

2023 Biennial Budget

HB 2 - General Appropriation Act (MUS Biennial Budget Comparison)

- **Program 1:** OCHE Admin
 - 0.9% base increase, totaling approximately \$68K for the biennium
- **Program 2:** Student Assistance
 - 7.5% base increase, totaling approximately \$1.6M for the biennium, includes base funding increase for personal services and 1.5 FTE
 - Professional graduate programs (WICHE/WWAMI/WIMU/MN Dental) fully funded, including the entire present law adjustment
 - Access Scholarship was not funded; Grow Your Own Program received \$500K OTO
- **Program 4:** Community Colleges
 - 2.8% increase for the biennium (current formula based on flat enrollment)
 - One-time-only (OTO) funding for FVCC (\$300K) and BVCC (\$400K)
- **Program 9:** Appropriations Distribution (MUS Ed. Units)
 - 3.3% increase to Ed. Unit Legislative Base funding (HB2 + Pay Plan), totaling approximately \$13.6M for the biennium
 - \$5.8M in OTO for various programs (see list below)
- **Program 10:** Research and Service Agencies
 - 5.1% base increase, totaling approximately \$3M for the biennium
 - \$910K in OTO for various programs (see list below)
- **Program 11:** Tribal Colleges
 - Stable non-beneficiary funding, \$1.7M for the biennium
 - \$350K OTO for HiSet preparation
- **MUS HB2 Budget:** General Fund & State Special Revenue (including OTO)

2021 Biennial Budget =	\$529,937,759
2023 Biennial Budget =	\$551,377,928
Total Biennial \$\$ Increase =	\$21,440,169
Total Biennial % Increase =	4.0%
- **Insurance Premium Holiday:** 2-month holiday on insurance premium payments in FY2022 for personnel within the current unrestricted fund. (SB 110)
- **Shared Policy Goals:** The MUS entered into a *Shared Policy Goals* agreement with the Joint Education Appropriations Sub-committee

HB 13 - State Employee Pay Plan

- MUS Pay Plan Funding (including Ed. Units, CC's, Agencies, & OCHE) = \$2.3M
- Based on 55 cent per hour increase starting November 2022

One-Time-Only Funding (OTO)

Total = \$8.96 million

HB 102 Implementation: funding to support implementation of open and concealed carry of firearms on MUS campuses. **Total = \$1M** biennial (restricted OTO)

Proficiency Based Education, MSU: start-up funding to enhance proficiency-based education approaches to teaching. **Total = \$1M** biennial (restricted OTO)

Workforce Recovery from COVID-19, MT Tech: funding to launch workforce recovery programs designed specifically to address business & industry needs coming out of the COVID-19 pandemic. **Total = \$750K** biennial (restricted OTO)

AccelerateMT Initiative, UM: start-up funding to pilot a proficiency-based education model with business partners throughout the state. **Total = \$1.5M** biennial (restricted OTO)

CyberHub Program, UM: funding to expand cyber defense education opportunities throughout the state. **Total = \$1.5M** biennial (restricted OTO)

Coal & Mine Data Records, MT Tech: funding for the Montana Bureau of Mines & Geology to assist with making data records of mines and coal available online to the public. **Total = \$600,000** biennial (restricted OTO)

MAES Seed Lab, MSU: funding to assist with seed sample testing conducted by the lab. **Total = \$200,000** biennial (OTO)

MAES Wool Lab, MSU: funding to assist with research, service, and education conducted by the lab. **Total = \$110,000** biennial (restricted OTO)

Finishing Trades: start-up funds to develop a public/private partnership for a career and technical education program related to the finishing trades (painting, drywall, etc.) **Total = \$550,000** biennial (restricted OTO)

Grow Your Own Teacher Grant Program: funding to develop a grant program aimed at addressing educator recruitment and retention problems in rural Montana and Indian country **Total = \$500,000** biennial (restricted OTO)

Other: FVCC \$300K, BVCC, \$400K, BBER \$75K, HiSet \$350K, MT Tech/MBMG \$125K

Building Projects / Major Repairs / Authority Only Projects

(HB 5, HB 14, HB 632)

Building Projects Total = \$53.5M (cash), \$21.3M (authority)

- Forestry, Conservation, & Lab Science Building – UM, \$25M (cash), \$20M (authority)
- Block Hall, – UM Western, \$12M (cash)
- MAES Research & Wool Labs – MSU, \$11M (cash), \$1.3M (authority)
- Heating System Upgrade – MT Tech, \$3.5M (cash)
- MAES Greenhouses, MSU, \$2M (cash)

Major Repairs = \$19.7M (various projects and campuses)

Authority Only Projects = \$47M

- \$20M general spending authority
- \$27M for six additional privately funded projects

BILLS IMPACTING MUS

Senate Bills

SB 25 – Revise education interim committee duties.

