

HOUSE BILL 207

IN THE HOUSE

January 16, 1979	Introduced and referred to Committee on Education and Cultural Resources.
January 30, 1979	Committee recommend bill, as amended, do not pass.
January 31, 1979	Report adopted.

1 HOUSE BILL NO. 207  
 2 INTRODUCED BY Waldron

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INSURE THAT STATUTES  
 5 IMPOSING NEW DUTIES UPON THE BOARD OF TRUSTEES OF A SCHOOL  
 6 DISTRICT PROVIDE A SPECIFIC MEANS OF FINANCING."

7  
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Statutes imposing new duties on the board  
 10 of trustees of a school district to provide means of  
 11 financing. (1) Any law enacted by the legislature after July  
 12 1, 1979, which requires the board of trustees of a school  
 13 district to perform an activity or provide a service or  
 14 facility and which will require the direct expenditure of  
 15 additional funds must provide a specific means to finance  
 16 the activity, service, or facility other than the existing  
 17 property tax mill levy. Any law that fails to provide a  
 18 specific means to finance such a service or facility other  
 19 than the existing statutory mill levy is not effective until  
 20 a specific means of financing meeting the requirements of  
 21 subsection (2) is provided by the legislature.

22 (2) The legislature may provide for an increase in the  
 23 mill levy, special mill levy, or remission of money by the  
 24 state to the boards of trustees of school districts in the  
 25 state. If an increase in a mill levy or special mill levy is

1 specified, the increase must provide an amount necessary to  
 2 finance the additional costs. If financing is provided by  
 3 the remission of funds by the state, the remission must bear  
 4 a reasonable relationship to the actual cost of performing  
 5 the activity or providing the service or facility.

6 (3) The board of trustees may refuse to comply with or  
 7 enforce any law that does not meet the requirements of this  
 8 section.

9 (4) No subsequent legislation may supersede or modify  
 10 any provision of this section, whether by implication or  
 11 otherwise, except to the extent that the legislation does so  
 12 expressly.

13 (5) This section does not apply to any law under which  
 14 the required expenditure of additional funds by the board of  
 15 trustees of the school district is incidental to the main  
 16 purpose of the law.

-End-