purchase service credit, requires that accounts reinstated from dormant status include interest, and provides for the payment of interest on the correction of errors. In addition, HB 81 clarifies that lump-sum amounts due an estate may be paid to the personal representative or executor, and requires employers to use the system's online reporting system for authorizing voluntary insurance premium deductions.

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**Failed Legislation -- Teacher Recruitment and Retention****HB 230 Roger Koopman**

Alternative teacher certification

**HB 293 Dennis Himmelberger**

Allocate lottery money to teachers' retirement system

**HB 297 Robin Hamilton**

Add teachers to state health insurance

**HB 732 Veronica Small-Eastman**

Teacher housing incentive program

**HB 761 Julie French**

Creditable retirement service for deployed teachers

**HB 801 Gary MacLaren**

Health insurance payments as income tax credit for certain individuals

**SB 198 Sam Kitzenberg**

Teacher recruitment loan forgiveness program

**SB 207 Mitch Tropila**

Allow teachers option for summer pay

**SB 315 John Cobb**

Student loan forgiveness program

# INDEX OF K-12 EDUCATION-RELATED BILLS

<b>Bill</b>	<b>Sponsor</b>	<b>Short Title</b>	<b>Pass/ Fail</b>	<b>Category</b>
HB 2	Sinrud	General appropriations act	F	Appropriations
HB 3	Franklin	Supplemental appropriations	P	Appropriations
HB 4	Musgrove	Appropriations normally made by budget amendment	P	Appropriations
HB 13	Sesso	Pay plan for state employees	P	Emp. Relations
HB 19	McNutt	Prohibit diversion of Morrill Act for revenue for administrative costs	P	State Lands
HB 21	Morgan	Revision of revenue estimating resolution for special sessions	P	Appropriations
HB 37	Reinhart	Weed control on state lands	P	State Lands
HB 44	McChesney	Remove references to school bond contingency loan fund	P	School Finance
HB 45	Villa	Revise school finance laws	F	School Finance
HB 62	Jacobson	Authorize contributions of annual leave sick leave fund	P	Emp. Relations
HB 63	Musgrove	Actuarially fund teacher retirement system	P	Teacher R & R
HB 64	Clark	Remove total care language from developmental disability commitment	P	At-Risk Youth
HB 70	Clark	Revise laws governing publication and distribution of administrative rules	P	Governance
HB 81	Hamilton	Generally revise teacher retirement system laws	P	Teacher R & R
HB 95	Olson	Provide increase in employer contribution to optional retirement program	P	Higher Ed
HB 98	Franklin	Reduce out-of-home placement of children	P	At-Risk Youth
HB 105	Windy Boy	Revise training of state agency personnel on tribal issues	P	Emp. Relations
HB 117	Henry	Newborn hearing testing	P	At-Risk Youth
HB 121	McChesney	Clarify DOT duties for driver education programs	P	Accred/Curric
HB 125	Kasten	Repay loan for startup costs of the defined contribution retirement plan	P	Emp. Relations
HB 128	Becker	Revise Attorney General's duties re: public bonds and agreements	P	School Finance
HB 129	Gallik	Revise retirement laws to conform to federal law and decisions	P	Emp. Relations
HB 131	Sesso	Actuarial funding for MPERA retirement system	P	Emp. Relations
HB 132	Sesso	Revise laws on access to state publications	P	Governance
HB 135	Furey	Revise school bus mileage reimbursements	F	School Finance
HB 152	Branac	Inflationary increases for K-12 BASE		

