

HOUSE BILL NO. 610

INTRODUCED BY R. ANDERSON, B. BROWN, MARKS, FABREGA, KESSLER, NORDTVEDT, McCALLUM, HAMMOND, HARP, IVERSON, E. SMITH, ECK, MEYER, VINCENT, EUDAILY, DONALDSON, BENGTSON, HEMSTAD, THOFT, SALES, ELLERD, SHELDEN, WALLIN, ERNST, SPILKER, FAGG, HEALY, HAFPEY, MATSKO, PHILLIPS, BRIGGS, SEVERSON, JACOBSON, MAZUREK, THOMAS, CONN, VAN VALKENBURG, STIMATZ, REGAN, DUSSAULT, KEYSER, KEEDY, ROTH, R. MANNING, SCHULTZ, OCHSNER, M. ANDERSON, HAGER, J. O'HARA, MOORE

IN THE HOUSE

January 31, 1981	Introduced and referred to Committee on Education.
February 6, 1981	Fiscal note requested.
February 7, 1981	Committee recommend bill do pass as amended. Objection to Report. Rereferred to Committee on Appropriations.
February 10, 1981	Committee recommend bill do pass as amended. Report adopted.
February 11, 1981	Fiscal note returned. Bill printed and placed on members' desks.
February 13, 1981	Motion pass consideration until 39th Legislative Day.
February 16, 1981	Second reading, do pass as amended.
February 19, 1981	Correctly engrossed.
February 20, 1981	Third reading, passed. Ayes, 59; Noes, 41. Transmitted to Senate.

IN THE SENATE

February 21, 1981

Introduced and referred to
Committee on Finance and
Claims.

March 13, 1981

Committee recommend bill
be concurred in as amended.
Report adopted.

On motion rules suspended.
Bill referred to second
reading for consideration
this day.

Second reading, concurred in.

On motion rules suspended.
Bill placed on calendar for
third reading this day.

Third reading, concurred in as
amended. Ayes, 47; Noes, 0.

IN THE HOUSE

March 14, 1981

Returned from Senate with
amendments.

On motion rules suspended and
bill placed on second reading
this day.

Second reading, amendments
concurred in.

On motion rules suspended
and bill placed on third reading
this day.

Third reading, amendments
concurred in. Ayes, 71; Noes, 12.
Sent to enrolling.

Reported correctly enrolled.

Gene O'Hara
Wentworth
Keeler
HART
 HOUSE BILL NO. *610*
 INTRODUCED BY *R.L. Anderson* *Bob Brown* *Mark* *Seeger*
 VINCENT *Edaily* *Smalson* *Bengtson* *Demot*
 A BILL FOR AN ACT ENTITLED "AN ACT TO INCREASE THE *thoft*
 MAXIMUM GENERAL FUND BUDGET WITHOUT A VOTED LEVY LIMITATION *Sales*
 FOR ELEMENTARY SCHOOLS AND HIGH SCHOOLS; TO REVISE THE *Ellen*
 ADDITIONAL LEVY PROVISIONS; AND TO PROVIDE FOR AN *Shelden*
 EXTRAORDINARY LEVY; AMENDING SECTIONS 20-9-316 THROUGH *Wadley*
 20-9-319, AND 20-9-353, MCA." *Brigg* *Spitzer*
Saverson *Steady* *Healy* *Haffey*

E. Smith
E. Meyer
Richard
Edaily
Smalson
Bengtson
Demot
thoft
Sales
Ellen
Shelden
Wadley
Brigg
Spitzer
Saverson
Steady
Healy
Haffey

1 INTRODUCED BY
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 10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 20-9-316, MCA, is amended to read:
 13 "20-9-316. Elementary school maximum budget schedule
 14 for 1979-80 1981-82. (1) For each elementary school having
 15 an ANB of nine or fewer pupils, the maximum shall be \$12,002
 16 \$16,608 if said school is approved as an isolated school.
 17 (2) For schools with an ANB of 10 pupils but less than
 18 18 pupils, the maximum shall be \$12,002 \$16,608 plus \$50,60
 19 \$624.10 per pupil on the basis of the average number
 20 belonging over nine.
 21 (3) For schools with an ANB of 18 pupils and employing
 22 one teacher, the maximum shall be \$16,516 \$22,855 plus
 23 \$50,60 \$624.10 per pupil on the basis of the average number
 24 belonging over 18, not to exceed an ANB of 25.
 25 (4) For schools with an ANB of 18 pupils and employing

1 two full-time teachers, the maximum shall be \$26,665 \$36,490
 2 plus \$34.10 \$44.70 per pupil on the basis of the average
 3 number belonging over 18, not to exceed an ANB of 50.
 4 (5) For schools having an ANB in excess of 40, the
 5 maximum on the basis of the total pupils (ANB) in the
 6 district for elementary pupils will be as follows:
 7 (a) For a school having an ANB of more than 40 and
 8 employing a minimum of three teachers, the maximum of \$1,65
 9 \$1,613 shall be decreased at the rate of \$1.13 \$1.51 for
 10 each additional pupil until the total number (ANB) shall
 11 have reached a total of 100 pupils.
 12 (b) For a school having an ANB of more than 100
 13 pupils, the maximum of \$1,097 \$1,512 shall be decreased at
 14 the rate of \$1.03 \$1.43 for each additional pupil until the
 15 ANB shall have reached 300 pupils.
 16 (c) For a school having an ANB of more than 300
 17 pupils, the maximum shall not exceed \$890.60 \$1,232 for each
 18 pupil.
 19 (6) The maximum per pupil for all pupils (ANB) and for
 20 all elementary schools shall be computed on the basis of the
 21 amount allowed herein on account of the last eligible pupil
 22 (ANB). All elementary schools operated within the
 23 incorporated limits of a city or town shall be treated as
 24 one school for the purpose of this schedule."
 25 Section 2. Section 20-9-317, MCA, is amended to read:

1 "20-9-317. High school maximum budget schedule for
2 1979-80 ~~1981-82~~. (1) For each high school having an ANB of
3 24 or fewer pupils, the maximum shall be ~~\$68,373~~ ~~\$94,612~~.

4 (2) For a secondary school having an ANB of more than
5 24 pupils, the maximum ~~\$2,849~~ ~~\$3,942~~ shall be decreased at
6 the rate of ~~\$15.54~~ ~~\$21.50~~ for each additional pupil until
7 the ANB shall have reached a total of 40 such pupils.

8 (3) For a school having an ANB of more than 40 pupils,
9 the maximum of ~~\$2,600~~ ~~\$3,598~~ shall be decreased at the rate
10 of ~~\$15.54~~ ~~\$21.50~~ for each additional pupil until the ANB
11 shall have reached 100 pupils.

12 (4) For a school having an ANB of more than 100
13 pupils, a maximum of ~~\$1,668~~ ~~\$2,308~~ shall be decreased at the
14 rate of ~~\$2.60~~ ~~\$3.60~~ for each additional pupil until the ANB
15 shall have reached 200 pupils.

16 (5) For a school having an ANB of more than 200
17 pupils, the maximum of ~~\$1,400~~ ~~\$1,942~~ shall be decreased by
18 ~~\$1.43~~ ~~\$1.98~~ for each additional pupil until the ANB shall
19 have reached 300 pupils.

20 (6) For a school having an ANB of more than 300
21 pupils, the maximum of ~~\$1,265~~ ~~\$1,751~~ shall be decreased at
22 the rate of ~~26~~ ~~36~~ cents until the ANB shall have reached 600
23 pupils.

24 (7) For a school having an ANB over 600 pupils, the
25 maximum shall not exceed ~~\$1,106~~ ~~\$1,642~~ per pupil.

1 (8) The maximum per pupil for all pupils (ANB) and for
2 all high schools shall be computed on the basis of the
3 amount allowed herein on account of the last eligible pupil
4 (ANB). All high schools and junior high schools which have
5 been approved and accredited as junior high schools,
6 operated within the incorporated limits of a city or town,
7 shall be treated as one school for the purpose of this
8 schedule."

9 Section 3. Section 20-9-318, MCA, is amended to read:
10 "20-9-318. Elementary school maximum budget schedule
11 for ~~1980-81~~ ~~1982-83~~ and succeeding years. (1) For each
12 elementary school having an ANB of nine or fewer pupils, the
13 maximum shall be ~~\$13,202~~ ~~\$18,618~~ if said school is approved
14 as an isolated school.

15 (2) For schools with an ANB of 10 pupils but less than
16 18 pupils, the maximum shall be ~~\$13,202~~ ~~\$18,618~~ plus ~~\$551.70~~
17 ~~\$778.10~~ per pupil on the basis of the average number
18 belonging over nine.

19 (3) For schools with an ANB of 18 pupils and employing
20 one teacher, the maximum shall be ~~\$10,160~~ ~~\$25,620~~ plus
21 ~~\$551.70~~ ~~\$778.10~~ per pupil on the basis of the average number
22 belonging over 18, not to exceed an ANB of 25.

23 (4) For schools with an ANB of 18 pupils and employing
24 two full-time teachers, the maximum shall be ~~\$29,006~~ ~~\$40,905~~
25 plus ~~\$345.50~~ ~~\$487.30~~ per pupil on the basis of the average

1 number belonging over 18, not to exceed an ANB of 50.

2 (5) For schools having an ANB in excess of 40, the
3 maximum on the basis of the total pupils (ANB) in the
4 district for elementary pupils will be as follows:

5 (a) For a school having an ANB of more than 40 and
6 employing a minimum of three teachers, the maximum of ~~\$1,202~~
7 ~~\$1,808~~ shall be decreased at the rate of ~~\$1.25~~ ~~\$1.76~~ for
8 each additional pupil until the total number (ANB) shall
9 have reached a total of 100 pupils.

