CHAPTER NO. _72____.

HOUSE BILL NO. 296

INTRODUCED BY LUND

IN THE HOUSE

January 22, 1979 Introduced and referred to Committee on Education and Cultural Resources. February 13, 1979 Committee recommend bill do pass as amended. Report adopted.

February 15, 1979 Printed and placed on members' desks.

February 16, 1979 Second Reading, do pass.

Considered correctly engrossed.

February 19, 1979 Third Reading, passed. Transmitted to Second House.

IN THE SENATE

February 20, 1979 Introduced and referred to Committee on Education.

February 23, 1979 Committee recommend bill be concurred in. Report adopted.

February 28, 1979 Second Reading, concurred in.

March 2, 1979 Third Reading, concurred in.

IN THE HOUSE

March 3, 1979

February 17, 1979

Returned from Second House. Concurred in.

Sent to enrolling.

Reported correctly enrolled.

LC 0985/01

HOLLE BILL NO. 296 1 INTRODUCED BY 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT SCHOOL 4 TRUSTEES TO RECEIVE AND USE FEDERAL AND STATE FUNDS TO 5 SUPPLEMENT THE GENERAL FUND SUDGET WITHOUT A VOTE OF THE 6 FLECTORS OF THE SCHOOL DISTRICT: AMENDING SECTIONS 20-9-315 7 8 AND 20-9-353, MCA."

9

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

Section 1. Section 20-9-515, NCA, is amended to read: 11 "20-9-315. Maximum general fund budget and exceptions. 12 The total amount of the general fund budget of any district 13 shall not be greater than the general fund budget amount 14 specified in 20-9-316 through 20-9-321, except when a 15 district has adopted an emergency general fund budget under 16 17 the provisions of 20-9-165 or when a district hes-voted-on additional--levy--under--the--provisions--of satisfies the 18 19 requirements of 20-9-353.**

20 Section 2. Section 20-9-353, MCA, is amended to read: 21 **20-9-353. Additional levy for general fund --22 election for authorization to impose. (1) The trustees of 23 any district may propose to adopt a general fund budget in 24 excess of the general fund budget amount for such district 25 as established by the schedules in 20-9-316 through 20-9-321

1 for any of the following purposes:

6

2 (a) building, altering, repairing, or enlarging any
 3 schoolhouse of the district;

4 (b) furnishing additional school facilities for the 5 district;

(c) acquisition of land for the district;

7 (d) proper maintenance and operation of the school
8 programs of the district.

9 (2) However, when the trustees adopt a total general 10 fund budget which exceeds 110% of the general fund budget 11 for the preceding year, they shall file a notice of this 12 increase with the superintendent of public instruction, 13 setting forth the specific reasons for increasing the 14 budget.

15 (3) When the trustees of any district determine that an additional amount of financing is required for the 16 17 general fund budget that is in excess of the statutory 18 schedule amount, the trustees shall submit the proposition 19 of an additional levy to raise such excess amount of general 20 fund financing to the electors who are qualified under 21 20-20-301 to vote upon such proposition except that the-Twin 22 Bridges--high--school-district-may-increase-its-general-fund 23 budget-as-astablished-by-20-9-316-through--20-9-321--by--the 24 amount--of--tuition--paid--to-the-district-the-previous-yeor under-20-5-315 no election shall be required to permit the 25 HB 296 -2-INTRODUCED BILL

LC 0985/01

1 school trustees to use federal or state funds to supplement the general fund budget. Such special election shall be 2 3 called and conducted in the manner prescribed by this title for school elections. The ballot for such election shall 4 5 state the amount of money to be raised by additional property taxation, the approximate number of mills required 6 7 to raise such money, and the purpose for which such money will be expended, and it shall be in the following format: 8 9 *PROPOSITION

10 Shall a levy be made in addition to the levies 11 authorized by law in such number of mills as may be 12 necessary to raise the sum of (state the amount to be raised 13 by additional tax levy), and being approximately (give 14 number) mills, for the purpose of (insert the purpose for 15 which the additional tax levy is made)?

FOR the additional levy.

16

17

AGAINST the additional levy."

18 (4) If the election on any additional levy for the 19 general fund is approved by a majority vote of those 20 electors voting at such election, the proposition shall 21 carry and the trustees may use any portion or all of the 22 authorized amount in adopting the preliminary general fund 23 budget. The trustees shall certify the additional levy 24 amount authorized by such a special election on the budget form that is submitted to the county superintendent, and the 25

LC 0985/01

county commissioners shall levy such number of mills on the
 taxable value of all taxable property within the district;
 as prescribed in 20-9-141, as are required to raise the
 amount of such additional levy.