HB 154	Clark	aid and general fund components	F	School Finance
		Community commitment for developmentally disabled	P	At-Risk Youth
HB 159	Lambert	Increase employer contribution rates for PERB systems	F	Emp. Relations
HB 160	Stoker	Repay land trusts for prior diversions	P	State Lands
HB 162	Hiner	Revise requirement for appointment of counsel for developmentally disabled	P	At-Risk Youth
HB 163	Koopman	Limit public employees from and expenditure of public funds on lobbying	F	Emp. Relations
HB 164	Koopman	School volunteers and tax deduction	F	School Finance
HB 178	Wilmer	Revise laws/funding for university system	F	Higher Ed
HB 181	Jopek	2 additional PIR days – content decided by local board	F	Accred/Curric
HB 182	Jopek	Fund school technology, at-risk, and gifted and talented	F	School Finance
HB 195	Lange	Revise developmental disability services	P	At-Risk Youth
HB 196	Lange	Create coal development impact fund	F	State Lands
HB 200	Jopek	Expand state land classifications	F	State Lands
HB 204	Kasten	Revise state expenditure limit	F	School Finance
HB 206	Ingraham	Revise county mill levy elections	P	Elections
HB 211	Windy Boy	Antidiversion and accountability for Indian Education for All funds	F	School Finance
HB 213	Windy Boy	Healthy workplace	F	Emp. Relations
HB 224	Cohenour	Require seat belts in new school buses	F	Safety
HB 230	Koopman	Alternative teacher certification	F	Teacher R & R
HB 231	Ripley	Revise funding for trust land administration	F	State Lands
HB 239	Phillips	Increase fines for speeding in school zones -- require posting	F	Safety
HB 242	Ripley	Revise filing deadline for write in candidates	P	Elections
HB 267	Erickson	Clarify impact fee laws	F	School Finance
HB 283	Campbell	Increase amount for non-beneficiary students	P	Higher Education
HB 286	Augare	Revise allocation of workforce training funds to high poverty areas	P	At-Risk Youth
HB 293	Himmelberger	Allocate lottery money to teachers' retirement system	F	Teacher R & R
HB 297	Hamilton	Add teachers to state health insurance	F	Teacher R & R
HB 312	Lange	Amend constitution to establish parental bill of rights	F	Governance
HB 315	Koopman	Property tax reduction for excess budget surplus	F	School Finance
HB 335	Dickenson	Appropriate funding for Great Falls College of Technology	F	Higher Education
HB 338	Cohenour	Paid leave for certain state employees for disaster and emergency	F	Emp. Relations
HB 347	Boggio	Revise law on school trustee letting contracts and bids	P	Governance

HB 352	Barrett	Protect students from threats by other students	F	Safety
HB 354	Caferro	Expand services for deaf children in schools	F	At-Risk Youth
HB 355	Lambert	Require background checks for commercial drivers transporting passengers	F	Safety
HB 356	Lange	Reduce property taxes by changes in state aid to schools	F	School Finance
HB 363	Ward	Revise school budget laws	P	School Finance
HB 365	Jones	Fund voluntary mental health screening and suicide prevention program	F	At-Risk Youth
HB 387	Caferro	Increase CHIP eligibility level	F	At-Risk Youth
HB 404	Jore	Eliminate compulsory attendance laws	F	At-Risk Youth
HB 414	Reinhart	Revise records regarding involuntary commitment of developmental disabled	P	At-Risk Youth
HB 417	Hollenbaugh	Revising school finance laws	F	School Finance
HB 418	Koopman	Fund methamphetamine project	F	At-risk Youth
HB 463	Villa	Revise taxation of new or expanded business enterprise property	F	School Finance
HB 465	Jore	Revise medical and religious exemptions for immunization	F	Safety
HB 477	Raser	Revise law on transfer of information to schools from certain entities	F	Governance
HB 478	Raser	Clarify tuition payments for homeless children	F	School Finance
HB 479	Raser	Improve access to healthy school meals	F	Safety
HB 487	Hiner	Revise threshold for local government audit	P	School Finance
HB 498	Sands	Revise sick leave eligibility for public employees	F	Emp. Relations
HB 513	Wells	Authorize termination at-will employment	F	Emp. Relations
HB 515	Glaser	Funding for distance learning and related technologies	F	Appropriations
HB 522	Sinrud	Revise definition of present law for for budgeting purposes	F	School Finance
HB 525	Koopman	Encourage intellectual diversity in university system	F	Higher Education
HB 529	Lake	Increase business equipment tax exemption and reduce tax rate	F	School Finance
HB 530	Peterson	Require paid rest breaks for certain employees	F	Emp. Relations
HB 553	Hollenbaugh	Injured worker choice of rehabilitation services	F	Emp. Relations
HB 566	Hollenbaugh	After-school capacity	F	Appropriations
HB 577	Caferro	Children's Health Care Act	F	At-risk Youth
HB 580	Koopman	Create incentives for success program	F	At-Risk Youth
HB 584	Jopek	Vote on sale of state lands	F	State Lands
HB 603	Small-Eastman	Authorize and fund community-based family literacy	F	Appropriations