- Revises duties of the Education Interim Committee by removing specific statutory duties and providing for general oversight authority over the State Board of Education, the Board of Public Education, the Board of Regents, and OPI.
- Effective October 1, 2021.

SB 243 – Revise tuition domicile presumptions for MT National Guard members.

- Provides that a member of the Montana national guard is presumed to be domiciled in the state for purposes of qualifying for in-state tuition for a postsecondary certificate or undergraduate, postgraduate, or professional degree program.
- Effective July 1, 2021.

SB 247 – Revise laws for serving alcohol at sporting events.

- Allows a university to contract with a licensed entity to serve beer and wine at a sporting event and allows a licensee to contract with the university for revenue sharing.
- Beer or wine would be allowed in the grandstand and bleacher area of the premises, as well as from a booth, stand, or other fixed place on the premises.
- Effective April 29, 2021.

SB 248 – Establish student-athlete rights and protections.

- Allows a student athlete to earn compensation for use of the athlete’s name, image, or likeness (NIL) and to contract with and retain professional representation.
- A student-athlete may not receive compensation from the institution.
- An institution may prohibit the use of an athlete’s NIL on school property, at school functions, or in any advertising material distributed or placed on school property.
- A student-athlete may not enter into a contract if the terms of the contract conflict with team rules or with the terms of a contract entered into between the institution and a third party.
- Effective June 1, 2023.

SB 287 – Revise laws on financing for public building contracts.

- Authorizes the use of state building construction loans and requires a public agency such as the MUS to select the financial institution that is the lowest responsible bidder in terms of interest rate without regard to residency.
- If the lowest bidder does not have a physical branch located in Montana, a process is established to determine how the lender is selected.
- Effective October 1, 2021.

SB 319 – Revise state election laws for certain student organizations.

- For student organizations who are registered as political committees such as MontPirg any optional student fees must be provided on an opt-in basis.
- The opt-in fee must be delivered through a payment system independent from a campus system that currently collects, receives, or disburses tuition and fees.
- Prohibits political committees from conducting voter registration drives, ballot or signature collection efforts, and voter turnout efforts for federal, state, and local elections inside a residence hall, dining facility, or athletic facility operated by a public postsecondary institution.
- Effective July 1, 2021.

House Bills

HB 67 – Revise funding formula laws for community colleges.

- Revises the existing community college funding formula to provide a new base-plus formula.
- Requires trustees to submit enrollment projections and other data necessary for calculating the state appropriation for community colleges by August 1 of the year directly preceding the legislative session.
- By the following September 1, the Board of Regents must submit its proposal for funding to the community colleges to the budget director and legislative fiscal analyst.
- Applies to the appropriations process for fiscal year 2024 and thereafter.
- Effective July 1, 2021, except for sections 1, 6 and 7, which take effect July 1, 2023.

HB 100 – Revise community college auditing requirements.

- Requires a community college to contract with a private accounting firm for audits, subject to approval by the legislative auditor, and requires cost estimates to be provided to the budget director. Community colleges are responsible for payment of costs that are not appropriated by the Legislature.
- Effective July 1, 2021.

HB 102 – Revise laws for carrying firearms on campus.

- Allows any person who is eligible to possess a firearm under state or federal law and who meets the minimum safety and training requirements for obtaining a concealed weapons permit to carry a firearm on campus except in places where alcohol is served and consumed or at any event open to the public that has armed security.
- A person may store and possess a firearm in a dormitory with the express written consent of the person's roommate.
- Effective June 1, 2021 for postsecondary institutions.

HB 112 – Establish the “Save Women’s Sports Act”.

- Prohibits transgender female athletes from competing on interscholastic, intercollegiate, intramural, or club teams designated for girls or women.
- Establishes a cause of action against schools or institutions or higher education for a student who “suffers any direct or indirect harm” from a violation of the legislation.
- Includes a clause that would void the legislation if certain measures are taken by the United States Secretary of Education for the withdrawal of federal higher education funding.
- Effective July 1, 2021.

HB 129 – Revise the Family Education Savings Act (MT 529 Plan).

