

1 *Senate* BILL NO. *297*  
2 INTRODUCED BY *Blaylock* *Conner* *Ryan* *E. Smith*

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
5 75-6923, R.C.M. 1947, REMOVING THE ONE HUNDRED TWELVE  
6 PERCENT LIMITATION ON THE AMOUNT SCHOOL TRUSTEES MAY PROPOSE  
7 IN A GENERAL FUND BUDGET FOR OPERATION AND MAINTENANCE OF A  
8 PUBLIC SCHOOL."

9  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
11 Section 1. Section 75-6923, R.C.M. 1947, is amended to  
12 read as follows:

13 "75-6923. Additional levy for general fund and  
14 election for authorization to impose. The trustees of any  
15 district may propose to adopt a general fund budget in  
16 excess of the general fund budget amount for such district  
17 as established by the schedule in section 75-6905 for any of  
18 the following purposes:

- 19 (1) building, altering, repairing or enlarging any
- 20 school house of the district;
- 21 (2) furnishing additional school facilities for the
- 22 district;
- 23 (3) acquisition of land for the district;
- 24 (4) proper maintenance and operation of the school
- 25 programs of the district.

INTRODUCED BILL

1 However, the trustees may not adopt a total general  
2 fund budget which exceeds one hundred twelve percent (112%)  
3 of the general fund budget for the preceding year, unless  
4 such budget is adopted under conditions as provided in  
5 sections 75-6723 through 75-6730, or under the following  
6 conditions:

7 (a) new programs which are approved under 75-6903 or  
8 existing programs which are expanded as a result of AND  
9 increases approved under 75-6903;

10 (b) federal programs which are continued with local  
11 funds if federal funds are withdrawn or withheld;

12 (c) new programs of special education are approved;

13 In subsection (a), above, the budget may exceed one  
14 hundred twelve percent (112%) of the preceding year's budget  
15 by a dollar amount equal to the increase in the maximum  
16 budget without a vote resulting from the introduction of the  
17 new or expanded program and in subsection (b), above, by a  
18 dollar amount not to exceed the amount received from federal  
19 sources for the preceding year. Nothing in this act shall  
20 prevent a school district from adopting a budget at least as  
21 large as the maximum budget without a vote as provided in  
22 section 75-6905, provided, however, for the fiscal year  
23 1975, the trustees may adopt a total general fund budget  
24 which exceeds one hundred twelve percent (112%) of the  
25 general fund budget for the preceding year if they file a

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1 ~~notice--of--this--increase-with-the-superintendent-of-public~~  
 2 ~~instruction, setting--forth--the--specific--reasons--for--so~~  
 3 ~~increasing-the-budget.~~

4 When the trustees of any district determine that an  
 5 additional amount of financing is required for the general  
 6 fund budget that is in excess of the statutory schedule  
 7 amount, the trustees shall submit the proposition of an  
 8 additional levy to raise such excess amount of general fund  
 9 financing to the electors who are qualified, under section  
 10 75-6410, to vote upon such proposition except that the Twin  
 11 Bridges high school district may increase its general fund  
 12 budget as established by section 75-6905, R.C.M. 1947, by  
 13 the amount of tuition paid to the district the previous year  
 14 under section 75-6319, R.C.M. 1947. Such special election  
 15 shall be called and conducted in the manner prescribed by  
 16 this Title for school elections. The ballot for such  
 17 election shall state the amount of money to be raised by  
 18 additional property taxation, the approximate number of  
 19 mills required to raise such money, and the purpose for  
 20 which such money will be expended, and it shall be in the  
 21 following format:

22 PROPOSITION

23 Shall a levy be made in addition to the levies  
 24 authorized by law in such number of mills as may be  
 25 necessary to raise the sum of (state the amount to be raised

1 by additional tax levy), and being approximately (give  
 2 number) mills, for the purpose of (insert the purpose for  
 3 which the additional tax levy is made)?

"  FOR the additional levy.

4  AGAINST the additional levy."

5 If the election on any additional levy for the general  
 6 fund is approved by a majority vote of those electors voting  
 7 at such election, the proposition shall carry and the  
 8 trustees may use any portion or all of the authorized amount  
 9 in adopting the preliminary general fund budget. The  
 10 trustees shall certify the additional levy amount authorized  
 11 by such a special election on the budget form that is  
 12 submitted to the county superintendent and the county  
 13 commissioners shall levy such number of mills on the taxable  
 14 value of all taxable property within the district as  
 15 prescribed in section 75-6926, as are required to raise the  
 16 amount of such additional levy.

17 Authorization to levy an additional tax under the  
 18 provisions of this section shall be effective for only one  
 19 (1) school fiscal year and shall be authorized by a special  
 20 election conducted before the first day of August of the  
 21 school fiscal year for which it is effective. Only one such  
 22 additional levy for the maintenance and operation of the  
 23 school programs of a high school district may be imposed by

1 a high school district in a given school fiscal year."

-End-

Approved by Committee  
on Education

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SECOND READING

1 However, the trustees may not adopt a total general  
2 fund budget which exceeds one hundred twelve percent (112%)  
3 of the general fund budget for the preceding year, unless  
4 such budget is adopted under conditions as provided in  
5 sections 75-6725 through 75-6730, or under the following  
6 conditions:

7 (a) new programs which are approved under 75-6903 or  
8 existing programs which are expanded as a result of ANB  
9 increases approved under 75-6903;

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18 dollar amount not to exceed the amount received from federal  
19 sources for the preceding year. Nothing in this act shall  
20 prevent a school district from adopting a budget at least as  
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 10 75-6410, to vote upon such proposition except that the Twin  
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 13 the amount of tuition paid to the district the previous year  
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