HB 609	Hamilton	Requirements for dissolution of school district insurance fund	P	School Finance
HB 611	Jacobson	Revise laws related to telecommunications access services	P	Governance
HB 612	Henry	Create responsible sexual health program	F	Accred/Curric
HB 614	Butcher	Require transferability of university system credits	F	Higher Education
HB 615	Butcher	SAT required for student graduation and school funding	F	School Finance & Accred/Curric
HB 618	Sinrud	Establish statewide account for employee termination costs	F	Emp. Relations
HB 631	Jopek	Identify state lands with unique corner post	F	State Lands
HB 651	Cordier	Increase age of compulsory school attendance to 17	F	At-Risk Youth
HB 665	Arntzen	License and regulate athletic trainers	P	Emp. Relations
HB 668	Stahl	Revise criminal justice agency status of licensing boards	P	Governance
HB 672	Glaser	Revise school bond laws	P	School Finance
HB 677	Arntzen	Fund after school programs	P	School Finance
HB 678	Lange	Revise school funding and tax laws	F	School Finance
HB 679	Sales	Revise leave law for newly hired public employees	F	Emp. Relations
HB 686	Olson	Constitutional amendment to require that election be by majority vote	F	Elections
HB 691	Villa	Create Montana Film Arts Program	F	Appropriations
HB 693	Butcher	Electronic records, documents and communication preservation	F	Governance
HB 694	Butcher	Revise fees for public documents and require timely response to requests	F	Governance
HB 700	Windy Boy	Fund college youth leadership	F	Appropriations
HB 701	Glaser	Generally revise school funding	F	School Finance
HB 702	Jore	Reject No Child Left Behind Act	F	Accred/Curric
HB 716	Jopek	Local food education and market grant program	F	Accred/Curric
HB 732	Small-Eastman	Teacher housing incentive program	F	Teacher R & R
HB 733	Small-Eastman	Cervical cancer immunization information for certain students	F	Safety
HB 738	Mendenhall	Revise work comp law for claim closure and medical services rates	P	School Finance
HB 744	Rice	Revise school district creation laws	P	Governance
HB 749	Cohenour	Government storage, display of social security numbers	F	Governance
HB 750	Wilmer	Provide funding for the revitalization of Montana tribal languages	F	Appropriations
HB 761	French	Creditable retirement service for deployed teachers	F	Teacher R & R
HB 769	Lake	Require registration of alternative adolescent programs and rules for regulation	P	At-Risk Youth
HB 777	Butcher	Revise ballot issue laws	F	Elections

HB 792	Himmelberger	Index postretirement GABA for future PERS and TRS members	F	Emp. Relations
HB 793	Wells	Tax credit for contributions to school tuition organization	F	School Finance
HB 796	Koopman	Revise education laws	F	Accred/Curric
HB 797	Ankney	Provide for an early presidential primary	F	Elections
HB 798	Lambert	Revise energy impact funding for natural resource development and cessation	F	State Lands
HB 801	MacLaren	Health insurance payments as income tax credit for certain individuals	F	Teacher R & R
HB 807	Wells	Biennial funding for university system and community colleges	F	Appropriations
HB 809	Glaser	Biennial funding for K-12 education and education related agencies	F	Appropriations
HB 810	Wells	Fund account for teacher loan forgiveness program	F	Appropriations
HB 811	Wells	Traditional arts and crafts state special revenue account	P	Appropriations
HB 813	Small-Eastman	Affordability and success for foster children in higher education	F	At-Risk Youth
HB 820	Taylor	Biennial funding for certain executive branch agencies	F	Appropriations
HB 827	Himmelberger	Revise pension plans for new hires	F	Emp. Relations
HB 830	Kasten	Appropriate money for construction and maintenance of public buildings and systems	F	Appropriations
HB 833	Stahl	20-20 tax plan -- school mills income tax credit and increase exemption amount	F	School Finance
HB 841	Ankney	Revise election laws change primary election date	F	Elections
HB 847	Pomnichowski	Reimburse local government and schools for tax reduction	F	School Finance
HJ 7	Ward	Urge determination and implementation of telecommuting	P	Emp. Relations
HJ 14	Heinert	Urge congressional revision of laws on sale of public property	P	State Lands
HJ 21	Hamilton	Encourage science curriculum on sound scientific principles	F	Accred/Curric
HJ 42	Wilmer	Resolution for safe kids week	P	Safety
HJ 45	Thomas	Study to examine options for state document systems to reflect actual names	P	Governance
HJ 46	Sands	Interim study of election laws	P	Elections
HJ 54	Windy Boy	Study credit transferability -- all accredited institutions of higher education	F	Higher Education
HJ 55	Koopman	Study intellectual diversity in Montana's university system	F	Higher Education
HJ 57	Jopek	Study conservation easements on state land	P	State Lands
HJ 59	Himmelberger	Study public retirement systems	P	Emp. Relations
SB 8	Shockley	Independent staff for Board of Land		