- Aligns state law with federal changes to 529 qualified tuition plans to allow withdrawals for expenses in connection with a beneficiary's enrollment or attendance at an elementary or secondary public, private, or religious school (kindergarten through grade 12) and expenses for fees, books, supplies, and equipment required for the participation in an apprenticeship program and qualified education loan repayments in limited amounts.
- In Montana, expenses may be deducted up to \$3,000 per taxpayer per year or up to \$6,000 for those married, filing jointly.
- Effective April 30, 2021.

HB 179 – Revise community college district laws.

- Clarifies the procedure for organizing, creating, and funding a new community college district by placing the process for organizing a CC district with county commissioners rather than the Board of Regents.
- Includes specified ballot language stating that creating the district may also require approval of a local levy to support it.
- Specifies that the Board of Regent's role in the process is to provide the Legislature with an evaluation of the education workforce needs of the district.
- Provides a definition for how the initial level of state financial support for the district is to be determined and conditions the receipt of funding on a district securing voter approval of a property tax levy of at least 1.5 mills.
- Effective July 1, 2021.

HB 218 – Revise laws related to free expression on campus.

- Designates all outdoor areas of a campus as a "public forum" for expressive activity and prohibits the establishment of a "free speech zone" or other designated outdoor area where expressive activity is prohibited.
- Campus free speech policies must address students' expectations and provide appropriate regulations consistent with the legislation.
- Allows any person or student organization who is "aggrieved" by a violation to receive at least \$2,000 but not more than \$75,000 in damages and requires claims to be filed within 1 year.
- Provides for the optional development of a report to identify "a course of action to implement" the legislation.
- Effective April 15, 2021.

HB 349 – Revise laws related to freedom of association and freedom of speech on campus.

- Prohibits the denial of any benefit or privilege such as formal recognition, registration, or the use of facilities to organizations that require leaders or members to affirm and adhere to the organization’s standards of conduct or further the student organization’s mission or purpose.
- Requires institutions to adopt policies prohibiting student-on-student discriminatory harassment and prohibits an institution from disciplining a student for harassment or an alleged violation resulting from speech towards another student except in limited circumstances.
- Effective April 16, 2021.

HB 252 – Establish an employer tax credit for trades education and training expenses.

- Establishes a non-refundable tax credit for trades education and training. As adopted, the tax credit would be available for 50% of the “qualified education and training expenses incurred by an employer for the benefit of an employee” up to \$2,000 per employee annually and up to \$25,000 for an employer.
- Includes expenses incurred by the employer that are paid to a third party for tuition, fees, books, supplies, or equipment required as part of a qualified training method to assist an employee to develop additional techniques and skills in a trade profession.
- Effective April 19, 2021.

HB 334 – Revise laws related to medical exemptions for student immunizations.

- Revises laws regarding statutory religious exemptions for required immunizations.
- Clarifies that a person may attend a school, including a post-secondary school, without obtaining required immunizations if the person files a notarized affidavit with the governing authority stating that immunization is contrary to the person’s religious tenants and practices.
- Clarifies provisions related to medical exemptions for immunizations.
- Effective July 1, 2021.

HB 403 – Establish the MT Grow Your Own Teacher program.

- Establishes a grant program administered by OCHE for the purpose of developing teacher pipelines for rural and reservation school districts.
- The Grow Your Own Teacher program would allow for opportunities for dual credit courses, work-based learning in the field of education, and collaboration for the development of pathways for careers in education.

- The legislation also creates a grant program for tribal colleges, community colleges, and 2-year campuses to pursue accreditation for teacher preparation programs or develop collaborative programs with 4-year institutions with accredited teacher preparation programs.
- \$500,000 provided for the biennium.
- Effective July 1, 2021.

HB 497 – Establish interim budget committees at the Legislature.

- Establishes interim budget committees for (1) general government; (2) health and human services; (3) natural resources and transportation; (4) the judicial branch, law enforcement, and the department of justice; (5) education, including OPI and OCHE; and (6) long-range planning.
- Provides the interim budget committees with authority to review and oversee expenditures, as well as the implementation of new programs.

HB 648 – Revise natural resource laws.

- Establishes a hydrocarbon and geology investigation program in the Bureau of Mines and Geology at MT Tech to determine the existence of oil and gas deposits in the state.
- Provides \$125,000 for the biennium.

Studies and Resolutions

SJ 15 – Legislative approval of the Bitterroot Valley Community College District.

- Provided formal approval of the establishment of the Bitterroot Valley Community College District.
- An organizational meeting was held in Ravalli County on May 12, 2021.

HB 648 – Study of replacement power costs.