10 (b) For a school having an ANB of more than 100
11 pupils, the maximum of ~~\$1,207~~ ~~\$1,702~~ shall be decreased at
12 the rate of ~~\$1.12~~ ~~\$1.61~~ for each additional pupil until the
13 ANB shall have reached 300 pupils.

14 (c) For a school having an ANB of more than 300
15 pupils, the maximum shall not exceed ~~\$979.60~~ ~~\$1,381~~ for each
16 pupil.

17 (6) The maximum per pupil for all pupils (ANB) and for
18 all elementary schools shall be computed on the basis of the
19 amount allowed herein on account of the last eligible pupil
20 (ANB). All elementary schools operated within the
21 incorporated limits of a city or town shall be treated as
22 one school for the purpose of this schedule."

23 Section 4. Section 20-9-319, MCA, is amended to read:

24 "20-9-319. High school maximum budget schedule for
25 ~~1980-81~~ ~~1982-83~~ and succeeding years. (1) For each high

1 school having an ANB of 24 or fewer pupils, the maximum
2 shall be ~~\$75,210~~ ~~\$106,068~~.

3 (2) For a secondary school having an ANB of more than
4 24 pupils, the maximum ~~\$3,134~~ ~~\$4,420~~ shall be decreased at
5 the rate of ~~\$17.09~~ ~~\$24.10~~ for each additional pupil until
6 the ANB shall have reached a total of 40 such pupils.

7 (3) For a school having an ANB of more than 40 pupils,
8 the maximum of ~~\$2,060~~ ~~\$4,034~~ shall be decreased at the rate
9 of ~~\$17.09~~ ~~\$24.10~~ for each additional pupil until the ANB
10 shall have reached 100 pupils.

11 (4) For a school having an ANB of more than 100
12 pupils, a maximum of ~~\$1,835~~ ~~\$2,588~~ shall be decreased at the
13 rate of ~~\$2.86~~ ~~\$4.03~~ for each additional pupil until the ANB
14 shall have reached 200 pupils.

15 (5) For a school having an ANB of more than 200
16 pupils, the maximum of ~~\$1,549~~ ~~\$2,184~~ shall be decreased by
17 ~~\$1.57~~ ~~\$2.22~~ for each additional pupil until the ANB shall
18 have reached 300 pupils.

19 (6) For a school having an ANB of more than 300
20 pupils, the maximum of ~~\$1,392~~ ~~\$1,963~~ shall be decreased at
21 the rate of ~~20~~ ~~41~~ cents until the ANB shall have reached 600
22 pupils.

23 (7) For a school having an ANB over 600 pupils, the
24 maximum shall not exceed ~~\$1,305~~ ~~\$1,840~~ per pupil.

25 (8) The maximum per pupil for all pupils (ANB) and for

1 all high schools shall be computed on the basis of the
2 amount allowed herein on account of the last eligible pupil
3 (ANB). All high schools and junior high schools which have
4 been approved and accredited as junior high schools,
5 operated within the incorporated limits of a city or town,
6 shall be treated as one school for the purpose of this
7 schedule."

8 Section 5. Section 20-9-353, MCA, is amended to read:

9 "20-9-353. Additional levy for general fund --
10 election for authorization to impose. (1) The trustees of
11 any district may propose to adopt a general fund budget in
12 excess of the general fund budget amount for such district
13 as established by the schedules in 20-9-316 through 20-9-321
14 for any of the following purposes:

15 (a) building, altering, repairing, or enlarging any
16 schoolhouse of the district;

17 (b) furnishing additional school facilities for the
18 district;

19 (c) acquisition of land for the district;

20 (d) proper maintenance and operation of the school
21 programs of the district.

22 (2) ~~However, when the trustees adopt a total general~~
23 ~~fund budget which exceeds 118% of the general fund budget~~
24 ~~for the preceding year, they shall file a notice of this~~
25 ~~increase with the superintendent of public instruction~~

1 ~~setting forth the specific reasons for increasing the~~
2 ~~budget. The trustees of any district may propose an~~
3 ~~additional levy to the electors no greater than 20% of the~~
4 ~~amount certified by the trustees to the county~~
5 ~~superintendent under subsection (4) in the preceding year or~~
6 ~~25% of the district's proposed total general fund budget~~
7 ~~excluding approved allowable costs for special education.~~

8 (3) When the trustees of any district determine that
9 an additional amount of financing is required for the
10 general fund budget that is in excess of the statutory
11 schedule amount, the trustees shall submit the proposition
12 of an additional levy to raise such excess amount of general
13 fund financing to the electors who are qualified under
14 20-20-301 to vote upon such proposition except that no
15 election shall be required to permit the school trustees to
16 use federal funds received under Title I of Public Law
17 81-874 to increase the school district's general fund budget
18 as established in 20-9-316 through 20-9-321 by the amount of
19 these funds. Such special election shall be called and
20 conducted in the manner prescribed by this title for school
21 elections. The ballot for such election shall state the
22 amount of money to be raised by additional property
23 taxation, the approximate number of mills required to raise
24 such money, and the purpose for which such money will be
25 expended, and it shall be in the following format:

"PROPOSITION

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

FOR the additional levy.

AGAINST the additional levy."

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

(5) Authorization to levy an additional tax under the provisions of this section shall be effective for only 1 school fiscal year and shall be authorized by a special election conducted before August 1 of the school fiscal year

~~for which it is effective. Only one such additional levy for the maintenance and operation of the school programs of a high school district may be imposed by a high school district in a given school fiscal year.~~"

NEW SECTION. Section 6. Extraordinary levy. The trustees of any district may determine additional funding in excess of the limitations set forth in 20-9-353(2) is required because of extraordinary circumstances such as significant changes in enrollment or circumstances beyond the control of the trustees not otherwise compensated for by law. In such instances the trustees may submit the proposition of an extraordinary levy to the electors in the manner provided for in 20-9-353 except that:

(1) An additional levy under 20-9-353 and an extraordinary levy under this section must be submitted to the electors at two separate elections.

(2) The extraordinary levy must be in the following format:

"Proposition

Shall an extraordinary levy be made over and above the additional levy proposed this school fiscal year and other levies authorized by law in such number of mills as may be necessary to raise the sum of (state the amount to be raised by extraordinary tax levy), and being approximately (give number) mills, for the purpose of (insert by budget line

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LC 0988/01

1 item the purpose for which the extraordinary tax levy is
2 made)?

3 FOR the extraordinary levy.

4 AGAINST the extraordinary levy."

5 (3) If the election on any additional levy proposed
6 for the same year pursuant to 20-9-353 fails to be approved,
7 an extraordinary levy may not carry, whether or not approved
8 by a majority of the electors.

9 (4) The trustees of any district may not submit more
10 than one extraordinary levy to the electors for any given
11 school fiscal year.

12 Section 7. Codification instruction. Section 6 is
13 intended to be codified as an integral part of Title 20,
14 chapter 9, part 3, and the provisions of Title 20 apply to
15 section 6.

-End-

STATE OF MONTANA

REQUEST NO. 314-81

FISCAL NOTE

Form BD-15

In compliance with a written request received February 6, 19 81, there is hereby submitted a Fiscal Note for House Bill 610 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation

House Bill 610 is an act to increase the maximum-General-Fund-Budget-without-a-vote-levy limitation for Elementary and High Schools; to revise the additional levy provisions; and to provide for an extraordinary levy.

Assumptions

1. GF/ANB at 12% for Elementary and 13% for High Schools from FY 1981.
2. Taxable values will increase 10% for FY 1982 and FY 1983.
3. ANB adjustments as estimated for FY 1982 and FY 1983.
4. Extraordinary levy impact cannot be calculated.
5. Estimated revenue to the equalization ERA will materialize.

Revenue and Expenditure Impact (Figures shown are in millions)

Expenditures:	FY 1982			FY 1983		
	Under Current Schedules	Under Proposed Schedules	Increase	Under Current Schedules	Under Proposed Schedules	Increase
Foundation Program	\$150.80	\$189.17	\$38.37	\$147.66	\$207.69	\$60.03
(State) Permissive Pro.	16.21	22.66	6.45	14.80	25.16	10.36
Total	\$167.01	\$211.83	\$44.82	\$162.46	\$232.85	\$70.39
Revenue:						
County Equalization	\$ 82.15	\$ 82.15	\$ 0	\$ 89.01	\$ 89.01	\$ 0
Earmarked Revenue	102.76	102.76	0	103.73	103.73	0
Account Balances	22.68	22.68	0	22.68	22.68	0
Total	\$207.59	\$207.59	\$ 0	\$208.30	\$208.30	\$ 0
State GF Required	\$ 0	\$ 4.24	\$ 4.24	\$ 0	\$ 24.55	\$24.55

Local Impact

The impact of the mandated caps will have a varying affect on local voted levies. In those districts that traditionally rely on voted levies for a high proportion of their general fund budget, the caps will not permit levy requests as high as might otherwise be sought.

Comment

Special Education is not provided for in House Bill 610. In order to calculate total state contribution to the public school system, a total of approximately \$50 million in State General Fund must be added to the projected General Fund committment shown above.