		Commissioners	—	State Lands
SB 12	Williams	Revise community college funding	P	Higher Education
SB 16	Hawks	6-mill levy for university system referendum	P	Higher Education
SB 22	Weinberg	Allow expansion of CHIP eligibility up to 175% of federal poverty level	P	At-Risk Youth
SB 23	Moss	Add professionals to quality educator payment	F	School Finance
SB 25	Larson	Revise contract timber harvest laws	P	State Lands
SB 33	Steinbeisser	Procedures governing social security numbers and computer security breaches	F	Governance
SB 38	Ryan	Allowed district to pay school-related travel from transportation budget	F	School Finance
SB 45	Weinberg	Revise laws governing inpatient behavioral health facilities	P	At-Risk Youth
SB 48	Esp	Caretaker relative consent to medical care	P	Special Education
SB 49	Esp	School enrollment by relative caretaker	P	At-Risk Youth
SB 55	Ryan	Revise use of mineral royalties purchased with coal tax loan	F	State Lands
SB 56	Ryan	Retirement fund to pay costs for school employees paid with federal funds	F	School Finance
SB 62	Cobb	Increase payment to advisory board members	P	Governance
SB 64	Cobb	Increase membership in state group health insurance	F	School Finance
SB 75	Hawks	Revise administrative costs for trust land management	F	State Lands
SB 89	Williams	Provide for breast feeding in the workplace	P	Emp. Relations
SB 98	Harrington	Revise laws governing legislature	F	Governance
SB 108	Cocchiarella	Revise work comp laws -- IC -- medical fees -- impaired insurers, etc.	P	School Finance
SB 109	Laible	Clarify standing to challenge open meeting law violation	F	Governance
SB 113	Lewis	Increase meal reimbursement rates for state employees	F	Emp. Relations
SB 119	Moss	Clarify exchange of youth court record info with youth detention facilities	P	At-Risk Youth
SB 123	Williams	Full-time kindergarten	F	School Finance
SB 129	Schmidt	Revise truancy laws	F	At-Risk Youth
SB 131	Cobb	Revise land banking laws	P	State Lands
SB 146	Shockley	Revise Juvenile Delinquency Intervention Act	P	At-Risk Youth
SB 152	Ryan	Education funding including early childhood development for 5 year olds	F	School Finance
SB 164	Gallus	Clarify role of counsel and guardian ad litem to prevent conflict of interest	P	At-Risk Youth
SB 168	Jent	Transfer public employee accrued leave into post-retirement health care	P	Emp. Relations
SB 177	Squires	Extend time for challenging agency		

		actions	P	Governance
SB 183	Laible	Clarify standing to challenge open meeting law violation	F	Governance
SB 186	Lewis	School district access to health insurance loss information	F	Governance
SB 198	Kitzenberg	Teacher recruitment loan forgiveness program	F	Teacher R & R
SB 207	Tropila	Allow teachers option for summer pay	F	Teacher R & R
SB 213	Cobb	Revise appraisals and land banking procedure	P	State Lands
SB 219	Balyeat	Prohibit severance pay for state employees	P	Emp. Relations
SB 225	Moss	May choose new mill levy election date after legislative session	P	Elections
SB 228	Laslovich	Revise laws on driver education courses	F	Accred/Curric
SB 255	McGee	Restrict expenditure of public funds for employee benefits	F	Emp. Relations
SB 256	McGee	Revise regents authority	F	Governance
SB 257	McGee	Elect board of education	F	Governance
SB 258	Shockley	Deny licenses and license renewal to illegal aliens	F	Emp. Relations
SB 266	Shockley	Clarify school board member immunity	P	Governance
SB 274	Laible	Revise laws relating to state land sales, trades, leases, and administration	F	State Lands
SB 288	Schmidt	Revise laws related to board of private adolescent programs	F	At-Risk Youth
SB 289	Gallus	Allow prescribed epinephrine use in school for severe allergies and anaphylaxis	P	Safety
SB 291	Perry	Allow creation of high school districts	P	School Finance
SB 293	Laible	Establish state forest management policy	P	State Lands
SB 297	Ryan	Stop loss pool for school health insurance	F	School Finance
SB 300	Cooney	Primary seatbelt and child passenger safety law	F	Safety
SB 307	Ryan	Limit use of taxpayer money to sue for more state funding	F	School Finance
SB 315	Cobb	Student loan forgiveness program	F	Teacher R & R
SB 317	Lewis	Restrict land trust merger of title	P	State Lands
SB 328	Steinbeisser	Montana-produced foods to state institutions/optional procurement exception	P	School Finance
SB 335	Tash	Add youth challenge to quality educator payment	P	School Finance
SB 342	Squires	Fingerprint criminal background checks for social workers and counselors	P	Emp. Relations
SB 355	Wanzenried	Unemployment for certain school employees between terms	F	Emp. Relations
SB 358	Larson	Allow any election to be conducted by mail	F	Elections
SB 360	Peterson	Allow at-will termination of employment that has no specified term of employment	F	Emp. Relations
SB 362	Cobb	Revise compensation of school board trustees	F	School Finance