- Requires UM’s Bureau of Business and Economic Research to study the economic impact of prohibiting replacement power costs for coal-fired electronic facilities. (\$75,000 provided in HB 2).

HB 671 – Finance committee study of education-related issues.

- Directs legislative finance committee studies of Indian language preservation, the Montana digital academy, and K-12 enrollment increases.

MUS Biennial Budget Comparison - HB 2

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General Fund & State Special
as of 4/30/21 (Sine Die)

	2021 Biennium	2023 Biennium	Biennium Chg.	
			\$\$	%
HB2 Total	529,937,759	551,377,928	21,440,169	4.0%
Program 1: Admin	7,455,189	8,148,069	692,880	9.3%
Total On-going	7,455,189	7,523,069	67,880	0.9%
Program 2: Student Asst.	23,264,726	23,355,829	91,103	0.4%
Total On-going	21,264,726	22,855,829	1,591,103	7.5%
Program 4: Comm. Colleges	27,784,483	28,693,344	908,861	3.3%
Total On-going	27,241,983	27,993,344	751,361	2.8%
Program 9: Ed. Units	409,101,663	428,611,271	19,509,608	4.8%
Ed. Unit Legis Base Funding*	408,431,908	422,097,755	13,665,846	3.3%
Program 10: Agencies	59,704,743	62,694,130	2,989,387	5.0%
Total On-going	58,794,743	61,784,130	2,989,387	5.1%
Program 11: Tribal Colleges	2,025,750	2,025,750	0	0.0%
Total On-going	1,675,750	1,675,750	0	0.0%

* includes Pay Plan, MUS_RP, with special approps and OTO removed

+ does not include Programs 5-8, and 12-13, all either largely made up of federal or proprietary funds, or small state approps

Shared Policy Goals

[TOP](#)

2021 Legislature

The Office of Commissioner of Higher Education agrees to partner with the Montana Legislature, represented by the Joint Education Appropriations Subcommittee on Education, to further the following Shared Policy Goals:

Tribal College Transfer Partnerships

Recognizing that the Montana University System (MUS) and Montana's Tribal Colleges inhabit separate governance structures, the MUS shall enhance its efforts to engage Tribal Colleges to improve the experience of students transferring from Tribal Colleges to MUS institutions.

Examples:

1. Expand Tribal College participation in the MUS Common Course Numbering system.
2. Expand Tribal College participation in Faculty Councils addressing "Transfer Degree Pathways" that reduce time-to-degree completion for students transferring from 2-year colleges to 4-year colleges.
3. Evaluate the "bulk transfer" of A.A. or A.S. degrees from Tribal Colleges so that they satisfy general education requirements at MUS institutions.

American Indian Language Linguistic Programs

Establish one or more MUS campuses as internationally-recognized center(s) for the study of Montana's American Indian languages. Examples:

4. Work with flagship campuses (UM and MSU) to grow investment in faculty and curriculum that support instruction related to Montana's Tribal Nations.
5. Articulate a "2+2" language pathway for Tribal College students to study both Native Language and general linguistics in collaboration with MUS Institutions.

Public-Private Joint Ventures for CTE

Where possible, pursue public-private partnerships that expand workforce training programs.

Examples:

6. Add workforce training programs that would otherwise not exist (e.g. Finishing Trades Institute of the Upper Midwest); work to expand partnerships and training programs available through Montana's Tribal Colleges.
7. Expand workforce training programs (both credit and non-credit) offered by MUS campuses to private businesses and industries; leverage tax incentives, statutorily designated funds, and available general fund dollars to reduce the cost of programs for students, employers, and campuses.

Partnership with OPI's Digital Academy

Refine the partnership between the MUS, the OPI and the Digital Academy in order to expand dual enrollment course offerings, for example:

- 8. Seek ways to add college-level coursework to Montana Digital Academy (MTDA) by exploring instructor credentialing requirements and integrating existing MUS online courses into the MTDA platform.
- 9. Specifically pursue the addition of American Indian Language courses to MTDA offerings.

Efficiency & Productivity

Renew efforts to improve efficiency and productivity on and between campuses; use quantitative data for assessments and comparisons to national standards and peers.

On behalf of the Office of the Commissioner of Higher Education:



Clayton T. Christian
Commissioner of Higher Education

27 April 2021
Date

**On behalf of the Joint Appropriations
Subcommittee on Education:**



Rep. David F. Bedey, Chairman

22 April 2021
Date



Sen. Daniel Salomon, Vice Chairman

4/22/2021
Date



Rep. Jonathan Windy Boy, Vice Chairman

4-22-2021
Date