David M. Lewis

BUDGET DIRECTOR
Office of Budget and Program Planning

Date: 2-13-81

STATE OF MONTANA

REQUEST NO. 314-81
Revised

FISCAL NOTE

Form BD-15

In compliance with a written request received February 6, 19 81, there is hereby submitted a Fiscal Note for House Bill ~~601~~ 610 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Revised Fiscal Note

Description of Proposed Legislation

House Bill 610 is an act to increase the maximum-General-Fund-Budget-without-a-vote-levy limitation for Elementary and High Schools; to revise the additional levy provisions; and to provide for an extraordinary levy.

Assumptions

1. GF/ANB at 12% for Elementary and 13% for High Schools for FY 1981.
2. Taxable values will increase 10% for FY 1982 and FY 1983.
3. ANB adjustments as estimated for FY 1982 and FY 1983.
4. Extraordinary levy impact cannot be calculated.
5. Estimated revenue to the equalization ERA will materialize.

Revenue and Expenditure Impact (Figures shown are in millions)

Expenditures:	FY 1982			FY 1983		
	Under Current Schedules	Under Proposed Schedules	Increase	Under Current Schedules	Under Proposed Schedules	Increase
Foundation Program	\$150.80	\$189.17	\$38.37	\$147.66	\$207.69	\$60.03
(State) Permissive Pro.	16.21	22.66	6.45	14.80	25.16	10.36
Total	\$167.01	\$211.83	\$44.82	\$162.46	\$232.85	\$70.39
Revenue:						
County Equalization	\$ 82.15	\$ 82.15	0	\$ 89.01	\$ 89.01	0
Earmarked Revenue	99.67	99.67	0	103.73	103.73	0
Account Balances	25.77	25.77	0	15.56	15.56	0
Total	\$207.59	\$207.59	0	\$208.30	\$208.30	0
State GF Required	\$ 0	\$ 4.24	\$ 4.24	\$ 0	\$ 24.55	\$24.55

Local Impact

The impact of the mandated caps will have a varying affect on local voted levies. In those districts that traditionally rely on voted levies for a high proportion of their general fund budget, the caps will not permit levy requests as high as might otherwise be sought.

Comment

Special Education is not provided for in House Bill 610. In order to calculate total state contribution to the public school system, a total of approximately %40 million in State General Fund must be added to the projected General Fund committment shown above.

David M. Lewis
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2/19/81

STATE OF MONTANA

REQUEST NO. 314-81
Revised

FISCAL NOTE

Form BD-15

In compliance with a written request received March 12, 19 81, there is hereby submitted a Fiscal Note for House Bill 610 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation

This amendment would allow school districts to suffer a loss of no greater than 3% in ANB in any given year.

<u>Assumptions</u>	<u>-----ANB-----</u>		<u>Foundation Program Rate</u>	
	<u>FY 1982</u>	<u>FY 1983</u>	<u>FY 1982</u>	<u>FY 1983</u>
1. State paid ANB will be				
Elementary	2300	2500	1139	1310
High School	1400	1600	1314	1511

2. Assumptions concerning schedule increases same as previous fiscal note.

(Note: 267 districts lost more than 3% ANB from FY 1980 to FY 1981.

Total -3% = State share; 6145 - 2456 = 3689 - State share of ANB loss.)

<u>Revenue and Expenditure Impact</u>	<u>FY 1982</u>	<u>FY 1983</u>
Expenditures	\$217.41 M	\$239.97 M
Receipts	<u>207.59 M</u>	<u>208.30 M</u>
	(\$ 9.82 M)	(\$ 31.67 M)
State General Fund required	(\$ 9.82 M)	(\$ 31.67 M)
Previous General Fund fiscal impact	<u>4.24 M</u>	<u>24.55 M</u>
Cost of proposed 3% amendment	\$ 5.58 M	\$ 7.12 M

Technical Note

This amendment amends a section of law not now included in the title or body of the bill.

Comment

Because of the non-static nature of declining enrollments by district, preparing an accurate cost estimate is impossible.

David M Lewis

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 3-13-81

Approved by Committee
on Education

HOUSE BILL NO. 610

INTRODUCED BY R. ANDERSON, B. BROWN, MARKS, FABREGA,
KESSLER, NORDTVEDT, McCALLUM, HAMMOND, HARP, IVERSON,
E. SMITH, ECK, MEYER, VINCENT, EUDAILY, DONALDSON, BENGTSO,
HEMSTAD, THOFT, SALES, ELLERD, SHELDEN, WALDRON, ERNST,
SPILKER, FAGG, HEALY, HAFEEY, MATSKO, PHILLIPS, BRIGGS,
SEVERSON, JACOBSON, MAZUREK, THOMAS, CONN, VAN VALKENBURG,
STIMATZ, REGAN, DUSSAULT, KEYSER, KEEDY, ROTH, R. MANNING,
SCHULTZ, OCHSNER, M. ANDERSON, HAGER, J. O'HARA, MOORE

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE
MAXIMUM-GENERAL-FUND-BUDGET-WITHOUT-A-VOTED-LEVY LIMITATION
FOR ELEMENTARY SCHOOLS AND HIGH SCHOOLS; TO REVISE THE
ADDITIONAL LEVY PROVISIONS; AND TO PROVIDE FOR AN
EXTRAORDINARY LEVY; AMENDING SECTIONS 20-9-316 THROUGH
20-9-319, AND 20-9-353, MCA."

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

Section 1. Section 20-9-316, MCA, is amended to read:

"20-9-316. Elementary school maximum budget schedule
for ~~1979-80~~ 1981-82. (1) For each elementary school having
an ANB of nine or fewer pupils, the maximum shall be ~~\$12,002~~
\$16,608 if said school is approved as an isolated school.

(2) For schools with an ANB of 10 pupils but less than
18 pupils, the maximum shall be ~~\$12,002~~ \$16,608 plus ~~\$501.60~~

\$694.10 per pupil on the basis of the average number
belonging over nine.

(3) For schools with an ANB of 18 pupils and employing
one teacher, the maximum shall be ~~\$16,516~~ \$22,855 plus
~~\$501.60~~ \$694.10 per pupil on the basis of the average number
belonging over 18, not to exceed an ANB of 25.

(4) For schools with an ANB of 18 pupils and employing
two full-time teachers, the maximum shall be ~~\$26,665~~ \$36,490
plus ~~\$314.10~~ \$434.70 per pupil on the basis of the average
number belonging over 18, not to exceed an ANB of 50.

(5) For schools having an ANB in excess of 40, the
maximum on the basis of the total pupils (ANB) in the
district for elementary pupils will be as follows:

(a) For a school having an ANB of more than 40 and
employing a minimum of three teachers, the maximum of ~~\$17,165~~
\$1,613 shall be decreased at the rate of ~~\$1.13~~ \$1.57 for
each additional pupil until the total number (ANB) shall
have reached a total of 100 pupils.

(b) For a school having an ANB of more than 100
pupils, the maximum of ~~\$17,097~~ \$1,519 shall be decreased at
the rate of ~~\$1.03~~ \$1.43 for each additional pupil until the
ANB shall have reached 300 pupils.

(c) For a school having an ANB of more than 300
pupils, the maximum shall not exceed ~~\$890.60~~ \$1,232 for each
pupil.

1 (6) The maximum per pupil for all pupils (ANB) and for
 2 all elementary schools shall be computed on the basis of the
 3 amount allowed herein on account of the last eligible pupil
 4 (ANB). All elementary schools operated within the
 5 incorporated limits of a city or town shall be treated as
 6 one school for the purpose of this schedule."

7 Section 2. Section 20-9-317, MCA, is amended to read:

8 "20-9-317. High school maximum budget schedule for
 9 ~~1979-80~~ 1981-82. (1) For each high school having an ANB of
 10 24 or fewer pupils, the maximum shall be ~~\$60,373~~ \$94,619.

11 (2) For a secondary school having an ANB of more than
 12 24 pupils, the maximum ~~\$27,849~~ \$3,942 shall be decreased at
 13 the rate of ~~\$15.54~~ \$21.50 for each additional pupil until
 14 the ANB shall have reached a total of 40 such pupils.

15 (3) For a school having an ANB of more than 40 pupils,
 16 the maximum of ~~\$27,600~~ \$3,598 shall be decreased at the rate
 17 of ~~\$15.54~~ \$21.50 for each additional pupil until the ANB
 18 shall have reached 100 pupils.

19 (4) For a school having an ANB of more than 100
 20 pupils, a maximum of ~~\$17,660~~ \$2,308 shall be decreased at the
 21 rate of ~~\$2.60~~ \$3.60 for each additional pupil until the ANB
 22 shall have reached 200 pupils.

23 (5) For a school having an ANB of more than 200
 24 pupils, the maximum of ~~\$17,400~~ \$1,949 shall be decreased by
 25 ~~\$1.43~~ \$1.98 for each additional pupil until the ANB shall

1 have reached 300 pupils.

2 (6) For a school having an ANB of more than 300
 3 pupils, the maximum of ~~\$17,265~~ \$1,751 shall be decreased at
 4 the rate of ~~26~~ 36 cents until the ANB shall have reached 600
 5 pupils.

6 (7) For a school having an ANB over 600 pupils, the
 7 maximum shall not exceed ~~\$17,106~~ \$1,642 per pupil.

8 (8) The maximum per pupil for all pupils (ANB) and for
 9 all high schools shall be computed on the basis of the
 10 amount allowed herein on account of the last eligible pupil
 11 (ANB). All high schools and junior high schools which have
 12 been approved and accredited as junior high schools,
 13 operated within the incorporated limits of a city or town,
 14 shall be treated as one school for the purpose of this
 15 schedule."