SB 390	Juneau	Increase funding for Indian Education For All	F	School Finance
SB 391	Weinberg	Conservation easements on state land	F	State Lands
SB 396	Laible	Revise school funding formula to be based on educationally relevant factors	F	School Finance
SB 410	Ryan	Revise state holidays -- delete Columbus Day -- add September 11	F	Governance
SB 453	Essmann	Require licensing boards to provide public information regarding disciplinary actions	P	Governance
SB 456	Ryan	Revise maximum school district general fund budget	F	School Finance
SB 457	Ryan	Board of public education approval of extra-curricular cost increases	F	School Finance
SB 458	Ryan	Revise requirements for county superintendent of school	F	Governance
SB 459	Elliott	State government "buy American" products	P	Governance
SB 462	Kitzenberg	Statewide health insurance plan for school personnel	F	School Finance
SB 478	Weinberg	Implement suicide prevention program	P	At-Risk Youth
SB 484	Essmann	Fund MSU-Billings regional workforce training facility	F	Higher Education
SB 485	Brueggeman	Revise prohibition on mailing lists for certain professions and occupations	P	Governance
SB 488	Ryan	Define state share of basic system of quality schools	F	School Finance
SB 489	Cocchiarella	Constitutional amendment to allow investment of public funds in corporate stock	P	School Finance
SB 502	Cooney	Clarify polling place accessibility standard	P	Elections
SB 506	Story	Revise school laws	F	School Finance
SB 508	Hawks	Allow public school consideration in impact fees	F	School Finance
SB 517	Black	Revise time certain polling places are open	P	Elections
SB 528	Wanzenried	Create education trust fund	F	School Finance
SB 529	Essmann	Constitutionally restrict property taxes	F	School Finance
SB 534	Wanzenried	Redirect state trust land assets	F	State Lands
SB 538	Elliott	Establish bill of rights day	P	Accred/Curric
SB 539	Wanzenried	Revise property tax appeal and create property tax protest reserve fund	F	School Finance
SB 549	Story	Revise property tax classification criteria of certain agricultural land	P	School Finance
SB 554	Essmann	Sales tax with property tax reform, school funding, and income tax credits	F	School Finance
SB 555	Essmann	Refundable income tax credit for statewide school mills	F	School Finance
SB 564	Elliott	Exclude 95 school mills from new TIFs	F	School Finance
SB 565	Schmidt	Clarify statutory authority for multiple appropriation bills	F	Appropriations

SB 566	Hawks	University system incentives and accountability measures	F	Higher Education
SB 568	Wanzenried	Provide for certain fund transfers	F	School Finance
SJ 4	Curtiss	Support funding for Secure Rural School and Community Self-Determination Act	P	School Finance
SJ 12	Brueggeman	Encourage international education to Board of Regents	P	Accred/Curric
SJ 16	Lind	Resolution for gun safety education for grades 1 through 3	P	Safety
SJ 28	Hawks	Study education funding and reform	F	School Finance
SJ 31	Essmann	Interim study of taxation and school funding	P	School Finance

Special Session bills:

HB 2	Clark	General appropriations act	P	Appropriations
SB 2	Williams	Revise education laws	P	School Finance





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