(5) Authorization to levy an additional tax under the 5 provisions of this section shall be effective for only 1 6 7 school fiscal year and shall be authorized by a special election conducted before August 1 of the school fiscal year 8 9 for which it is effective. Only one such additional levy for 10 the maintenance and operation of the school programs of a 11 high school district may be imposed by a high school 12 district in a given school fiscal year."

-End-

14

HB 0296/02

APPROVED BY COMM. ON EDUCATION & CULTURAL RESOURCES

HOUSE BILL NO. 296 1 INTRODUCED BY LUND 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT SCHOOL -4 5 TRUSTEES TO RECEIVE AND USE FEDERAL AND-STATE FUNDS TO SUPPLEMENT THE GENERAL FUND BUDGET WITHOUT A VOTE OF THE 6 FLECTORS OF THE SCHOOL DISTRICT: AMENDING SECTIONS 20-9-315 7 AND 20-9-353, MCA.* 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 20-9-315. MCA. is amended to read: 11 12 #20-9-315. Naximum general fund budget and exceptions. 13 The total amount of the general fund budget of any district

shall not be greater than the general fund budget amount 15 specified in 20-9-316 through 20-9-321, except when a district has adopted an emergency general fund budget under 16 the provisions of 20-9-165 or when a district has-voted-an 17 additional--levy--under--the--provisions--of satisfies_the 18 requirements of 20-9-353." 19

Section 2. Section 20-9-353, MCA, is amended to read: 20 "20-9-353. Additional levy for general fund --21 22 election for authorization to impose. (1) The trustees of 23 any district may propose to adopt a general fund budget in 24 excess of the general fund budget amount for such district as established by the schedules in 20-9-316 through 20-9-321 25

for any of the following purposes: 1 2 (a) building, altering, repairing, or enlarging any schoolhouse of the district; 3 4 (b) furnishing additional school facilities for the 5 district: 6 (c) acquisition of land for the district: 7 (d) proper maintenance and operation of the school 8 programs of the district. 9 (2) However, when the trustees adopt a total general 10 fund budget which exceeds 110% of the general fund budget 11 for the preceding year, they shall file a notice of this increase with the superintendent of public instruction. 12 13 setting forth the specific reasons for increasing the 14 budget. (3) When the trustees of any district determine that 15 an additional amount of financing is required for the 16 17 general fund budget that is in excess of the statutory 18 schedule amount, the trustees shall submit the proposition of an additional levy to raise such excess amount of general 19 20 fund financing to the electors who are gualified under 21 20-20-301 to vote upon such proposition except that the Twin 22 Bridges--high--school-district-may-increase-its-general-fund 23 budget-as-established-by-20-9-316-through--20-9-321--by--the 24 amount--of--tuition--paid--to-the-district-the-previous-year 25 under-20-5-315 po election shall be required to permit the

> -2-HB 296 SECOND READING

HB 0296/02

HB 296

1 school_trustees_to_use_federal_prestate=funda=to=supplement 2 the EUNDS RECEIVED UNDER TITLE I DE PUBLIC LAW 61-614 12 3 INCREASE THE SCHOOL DISTRICT'S general fund budget AS 4 ESTABLISHED_IN_20-9-316_THROUGH_20-9-321_BY__THE__AMOUNT__OF 5 IHESE_FUNDS. Such special election shall be called and 6 conducted in the manner prescribed by this title for school 7 elections. The ballot for such election shall state the amount of money to be raised by additional property 8 9 taxation, the approximate number of mills required to raise such money, and the purpose for which such money will be 10 expended, and it shall be in the following format: 11 *PROPOSITION 12

13 Shall a levy be made in addition to the levies authorized by law in such number of mills as may be 14 15 necessary to raise the sum of (state the amount to be raised by additional tax levy), and being approximately (give 16 number) mills, for the purpose of (insert the purpose for 17 which the additional tax levy is made}? 18

FOR the additional levy.

19

AGAINST the additional levy.* 20

21 (4) If the election on any additional levy for the 22 general fund is approved by a majority vote of those 23 electors voting at such election, the proposition shall carry and the trustees may use any portion or all of the 24 authorized amount in adopting the preliminary general fund 25

- 3-

budget. The trustees shall certify the additional levy 1 2 amount authorized by such a special election on the budget form that is submitted to the county superintendent, and the 3 county commissioners shall levy such number of mills on the 4 taxable value of all taxable property within the district, 5 as prescribed in 20-9-141, as are required to raise the 6 amount of such additional levy. 7

(5) Authorization to levy an additional tax under the 8 provisions of this section shall be effective for only 1 9 10 school fiscal year and shall be authorized by a special election conducted before August 1 of the school fiscal year 11 for which it is effective. Only one such additional levy for 12 13 the maintenance and operation of the school programs of a 14 high school district may be imposed by a high school 15 district in a given school fiscal year."