16 Section 3. Section 20-9-318, MCA, is amended to read:

17 "20-9-318. Elementary school maximum budget schedule
 18 for ~~1960-61~~ 1982-83 and succeeding years. (1) For each
 19 elementary school having an ANB of nine or fewer pupils, the
 20 maximum shall be ~~\$13,202~~ \$18,618 if said school is approved
 21 as an isolated school.

22 (2) For schools with an ANB of 10 pupils but less than
 23 18 pupils, the maximum shall be ~~\$13,202~~ \$18,618 plus ~~\$551.70~~
 24 \$778.10 per pupil on the basis of the average number
 25 belonging over nine.

1 (3) For schools with an ANB of 18 pupils and employing
2 one teacher, the maximum shall be ~~\$13,168~~ \$25,620 plus
3 ~~\$551.78~~ \$778.10 per pupil on the basis of the average number
4 belonging over 18, not to exceed an ANB of 25.

5 (4) For schools with an ANB of 18 pupils and employing
6 two full-time teachers, the maximum shall be ~~\$29,006~~ \$40,905
7 plus ~~\$345.50~~ \$487.30 per pupil on the basis of the average
8 number belonging over 18, not to exceed an ANB of 50.

9 (5) For schools having an ANB in excess of 40, the
10 maximum on the basis of the total pupils (ANB) in the
11 district for elementary pupils will be as follows:

12 (a) For a school having an ANB of more than 40 and
13 employing a minimum of three teachers, the maximum of ~~\$1,282~~
14 \$1,808 shall be decreased at the rate of ~~\$1.25~~ \$1.76 for
15 each additional pupil until the total number (ANB) shall
16 have reached a total of 100 pupils.

17 (b) For a school having an ANB of more than 100
18 pupils, the maximum of ~~\$1,207~~ \$1,702 shall be decreased at
19 the rate of ~~\$1.12~~ \$1.61 for each additional pupil until the
20 ANB shall have reached 300 pupils.

21 (c) For a school having an ANB of more than 300
22 pupils, the maximum shall not exceed ~~\$979.60~~ \$1,381 for each
23 pupil.

24 (6) The maximum per pupil for all pupils (ANB) and for
25 all elementary schools shall be computed on the basis of the

1 amount allowed herein on account of the last eligible pupil
2 (ANB). All elementary schools operated within the
3 incorporated limits of a city or town shall be treated as
4 one school for the purpose of this schedule."

5 Section 4. Section 20-9-319, MCA, is amended to read:

6 "20-9-319. High school maximum budget schedule for
7 ~~1980-81~~ 1982-83 and succeeding years. (1) For each high
8 school having an ANB of 24 or fewer pupils, the maximum
9 shall be ~~\$75,216~~ \$106,068.

10 (2) For a secondary school having an ANB of more than
11 24 pupils, the maximum ~~\$3,134~~ \$4,420 shall be decreased at
12 the rate of ~~\$17.09~~ \$24.10 for each additional pupil until
13 the ANB shall have reached a total of 40 such pupils.

14 (3) For a school having an ANB of more than 40 pupils,
15 the maximum of ~~\$2,868~~ \$4,034 shall be decreased at the rate
16 of ~~\$17.09~~ \$24.10 for each additional pupil until the ANB
17 shall have reached 100 pupils.

18 (4) For a school having an ANB of more than 100
19 pupils, a maximum of ~~\$1,835~~ \$2,586 shall be decreased at the
20 rate of ~~\$2.86~~ \$4.03 for each additional pupil until the ANB
21 shall have reached 200 pupils.

22 (5) For a school having an ANB of more than 200
23 pupils, the maximum of ~~\$1,549~~ \$2,184 shall be decreased by
24 ~~\$1.57~~ \$2.22 for each additional pupil until the ANB shall
25 have reached 300 pupils.

1 (6) For a school having an ANB of more than 300
 2 pupils, the maximum of ~~\$1,392~~ \$1,963 shall be decreased at
 3 the rate of 28 41 cents until the ANB shall have reached 600
 4 pupils.

5 (7) For a school having an ANB over 600 pupils, the
 6 maximum shall not exceed ~~\$1,365~~ \$1,840 per pupil.

7 (8) The maximum per pupil for all pupils (ANB) and for
 8 all high schools shall be computed on the basis of the
 9 amount allowed herein on account of the last eligible pupil
 10 (ANB). All high schools and junior high schools which have
 11 been approved and accredited as junior high schools,
 12 operated within the incorporated limits of a city or town,
 13 shall be treated as one school for the purpose of this
 14 schedule."

15 Section 5. Section 20-9-353, MCA, is amended to read:

16 "20-9-353. Additional levy for general fund --
 17 election for authorization to impose. (1) The trustees of
 18 any district may propose to adopt a general fund budget in
 19 excess of the general fund budget amount for such district
 20 as established by the schedules in 20-9-316 through 20-9-321
 21 for any of the following purposes:

22 (a) building, altering, repairing, or enlarging any
 23 schoolhouse of the district;

24 (b) furnishing additional school facilities for the
 25 district;

1 (c) acquisition of land for the district;

2 (d) proper maintenance and operation of the school
 3 programs of the district.

4 ~~(2) However--when--the--trustees--adopt--a--total--general~~
 5 ~~fund--budget--which--exceeds--118%--of--the--general--fund--budget~~
 6 ~~for--the--preceding--year--they--shall--file--a--notice--of--this~~
 7 ~~increase--with--the--superintendent--of--public--instruction~~
 8 ~~setting--forth--the--specific--reasons--for--increasing--the~~
 9 ~~budget. The trustees of any district may propose an~~
 10 ~~additional levy to the electors no greater than 90% of the~~
 11 ~~amount certified by the trustees to the county~~
 12 ~~superintendent under subsection (4) in the preceding year or~~
 13 ~~25% of the district's proposed total general fund budget,~~
 14 ~~WHICHEVER IS GREATER, excluding approved allowable costs~~
 15 ~~for special education.~~

16 (3) When the trustees of any district determine that
 17 an additional amount of financing is required for the
 18 general fund budget that is in excess of the statutory
 19 schedule amount, the trustees shall submit the proposition
 20 of an additional levy to raise such excess amount of general
 21 fund financing to the electors who are qualified under
 22 20-20-301 to vote upon such proposition except that no
 23 election shall be required to permit the school trustees to
 24 use federal funds received under Title I of Public Law
 25 81-874 to increase the school district's general fund budget

1 as established in 20-9-316 through 20-9-321 by the amount of
 2 these funds. Such special election shall be called and
 3 conducted in the manner prescribed by this title for school
 4 elections. The ballot for such election shall state the
 5 amount of money to be raised by additional property
 6 taxation, the approximate number of mills required to raise
 7 such money, and the purpose for which such money will be
 8 expended, and it shall be in the following format:

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)?

16 FOR the additional levy.

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
 25 form that is submitted to the county superintendent, and the

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

5 (5) Authorization to levy an additional tax under the
 6 provisions of this section shall be effective for only 1
 7 school fiscal year and shall be authorized by a special
 8 election conducted before August 1 of the school fiscal year
 9 for which it is effective. ~~Bnty-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."~~

13 NEW SECTION. Section 6. Extraordinary levy. The
 14 trustees of any district may determine additional funding in
 15 excess of the limitations set forth in 20-9-353(2) is
 16 required because of extraordinary circumstances such as
 17 significant changes in enrollment or circumstances beyond
 18 the control of the trustees not otherwise compensated for by
 19 law. In such instances the trustees may submit the
 20 proposition of an extraordinary levy to the electors in the
 21 manner provided for in 20-9-353 except that:

22 (1) An additional levy under 20-9-353 and an
 23 extraordinary levy under this section must be submitted to
 24 the electors at two separate elections.

25 (2) The extraordinary levy must be in the following

1 format:

2 "Proposition

3 Shall an extraordinary levy be made over and above the
4 additional levy proposed this school fiscal year and other
5 levies authorized by law in such number of mills as may be
6 necessary to raise the sum of (state the amount to be raised
7 by extraordinary tax levy), and being approximately (give
8 number) mills, for the purpose of (insert by budget line
9 item the purpose for which the extraordinary tax levy is
10 made)?

11 FOR the extraordinary levy.

12 AGAINST the extraordinary levy."

13 (3) If the election on any additional levy proposed
14 for the same year pursuant to 20-9-353 fails to be approved,
15 an extraordinary levy may not carry, whether or not approved
16 by a majority of the electors.

17 (4) The trustees of any district may not submit more
18 than one extraordinary levy to the electors for any given
19 school fiscal year.

20 Section 7. Codification instruction. Section 6 is
21 intended to be codified as an integral part of Title 20,
22 chapter 9, part 3, and the provisions of Title 20 apply to
23 section 6.

-End-

1 as established in 20-9-316 through 20-9-321 by the amount of
 2 these funds. Such special election shall be called and
 3 conducted in the manner prescribed by this title for school
 4 elections. The ballot for such election shall state the
 5 amount of money to be raised by additional property
 6 taxation, the approximate number of mills required to raise
 7 such money, and the purpose for which such money will be
 8 expended, and it shall be in the following format:

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)?

16 FOR the additional levy.

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
 25 form that is submitted to the county superintendent, and the

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

5 (5) Authorization to levy an additional tax under the
 6 provisions of this section shall be effective for only 1
 7 school fiscal year and shall be authorized by a special
 8 election conducted before August 1 of the school fiscal year
 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."~~

13 NEW SECTION. Section 6. Extraordinary levy. The
 14 trustees of any district may determine additional funding in
 15 excess of the limitations set forth in 20-9-353(2) is
 16 required because of extraordinary circumstances such as
 17 significant changes in enrollment or circumstances beyond
 18 the control of the trustees not otherwise compensated for by
 19 law. In such instances the trustees may submit the
 20 proposition of an extraordinary levy to the electors in the
 21 manner provided for in 20-9-353 except that:

22 (1) An additional levy under 20-9-353 and an
 23 extraordinary levy under this section must be submitted to
 24 the electors at two separate elections.

25 (2) The extraordinary levy must be in the following

1 format:

2 "Proposition

3 Shall an extraordinary levy be made over and above the
4 additional levy proposed this school fiscal year and other
5 levies authorized by law in such number of mills as may be
6 necessary to raise the sum of (state the amount to be raised
7 by extraordinary tax levy), and being approximately (give
8 number) mills, for the purpose of (insert by budget line
9 item the purpose for which the extraordinary tax levy is
10 made)?

11 FOR the extraordinary levy.

12 AGAINST the extraordinary levy."

13 (3) If the election on any additional levy proposed
14 for the same year pursuant to 20-9-353 fails to be approved,
15 an extraordinary levy may not carry, whether or not approved
16 by a majority of the electors.

17 (4) The trustees of any district may not submit more
18 than one extraordinary levy to the electors for any given
19 school fiscal year.

20 Section 7. Codification instruction. Section 6 is
21 intended to be codified as an integral part of Title 20,
22 chapter 9, part 3, and the provisions of Title 20 apply to
23 section 6.

-End-

1 HOUSE BILL NO. 610

2 INTRODUCED BY R. ANDERSON, B. BROWN, MARKS, FABRICA,
 3 KESSLER, NORDTVEDT, MCCALLUM, HAMMOND, HARP, IVERSON,
 4 E. SMITH, ECK, MEYER, VINCENT, EUDAILY, DONALDSON, BENGTSON,
 5 HEMSTAD, THOFT, SALES, ELLERD, SHELDEN, WALDRON, ERNST,
 6 SPIJKER, FAGG, HEALY, HAFFEY, MATSKO, PHILLIPS, BRIGGS,
 7 SEVERSON, JACOBSON, MAZUREK, THOMAS, CONN, VAN VALKENBURG,
 8 STIMATZ, REGAN, DUSSAULT, KEYSER, KEEDY, ROTH, R. MANNING,
 9 SCHULTZ, OCHSNER, M. ANDERSON, HAGER, J. O'HARA, MOORE

10
 11 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE
 12 MAXIMUM-GENERAL-FUND-BUDGET-WITHOUT-A-VOTED-LEVY LIMITATION
 13 FOR ELEMENTARY SCHOOLS AND HIGH SCHOOLS; TO REVISE THE
 14 ADDITIONAL LEVY PROVISIONS; AND TO PROVIDE FOR AN
 15 EXTRAORDINARY LEVY; AMENDING SECTIONS 20-9-316 THROUGH
 16 20-9-319, AND 20-9-353, MCA."

17
 18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

19 Section 1. Section 20-9-316, MCA, is amended to read:

20 "20-9-316. Elementary school maximum budget schedule
 21 for ~~1979-80 1981-82~~. (1) For each elementary school having
 22 an ANB of nine or fewer pupils, the maximum shall be ~~\$12,002~~
 23 \$16,608 if said school is approved as an isolated school.

24 (2) For schools with an ANB of 10 pupils but less than
 25 13 pupils, the maximum shall be ~~\$12,002~~ \$16,608 plus ~~\$50,168~~

1 \$694.10 per pupil on the basis of the average number
 2 belonging over nine.

3 (3) For schools with an ANB of 18 pupils and employing
 4 one teacher, the maximum shall be ~~\$16,516~~ \$22,855 plus
 5 ~~\$50,168~~ \$694.10 per pupil on the basis of the average number
 6 belonging over 18, not to exceed an ANB of 25.

7 (4) For schools with an ANB of 18 pupils and employing
 8 two full-time teachers, the maximum shall be ~~\$26,665~~ \$36,490
 9 plus ~~\$314,10~~ \$434.70 per pupil on the basis of the average
 10 number belonging over 18, not to exceed an ANB of 50.

11 (5) For schools having an ANB in excess of 40, the
 12 maximum on the basis of the total pupils (ANB) in the
 13 district for elementary pupils will be as follows:

14 (a) For a school having an ANB of more than 40 and
 15 employing a minimum of three teachers, the maximum of ~~\$1,105~~
 16 \$1,613 shall be decreased at the rate of ~~\$1,13~~ \$1.57 for
 17 each additional pupil until the total number (ANB) shall
 18 have reached a total of 100 pupils.

19 (b) For a school having an ANB of more than 100
 20 pupils, the maximum of ~~\$1,097~~ \$1,519 shall be decreased at
 21 the rate of ~~\$1,03~~ \$1.43 for each additional pupil until the
 22 ANB shall have reached 300 pupils.

23 (c) For a school having an ANB of more than 300
 24 pupils, the maximum shall not exceed ~~\$890,60~~ \$1,232 for each
 25 pupil.

1 (6) The maximum per pupil for all pupils (ANB) and for
 2 all elementary schools shall be computed on the basis of the
 3 amount allowed herein on account of the last eligible pupil
 4 (ANB). All elementary schools operated within the
 5 incorporated limits of a city or town shall be treated as
 6 one school for the purpose of this schedule."

7 Section 2. Section 20-9-317, MCA, is amended to read:

8 "20-9-317. High school maximum budget schedule for
 9 ~~1979-80~~ 1981-82. (1) For each high school having an ANB of
 10 24 or fewer pupils, the maximum shall be ~~\$68,373~~ \$94,619.

11 (2) For a secondary school having an ANB of more than
 12 24 pupils, the maximum ~~\$27,849~~ \$3,942 shall be decreased at
 13 the rate of ~~\$15.54~~ \$21.50 for each additional pupil until
 14 the ANB shall have reached a total of 40 such pupils.

15 (3) For a school having an ANB of more than 40 pupils,
 16 the maximum of ~~\$27,600~~ \$3,598 shall be decreased at the rate
 17 of ~~\$15.54~~ \$21.50 for each additional pupil until the ANB
 18 shall have reached 100 pupils.

19 (4) For a school having an ANB of more than 100
 20 pupils, a maximum of ~~\$17,668~~ \$2,308 shall be decreased at the
 21 rate of ~~\$27.60~~ \$3.60 for each additional pupil until the ANB
 22 shall have reached 200 pupils.

23 (5) For a school having an ANB of more than 200
 24 pupils, the maximum of ~~\$17,408~~ \$1,949 shall be decreased by
 25 ~~\$17.43~~ \$1.98 for each additional pupil until the ANB shall

1 have reached 300 pupils.

2 (6) For a school having an ANB of more than 300
 3 pupils, the maximum of ~~\$17,265~~ \$1,751 shall be decreased at
 4 the rate of ~~26~~ 36 cents until the ANB shall have reached 600
 5 pupils.

6 (7) For a school having an ANB over 600 pupils, the
 7 maximum shall not exceed ~~\$17,196~~ \$1,642 per pupil.

8 (8) The maximum per pupil for all pupils (ANB) and for
 9 all high schools shall be computed on the basis of the
 10 amount allowed herein on account of the last eligible pupil
 11 (ANB). All high schools and junior high schools which have
 12 been approved and accredited as junior high schools,
 13 operated within the incorporated limits of a city or town,
 14 shall be treated as one school for the purpose of this
 15 schedule."

16 Section 3. Section 20-9-318, MCA, is amended to read:

17 "20-9-318. Elementary school maximum budget schedule
 18 for ~~1980-81~~ 1982-83 and succeeding years. (1) For each
 19 elementary school having an ANB of nine or fewer pupils, the
 20 maximum shall be ~~\$137,202~~ \$18,618 if said school is approved
 21 as an isolated school.

22 (2) For schools with an ANB of 10 pupils but less than
 23 18 pupils, the maximum shall be ~~\$137,202~~ \$18,618 plus ~~\$551,778~~
 24 \$778.10 per pupil on the basis of the average number
 25 belonging over nine.

1 (3) For schools with an ANB of 18 pupils and employing
 2 one teacher, the maximum shall be ~~\$18,168~~ \$25,620 plus
 3 ~~\$55,770~~ \$778.10 per pupil on the basis of the average number
 4 belonging over 18, not to exceed an ANB of 25.

5 (4) For schools with an ANB of 18 pupils and employing
 6 two full-time teachers, the maximum shall be ~~\$29,086~~ \$40,905
 7 plus ~~\$345,560~~ \$487.30 per pupil on the basis of the average
 8 number belonging over 18, not to exceed an ANB of 50.

9 (5) For schools having an ANB in excess of 40, the
 10 maximum on the basis of the total pupils (ANB) in the
 11 district for elementary pupils will be as follows:

12 (a) For a school having an ANB of more than 40 and
 13 employing a minimum of three teachers, the maximum of ~~\$1,202~~
 14 \$1,808 shall be decreased at the rate of ~~\$1,25~~ \$1.76 for
 15 each additional pupil until the total number (ANB) shall
 16 have reached a total of 100 pupils.

17 (b) For a school having an ANB of more than 100
 18 pupils, the maximum of ~~\$1,207~~ \$1,702 shall be decreased at
 19 the rate of ~~\$1,12~~ \$1.61 for each additional pupil until the
 20 ANB shall have reached 300 pupils.