-End-

-4-

HB 0296/02

HOUSE BILL NO. 296 1 INTRODUCED BY LUND 2 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT SCHOOL TRUSTEES TO RECEIVE AND USE FEDERAL AND-STATE FUNDS TO 5 SUPPLEMENT THE GENERAL FUND BUDGET WITHOUT A VOTE OF THE 6 7 ELECTORS OF THE SCHOOL DISTRICT; AMENDING SECTIONS 20-9-315 в AND 20-9-353. MCA.* 9

10 Section 1. Section 20-9-315, MCA, is amended to read: 11 #20-9-315. Maximum general fund budget and exceptions. 12 The total amount of the general fund budget of any district 13 14 shall not be greater than the general fund budget amount specified in 20-9-316 through 20-9-321, except when a 15 16 district has adopted an emergency general fund budget under the provisions of 20-9-165 or when a district has-voted-an 17 18 additional--levy--under--the--provisions--of satisfies the requirements of 20-9-353.* 19

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

Section 2. Section 20-9-353. MCA, is amended to read: 20 "20-9-353. Additional levy for general fund --21 22 election for authorization to impose. (1) The trustees of any district may propose to adopt a general fund budget in 23 excess of the general fund budget amount for such district 24 as established by the schedules in 20-9-316 through 20-9-321 25

for any of the following purposes: 1

6

2 (a) building, altering, repairing, or enlarging any 3 schoolhouse of the district;

4 (b) furnishing additional school facilities for the 5 district;

(c) acquisition of land for the district;

7 (d) proper maintenance and operation of the school 8 programs of the district.

9 (2) However, when the trustees adopt a total general 10 fund budget which exceeds 110% of the general fund budget 11 for the preceding year, they shall file a notice of this 12 increase with the superintendent of public instruction. 13 setting forth the specific reasons for increasing the 14 budget.

15 (3) When the trustees of any district determine that 16 an additional amount of financing is required for the 17 general fund budget that is in excess of the statutory 18 schedule amount, the trustees shall submit the proposition 19 of an additional levy to raise such excess amount of general 20 fund financing to the electors who are gualified under 21 20-20-301 to vote upon such proposition except that the-Twin 22 Bridges--high--school-district-may-increase-its-general-fund 23 budget-as-established-by-28-9-316-through--28-9-321--by--the 24 amount--of--tuition--paid--to-the-district-the-previous-year 25 under-20-5-315 no election shall be required to permit the

-2-

HB 296

THIRD READING

HB 296

1 school__trustees_to_use_federal_or=state=funda=to=supplement 2 the FUNDS RECEIVED UNDER TITLE I OF PUBLIC LAW 81-874 TO 3 INCREASE THE SCHOOL DISTRICI'S general fund budget AS 4 ESTABLISHED IN 20-9-316 THROUGH 20-9-321 BY THE AMOUNT OF IHESE_EUNDS. Such special efection shall be called and 5 6 conducted in the manner prescribed by this title for school 7 elections. The ballot for such election shall state the 8 amount of money to be raised by additional property 9 taxation, the approximate number of mills required to raise such money, and the purpose for which such money will be 10 11 expended, and it shall be in the following format:

12

#PROPOSITION

13 Shall a levy be made in addition to the levies 14 authorized by law in such number of mills as may be 15 necessary to raise the sum of (state the amount to be raised 16 by additional tax levy), and being approximately (give 17 number) mills, for the purpose of (insert the purpose for 18 which the additional tax levy is made)?

19 FOR the additional levy.

20 AGAINST the additional levy."

21 (4) If the election on any additional levy for the 22 general fund is approved by a majority vote of those 23 electors voting at such election, the proposition shall 24 carry and the trustees may use any portion or all of the 25 authorized amount in adopting the preliminary general fund

-3-

budget. The trustees shall certify the additional levy amount authorized by such a special election on the hudget form that is submitted to the county superintendent, and the county commissioners shall levy such number of mills on the taxable value of all taxable property within the district, as prescribed in 20-9-141, as are required to raise the amount of such additional levy.
6 (5) Authorization to levy an additional tax under the

8 (5) Authorization to levy an additional tax under the 9 provisions of this section shall be effective for only 1 10. school fiscal year and shall be authorized by a special 11 election conducted before August 1 of the school fiscal year 12 for which it is effective. Only one such additional levy for 13 the maintenance and operation of the school programs of a 14 high school district may be imposed by a high school 15 district in a given school fiscal year."