21 (c) For a school having an ANB of more than 300
 22 pupils, the maximum shall not exceed ~~\$979,68~~ \$1,381 for each
 23 pupil.

24 (b) The maximum per pupil for all pupils (ANB) and for
 25 all elementary schools shall be computed on the basis of the

1 amount allowed herein on account of the last eligible pupil
 2 (ANB). All elementary schools operated within the
 3 incorporated limits of a city or town shall be treated as
 4 one school for the purpose of this schedule."

5 Section 4. Section 20-9-319, MCA, is amended to read:
 6 "20-9-319. High school maximum budget schedule for
 7 ~~1980-81~~ 1982-83 and succeeding years. (1) For each high
 8 school having an ANB of 24 or fewer pupils, the maximum
 9 shall be ~~\$75,210~~ \$106,068.

10 (2) For a secondary school having an ANB of more than
 11 24 pupils, the maximum ~~\$3,134~~ \$4,420 shall be decreased at
 12 the rate of ~~\$17,09~~ \$24.10 for each additional pupil until
 13 the ANB shall have reached a total of 40 such pupils.

14 (3) For a school having an ANB of more than 40 pupils,
 15 the maximum of ~~\$2,868~~ \$4,034 shall be decreased at the rate
 16 of ~~\$17,09~~ \$24.10 for each additional pupil until the ANB
 17 shall have reached 100 pupils.

18 (4) For a school having an ANB of more than 100
 19 pupils, a maximum of ~~\$1,035~~ \$2,588 shall be decreased at the
 20 rate of ~~\$2,86~~ \$4.03 for each additional pupil until the ANB
 21 shall have reached 200 pupils.

22 (5) For a school having an ANB of more than 200
 23 pupils, the maximum of ~~\$1,549~~ \$2,184 shall be decreased by
 24 ~~\$1,57~~ \$2.22 for each additional pupil until the ANB shall
 25 have reached 300 pupils.

1 (6) For a school having an ANB of more than 300
 2 pupils, the maximum of ~~\$1,392~~ \$1,963 shall be decreased at
 3 the rate of 28 41 cents until the ANB shall have reached 600
 4 pupils.

5 (7) For a school having an ANB over 600 pupils, the
 6 maximum shall not exceed ~~\$1,385~~ \$1,840 per pupil.

7 (8) The maximum per pupil for all pupils (ANB) and for
 8 all high schools shall be computed on the basis of the
 9 amount allowed herein on account of the last eligible pupil
 10 (ANB). All high schools and junior high schools which have
 11 been approved and accredited as junior high schools,
 12 operated within the incorporated limits of a city or town,
 13 shall be treated as one school for the purpose of this
 14 schedule."

15 Section 5. Section 20-9-353, MCA, is amended to read:

16 "20-9-353. Additional levy for general fund --
 17 election for authorization to impose. (1) The trustees of
 18 any district may propose to adopt a general fund budget in
 19 excess of the general fund budget amount for such district
 20 as established by the schedules in 20-9-316 through 20-9-321
 21 for any of the following purposes:

22 (a) building, altering, repairing, or enlarging any
 23 schoolhouse of the district;

24 (b) furnishing additional school facilities for the
 25 district;

1 (c) acquisition of land for the district;

2 (d) proper maintenance and operation of the school
 3 programs of the district.

4 (2) ~~However, when the trustees adopt a total general
 5 fund budget which exceeds 110% of the general fund budget
 6 for the preceding year, they shall file a notice of this
 7 increase with the superintendent of public instruction
 8 setting forth the specific reasons for increasing the
 9 budget. The~~

10 (A) IN 1981 THE TRUSTEES OF ANY DISTRICT MAY PROPOSE
 11 AN ADDITIONAL LEVY TO THE ELECTORS NO GREATER THAN 90% OF
 12 THE AMOUNT CERTIFIED BY THE TRUSTEES TO THE COUNTY
 13 SUPERINTENDENT UNDER SUBSECTION (4) IN THE PRECEDING YEAR
 14 1980 OR 25% OF THE DISTRICT'S PROPOSED TOTAL GENERAL FUND
 15 BUDGET, WHICHEVER IS GREATER, EXCLUDING APPROVED ALLOWABLE
 16 COSTS FOR SPECIAL EDUCATION.

17 (B) IN 1982 THE TRUSTEES OF ANY DISTRICT MAY PROPOSE
 18 AN ADDITIONAL LEVY TO THE ELECTORS NO GREATER THAN 81% OF
 19 THE AMOUNT CERTIFIED BY THE TRUSTEES TO THE COUNTY
 20 SUPERINTENDENT UNDER SUBSECTION (4) IN 1980 OR 25% OF THE
 21 DISTRICT'S PROPOSED TOTAL GENERAL FUND BUDGET, WHICHEVER IS
 22 GREATER, EXCLUDING APPROVED ALLOWABLE COSTS FOR SPECIAL
 23 EDUCATION.

24 (3) When the trustees of any district determine that
 25 an additional amount of financing is required for the

1 general fund budget that is in excess of the statutory
 2 schedule amount, the trustees shall submit the proposition
 3 of an additional levy to raise such excess amount of general
 4 fund financing to the electors who are qualified under
 5 20-20-301 to vote upon such proposition except that no
 6 election shall be required to permit the school trustees to
 7 use federal funds received under Title I of Public Law
 8 81-874 to increase the school district's general fund budget
 9 as established in 20-9-316 through 20-9-321 by the amount of
 10 these funds. Such special election shall be called and
 11 conducted in the manner prescribed by this title for school
 12 elections. The ballot for such election shall state the
 13 amount of money to be raised by additional property
 14 taxation, the approximate number of mills required to raise
 15 such money, and the purpose for which such money will be
 16 expended, and it shall be in the following format:

17 "PROPOSITION

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

24 FOR the additional levy.

25 AGAINST the additional levy."

1 (4) If the election on any additional levy for the
 2 general fund is approved by a majority vote of those
 3 electors voting at such election, the proposition shall
 4 carry and the trustees may use any portion or all of the
 5 authorized amount in adopting the preliminary general fund
 6 budget. The trustees shall certify the additional levy
 7 amount authorized by such a special election on the budget
 8 form that is submitted to the county superintendent, and the
 9 county commissioners shall levy such number of mills on the
 10 taxable value of all taxable property within the district,
 11 as prescribed in 20-9-141, as are required to raise the
 12 amount of such additional levy.

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

21 NEW SECTION. Section 6. Extraordinary levy. The
 22 trustees of any district may determine additional funding in
 23 excess of the limitations set forth in 20-9-353(2) is
 24 required because of extraordinary circumstances such as
 25 significant changes in enrollment or circumstances beyond

1 the control of the trustees not otherwise compensated for by
2 law. In such instances the trustees may submit the
3 proposition of an extraordinary levy to the electors in the
4 manner provided for in 20-9-353 except that:

5 (1) An additional levy under 20-9-353 and an
6 extraordinary levy under this section must be submitted to
7 the electors at two separate elections.

8 (2) The extraordinary levy must be in the following
9 format:

10 "Proposition

11 Shall an extraordinary levy be made over and above the
12 additional levy proposed this school fiscal year and other
13 levies authorized by law in such number of mills as may be
14 necessary to raise the sum of (state the amount to be raised
15 by extraordinary tax levy), and being approximately (give
16 number) mills, for the purpose of (insert by budget line
17 item the purpose for which the extraordinary tax levy is
18 made)?

19 FOR the extraordinary levy.

20 AGAINST the extraordinary levy."

21 (3) If the election on any additional levy proposed
22 for the same year pursuant to 20-9-353 fails to be approved,
23 an extraordinary levy may not carry, whether or not approved
24 by a majority of the electors.

25 (4) The trustees of any district may not submit more

1 than one extraordinary levy to the electors for any given
2 school fiscal year.

3 Section 7. Codification instruction. Section 6 is
4 intended to be codified as an integral part of Title 20,
5 chapter 9, part 3, and the provisions of Title 20 apply to
6 section 6.

-End-

HOUSE BILL NO. 610

INTRODUCED BY R. ANDERSON, B. BROWN, MARKS, FABREGA,
 KESSLER, NORDTVEDT, McCALLUM, HAMMOND, HARP, IVERSON,
 E. SMITH, ECK, MEYER, VINCENT, EUDAILY, DONALDSON, BENGTSON,
 HEMSTAD, THOFT, SALES, ELLERD, SHELDEN, WALLIN, ERNST,
 SPILKER, FAGG, HEALY, HAFFEY, MATSKO, PHILLIPS, BRIGGS,
 SEVERSON, JACOBSON, MAZUREK, THOMAS, CONN, VAN VALKENBURG,
 STIMATZ, REGAN, DUSSAULT, KEYSER, KEEDY, ROTH, R. MANNING,
 SCHULTZ, OCHSNER, M. ANDERSON, HAGER, J. O'HARA, MOORE

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE
 MAXIMUM-GENERAL-FUND-BUDGET-WITHOUT-A-VOTED-LEVY LIMITATION
 FOR ELEMENTARY SCHOOLS AND HIGH SCHOOLS; AND TO REVISE THE
 ADDITIONAL LEVY PROVISIONS; AND---78---PROVIDE---FOR---AN
 EXTRAORDINARY---LEVY; AMENDING SECTIONS 20-9-316 THROUGH
 20-9-319 AND 20-9-353, MCA."

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

Section 1. Section 20-9-316, MCA, is amended to read:
 "20-9-316. Elementary school maximum budget schedule
 for ~~1979-80~~ 1981-82. (1) For each elementary school having
 an ANB of nine or fewer pupils, the maximum shall be ~~\$12,002~~
~~\$16,600~~ \$15,578 if said school is approved as an isolated
 school.

(2) For schools with an ANB of 10 pupils but less than

18 pupils, the maximum shall be ~~\$12,002~~ ~~\$16,600~~ \$15,578 plus
~~\$501.60~~ ~~\$694.10~~ \$651 per pupil on the basis of the average
 number belonging over nine.

(3) For schools with an ANB of 18 pupils and employing
 one teacher, the maximum shall be ~~\$16,516~~ ~~\$22,855~~ \$21,438
 plus ~~\$501.60~~ ~~\$694.10~~ \$651 per pupil on the basis of the
 average number belonging over 18, not to exceed an ANB of
 25.

(4) For schools with an ANB of 18 pupils and employing
 two full-time teachers, the maximum shall be ~~\$26,665~~ ~~\$36,490~~
\$34,227 plus ~~\$314.10~~ ~~\$434.70~~ \$407.70 per pupil on the basis
 of the average number belonging over 18, not to exceed an
 ANB of 50.

(5) For schools having an ANB in excess of 40, the
 maximum on the basis of the total pupils (ANB) in the
 district for elementary pupils will be as follows:

(a) For a school having an ANB of more than 40 and
 employing a minimum of three teachers, the maximum of ~~\$1,165~~
~~\$1,613~~ \$1,513 shall be decreased at the rate of ~~\$1.13~~ ~~\$1.57~~
\$1.47 for each additional pupil until the total number (ANB)
 shall have reached a total of 100 pupils.

(b) For a school having an ANB of more than 100
 pupils, the maximum of ~~\$1,097~~ ~~\$1,519~~ \$1,424 shall be
 decreased at the rate of ~~\$1.03~~ ~~\$1.43~~ \$1.34 for each
 additional pupil until the ANB shall have reached 300

1 pupils.

2 (c) For a school having an ANB of more than 300
3 pupils, the maximum shall not exceed ~~\$890,600~~ ~~\$1,232~~ \$1,156
4 for each pupil.

5 (6) The maximum per pupil for all pupils (ANB) and for
6 all elementary schools shall be computed on the basis of the
7 amount allowed herein on account of the last eligible pupil
8 (ANB). All elementary schools operated within the
9 incorporated limits of a city or town shall be treated as
10 one school for the purpose of this schedule."

11 Section 2. Section 20-9-317, MCA, is amended to read:

12 "20-9-317. High school maximum budget schedule for
13 ~~1979-80~~ ~~1981-82~~. (1) For each high school having an ANB of
14 24 or fewer pupils, the maximum shall be ~~\$68,373~~ ~~\$94,619~~
15 \$88,753.

16 (2) For a secondary school having an ANB of more than
17 24 pupils, the maximum ~~\$2,849~~ ~~\$3,942~~ \$3,698 shall be
18 decreased at the rate of ~~\$15,54~~ ~~\$21,50~~ \$20,17 for each
19 additional pupil until the ANB shall have reached a total of
20 40 such pupils.

21 (3) For a school having an ANB of more than 40 pupils,
22 the maximum of ~~\$2,600~~ ~~\$3,598~~ \$3,375 shall be decreased at
23 the rate of ~~\$15,54~~ ~~\$21,50~~ \$20,17 for each additional pupil
24 until the ANB shall have reached 100 pupils.

25 (4) For a school having an ANB of more than 100

1 pupils, a maximum of ~~\$1,668~~ ~~\$2,308~~ \$2,165 shall be decreased
2 at the rate of ~~\$2,60~~ ~~\$3,60~~ \$3,37 for each additional pupil
3 until the ANB shall have reached 200 pupils.

4 (5) For a school having an ANB of more than 200
5 pupils, the maximum of ~~\$1,408~~ ~~\$1,949~~ \$1,828 shall be
6 decreased by ~~\$1,43~~ ~~\$1,98~~ \$1,85 for each additional pupil
7 until the ANB shall have reached 300 pupils.

8 (6) For a school having an ANB of more than 300
9 pupils, the maximum of ~~\$1,265~~ ~~\$1,751~~ \$1,642 shall be
10 decreased at the rate of 26 ~~36~~ 34 cents until the ANB shall
11 have reached 600 pupils.

12 (7) For a school having an ANB over 600 pupils, the
13 maximum shall not exceed ~~\$1,186~~ ~~\$1,642~~ \$1,540 per pupil.

14 (8) The maximum per pupil for all pupils (ANB) and for
15 all high schools shall be computed on the basis of the
16 amount allowed herein on account of the last eligible pupil
17 (ANB). All high schools and junior high schools which have
18 been approved and accredited as junior high schools,
19 operated within the incorporated limits of a city or town,
20 shall be treated as one school for the purpose of this
21 schedule."

22 Section 3. Section 20-9-318, MCA, is amended to read:

23 "20-9-318. Elementary school maximum budget schedule
24 for ~~1980-81~~ ~~1982-83~~ and succeeding years. (1) For each
25 elementary school having an ANB of nine or fewer pupils, the

1 maximum shall be ~~\$13,202~~ ~~\$18,618~~ \$17,915 if said school is
 2 approved as an isolated school.

3 (2) For schools with an ANB of 10 pupils but less than
 4 18 pupils, the maximum shall be ~~\$13,202~~ ~~\$18,618~~ \$17,915 plus
 5 ~~\$551.70~~ ~~\$778.10~~ \$748.70 per pupil on the basis of the
 6 average number belonging over nine.

7 (3) For schools with an ANB of 18 pupils and employing
 8 one teacher, the maximum shall be ~~\$18,168~~ ~~\$25,620~~ \$24,654
 9 plus ~~\$551.70~~ ~~\$778.10~~ \$748.70 per pupil on the basis of the
 10 average number belonging over 18, not to exceed an ANB of
 11 25.

12 (4) For schools with an ANB of 18 pupils and employing
 13 two full-time teachers, the maximum shall be ~~\$29,086~~ \$40,905
 14 ~~\$39,361~~ plus ~~\$345.50~~ ~~\$487.30~~ \$468.90 per pupil on the basis
 15 of the average number belonging over 18, not to exceed an
 16 ANB of 50.

17 (5) For schools having an ANB in excess of 40, the
 18 maximum on the basis of the total pupils (ANB) in the
 19 district for elementary pupils will be as follows:

20 (a) For a school having an ANB of more than 40 and
 21 employing a minimum of three teachers, the maximum of ~~\$1,282~~
 22 ~~\$1,800~~ \$1,740 shall be decreased at the rate of ~~\$1.25~~ ~~\$1.76~~
 23 \$1.69 for each additional pupil until the total number (ANB)
 24 shall have reached a total of 100 pupils.

25 (b) For a school having an ANB of more than 100

1 pupils, the maximum of ~~\$1,207~~ ~~\$1,702~~ \$1,638 shall be
 2 decreased at the rate of ~~\$1.12~~ ~~\$1.61~~ \$1.54 for each
 3 additional pupil until the ANB shall have reached 300
 4 pupils.

5 (c) For a school having an ANB of more than 300
 6 pupils, the maximum shall not exceed ~~\$979.60~~ ~~\$1,381~~ \$1,329
 7 for each pupil.

8 (6) The maximum per pupil for all pupils (ANB) and for
 9 all elementary schools shall be computed on the basis of the
 10 amount allowed herein on account of the last eligible pupil
 11 (ANB). All elementary schools operated within the
 12 incorporated limits of a city or town shall be treated as
 13 one school for the purpose of this schedule."

14 Section 4. Section 20-9-319, MCA, is amended to read:

15 "20-9-319. High school maximum budget schedule for
 16 ~~1980-81~~ ~~1982-83~~ and succeeding years. (1) For each high
 17 school having an ANB of 24 or fewer pupils, the maximum
 18 shall be ~~\$75,210~~ ~~\$106,868~~ \$102,066.

19 (2) For a secondary school having an ANB of more than
 20 24 pupils, the maximum ~~\$3,134~~ ~~\$4,420~~ \$4,253 shall be
 21 decreased at the rate of ~~\$17.09~~ ~~\$24.10~~ \$23.19 for each
 22 additional pupil until the ANB shall have reached a total of
 23 40 such pupils.

24 (3) For a school having an ANB of more than 40 pupils,
 25 the maximum of ~~\$2,860~~ ~~\$4,034~~ \$3,882 shall be decreased at

1 the rate of ~~\$17.09~~ ~~\$24.10~~ \$23.19 for each additional pupil
 2 until the ANB shall have reached 100 pupils.

3 (4) For a school having an ANB of more than 100
 4 pupils, a maximum of ~~\$17835~~ ~~\$27588~~ \$2490 shall be decreased
 5 at the rate of ~~\$2.06~~ ~~\$4.03~~ \$3.88 for each additional pupil
 6 until the ANB shall have reached 200 pupils.

7 (5) For a school having an ANB of more than 200
 8 pupils, the maximum of ~~\$17549~~ ~~\$27184~~ \$2102 shall be
 9 decreased by ~~\$1.57~~ ~~\$2.22~~ \$2.13 for each additional pupil
 10 until the ANB shall have reached 300 pupils.

11 (6) For a school having an ANB of more than 300
 12 pupils, the maximum of ~~\$17392~~ ~~\$1963~~ \$1,889 shall be
 13 decreased at the rate of ~~28~~ ~~41~~ 39 cents until the ANB shall
 14 have reached 600 pupils.