-End-

-4-

HR 296

25

HB 0296/03

HOUSE BILL NO. 296 1 INTRODUCED BY LUND 2 3 A BLUE FOR AN ACT ENTITLED: "AN ACT TO PERMIT SCHOOL 4 TRUSTEES TO RECEIVE AND USE FEDERAL AND-STATE FUNDS TO 5 SUPPLEMENT THE GENERAL FUND BUDGET WITHOUT A VOTE OF THE ħ 7 ELECTORS JF THE SCHOOL DISTRICT; AMENDING SECTIONS 20-9-315 з AND 20-9-353. MCA." 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 20-9-315, MCA, is amended to read: 11 12 #20-9-315. Maximum general fund budget and exceptions. 13 The total amount of the general fund budget of any district shall not be greater than the general fund budget amount 14 15 specified in 20-9-316 through 20-9-321, except when a district has adopted an emergency general fund budget under 16 the provisions of 20-9-165 or when a district has-voted-an 17 additional--levy--under--the--provisions--of <u>satisfies__the</u> 18 19 requirements of 20-9-353.* Section 2. Section 20-9-353, MCA, is amended to read: 20 23 "20-9-353. Additional levy for general fund -election for authorization to impose. (1) The trustees of 22 any district may propose to adopt a general fund budget in 23 excess of the general fund budget amount for such district 24 as established by the schedules in 20-9-316 through 20-9-321

1 for any of the following purposes:

2 (a) building, altering, repairing, or enlarging any 3 schoolhouse of the district;

(b) furnishing additional school facilities for the 4 5 district;

6 (c) acquisition of land for the district:

7 (d) proper maintenance and operation of the school 8 programs of the district.

9 (2) However, when the trustees adopt a total general 10 fund budget which exceeds 110% of the general fund budget 11 for the preceding year, they shall file a notice of this 12 increase with the superintendent of public instruction. setting forth the specific reasons for increasing the 13 14 budget.

15 (3) When the trustees of any district determine that 16 an additional amount of financing is required for the 17 general fund budget that is in excess of the statutory 18 schedule amount, the trustees shall submit the proposition 19 of an additional levy to raise such excess amount of general 20 fund financing to the electors who are qualified under 21 20-20-301 to vote upon such proposition except that the-fwin 22 Bridges--high--school-district-may-increase-its-general-fund 23 budget-ns-established-by-28-9-316-through--28-9-321--by--the 24 amount--of--tuition--paid--to-the-district-the-previous-year 25 under-20-5-315 no_election_sball_be_required_to_permit__tbe

> -2-HB 296 REFERENCE BILL

HB 0296/03

1 school_trustees_to_use_federal_pr=state=funds_to=supplement z the EUNDS_RECEIVED_UNDER_IIILE_I_DE__PUBLIC__LAW__81-874__IO 3 INCREASE THE SCHOOL DISTRICT'S general fund budget AS 4 ESTABLISHED_IN_20-9-316_IHROUGH_20-9-321_BY__THE__ANOUNI_DE IHESE FUNDS. Such special election shall be called and 5 6 conducted in the manner prescribed by this title for school 7 elections. The ballot for such election shall state the amount of money to be raised by additional property A 9 taxation, the approximate number of mills required to raise 10 such money, and the purpose for which such money will be expended, and it shall be in the following format: 11

PROPOSITION

13 Shall a levy be made in addition to the levies 14 authorized by law in such number of mills as may be 15 necessary to raise the sum of (state the amount to be raised 16 by additional tax levy), and being approximately (give 17 number) mills, for the purpose of (insert the purpose for 18 which the additional tax levy is made)?

19 FOR the additional levy.

12

20 AGAINST the additional levy."

21 (4) If the election on any additional levy for the 22 general fund is approved by a majority vote of those 23 electors voting at such election, the proposition shall 24 carry and the trustees may use any portion or all of the 25 authorized amount in adopting the preliminary general fund

-3-

H5 296

budget. The trustees shall certify the additional levy amount authorized by such a special election on the budget form that is submitted to the county superintendent, and the county commissioners shall levy such number of mills on the taxable value of all taxable property within the district, as prescribed in 20-9-141, as are required to raise the amount of such additional levy.

8 (5) Authorization to levy an additional tax under the provisions of this section shall be effective for only 1 Q school fiscal year and shall be authorized by a special 10 11 election conducted before August 1 of the school fiscal year 12 for which it is effective. Only one such additional levy for 13 the maintenance and operation of the school programs of a high school district may be imposed by a high school 14 district in a given school fiscal year." 15

-End-