15 (7) For a school having an ANB over 600 pupils, the
 16 maximum shall not exceed ~~\$17305~~ ~~\$17840~~ \$1,771 per pupil.

17 (8) The maximum per pupil for all pupils (ANB) and for
 18 all high schools shall be computed on the basis of the
 19 amount allowed herein on account of the last eligible pupil
 20 (ANB). All high schools and junior high schools which have
 21 been approved and accredited as junior high schools,
 22 operated within the incorporated limits of a city or town,
 23 shall be treated as one school for the purpose of this
 24 schedule."

25 Section 5. Section 20-9-353, MCA, is amended to read:

1 "20-9-353. Additional levy for general fund --
 2 election for authorization to impose. (1) The trustees of
 3 any district may propose to adopt a general fund budget in
 4 excess of the general fund budget amount for such district
 5 as established by the schedules in 20-9-316 through 20-9-321
 6 for any of the following purposes:

7 (a) building, altering, repairing, or enlarging any
 8 schoolhouse of the district;

9 (b) furnishing additional school facilities for the
 10 district;

11 (c) acquisition of land for the district;

12 (d) proper maintenance and operation of the school
 13 programs of the district.

14 ~~(2) However, when the trustees adopt a total general~~
 15 ~~fund budget which exceeds 110% of the general fund budget~~
 16 ~~for the preceding year, they shall file a notice of this~~
 17 ~~increase with the superintendent of public instruction~~
 18 ~~setting forth the specific reasons for increasing the~~
 19 ~~budget. The~~

20 ~~(A) IN 1981 THE trustees of any district may propose~~
 21 ~~an additional levy to the electors no greater than 90% of~~
 22 ~~the amount certified by the trustees to the county~~
 23 ~~superintendent under subsection (4) in the preceding year~~
 24 ~~1980 or 25% of the district's proposed total general fund~~
 25 ~~budget, WHICHEVER IS GREATER, excluding approved allowable~~

1 ~~costs for special education~~
 2 ~~{8} IN 1982 THE TRUSTEES OF ANY DISTRICT MAY PROPOSE~~
 3 ~~AN ADDITIONAL LEVY TO THE ELECTORS NO GREATER THAN 0.1% OF~~
 4 ~~THE AMOUNT CERTIFIED BY THE TRUSTEES TO THE COUNTY~~
 5 ~~SUPERINTENDENT UNDER SUBSECTION {4} IN 1980 OR 25% OF THE~~
 6 ~~DISTRICT'S PROPOSED TOTAL GENERAL FUND BUDGET, WHICHEVER IS~~
 7 ~~GREATER, EXCLUDING APPROVED ALLOWABLE COSTS FOR SPECIAL~~
 8 ~~EDUCATION.~~

9 {3}(2) When the trustees of any district determine
 10 that an additional amount of financing is required for the
 11 general fund budget that is in excess of the statutory
 12 schedule amount, the trustees shall submit the proposition
 13 of an additional levy to raise such excess amount of general
 14 fund financing to the electors who are qualified under
 15 20-20-301 to vote upon such proposition except that no
 16 election shall be required to permit the school trustees to
 17 use federal funds received under Title I of Public Law
 18 81-874 to increase the school district's general fund budget
 19 as established in 20-9-316 through 20-9-321 by the amount of
 20 these funds. Such special election shall be called and
 21 conducted in the manner prescribed by this title for school
 22 elections. The ballot for such election shall state the
 23 amount of money to be raised by additional property
 24 taxation, the approximate number of mills required to raise
 25 such money, and the purpose for which such money will be

1 expended, and it shall be in the following format:

2 "PROPOSITION

3 Shall a levy be made in addition to the levies
 4 authorized by law in such number of mills as may be
 5 necessary to raise the sum of (state the amount to be raised
 6 by additional tax levy), and being approximately (give
 7 number) mills, for the purpose of (insert the purpose for
 8 which the additional tax levy is made)?

9 FOR the additional levy.

10 AGAINST the additional levy."

11 {4}(3) If the election on any additional levy for the
 12 general fund is approved by a majority vote of those
 13 electors voting at such election, the proposition shall
 14 carry and the trustees may use any portion or all of the
 15 authorized amount in adopting the preliminary general fund
 16 budget. The trustees shall certify the additional levy
 17 amount authorized by such a special election on the budget
 18 form that is submitted to the county superintendent, and the
 19 county commissioners shall levy such number of mills on the
 20 taxable value of all taxable property within the district,
 21 as prescribed in 20-9-141, as are required to raise the
 22 amount of such additional levy.

23 {5}(4) Authorization to levy an additional tax under
 24 the provisions of this section shall be effective for only 1
 25 school fiscal year and shall be authorized by a special

1 election conducted before August 1 of the school fiscal year
2 for which it is effective. Only one such additional levy for
3 the maintenance and operation of the school programs of a
4 high school district may be imposed by a high school
5 district in a given school fiscal year.

6 NEW SECTION Section 6. Extraordinary levies. The
7 trustees of any district may determine additional funding in
8 excess of the limitations set forth in 20-9-353(2) is
9 required because of extraordinary circumstances such as
10 significant changes in enrollment or circumstances beyond
11 the control of the trustees not otherwise compensated for by
12 laws in such instances the trustees may submit the
13 proposition of an extraordinary levy to the electors in the
14 manner provided for in 20-9-353 except that:

15 (1) An additional levy under 20-9-353 and an
16 extraordinary levy under this section must be submitted to
17 the electors at two separate elections.

18 (2) The extraordinary levy must be in the following
19 format:

20 "Proposition

21 Shall an extraordinary levy be made over and above the
22 additional levy proposed this school fiscal year and other
23 levies authorized by law in such number of milts as may be
24 necessary to raise the sum of (state the amount to be raised
25 by extraordinary tax levies) and being approximately (give

1 number) milts for the purpose of (insert by budget line
2 item the purpose for which the extraordinary tax levy is
3 made)?

4 --FOR the extraordinary levys

5 --AGAINST the extraordinary levys"

6 (3) If the election on any additional levy proposed
7 for the same year pursuant to 20-9-353 fails to be approved
8 an extraordinary levy may not carry whether or not approved
9 by a majority of the electors.

10 (4) The trustees of any district may not submit more
11 than one extraordinary levy to the electors for any given
12 school fiscal year.

13 Section 7. Codification instructions. Section 6 is
14 intended to be codified as an integral part of Title 20,
15 chapter 9, part 3 and the provisions of Title 20 apply to
16 section 6.

-End-

March 13, 1981

SENATE STANDING COMMITTEE REPORT
(Finance and Claims)

That House Bill No. 610 be amended as follows:

1. Title, line 13.
Following: "SCHOOLS"
Strike: ","
Insert: "AND"

2. Title, lines 14 and 15.
Following: ";" on line 14
Strike: remainder of line 14 through ";" on line 15

3. Page 1, line 23.
Following: line 22
Strike: "\$16,608"
Insert: "\$15,578"

4. Page 1, line 25.
Following: "\$12,002"
Strike: "\$16,608"

Insert: \$15,578"

5. Page 2, line 1
Following: page 1, line 25
Strike: "\$694.10"
Insert: "\$651"

6. Page 2, line 4.
Following: "~~\$16,516~~"
Strike: "\$22,855"
Insert: "\$21,438"

7. Page 2, line 5.
Following: "~~\$501-60~~"
Strike: "\$694.10"
Insert: "\$651"

8. Page 2, line 8.
Following: "\$26,665"
Strike: "\$36,490"
Insert: "\$34,227"

9. Page 2, line 9.
Following: "~~\$314-10~~"
Strike: "\$434.70"
Insert: "\$407.70"

10. Page 2, line 16.
Following line 15
Strike: "\$1,613"
Insert: "\$1,513"
Following: "~~\$1-13~~"
Strike: "\$1.57"
Insert: "\$1.47"

Page 2
House Bill No. 610

11. Page 2, line 20.
Following: "~~\$17,097~~"
Strike: "\$1,519"
Insert: "\$1,424"

12. Page 2, line 21.
Following: "~~\$1-03~~"
Strike: "\$1.43"
Insert: "\$1.34"

13. Page 2, line 24.
Following: "~~\$890-60~~"
Strike: "\$1,232"
Insert: "\$1,156"

14. Page 3, line 10.
Following: "~~\$68,273~~"
Strike: "\$94,619"
Insert: "\$88,753"

15. Page 3, line 12.
Following: "~~\$27,049~~"
Strike: "\$3,942"
Insert: "\$3,698"

16. Page 3, line 13.
Following: "~~\$15-54~~"
Strike: "\$21.50"
Insert: "\$20.17"

17. Page 3, line 16.
Following: "~~\$27,600~~"
Strike: "\$3,598"
Insert: "\$3,375"

18. Page 3, line 17.
Following: "~~\$15-54~~"
Strike: "\$21.50"
Insert: "\$20.17"

19. Page 3, line 20.
Following: "~~\$17,660~~"
Strike: "\$2,308"
Insert: "\$2,165"

20. Page 3, line 21.
Following: "~~\$2-60~~"
Strike: "\$3.60"
Insert: "\$3.37"

21. Page 3, line 24.
Following: "~~\$17,400~~"
Strike: "\$1,949"
Insert: "\$1,828"

Page 3
House Bill No. 610

22. Page 3, line 25.
Following: "~~1-43~~"
Strike: "\$1.98"
Insert: "\$1.85"

23. Page 4, line 3.
Following: "~~1,265~~"
Strike: "\$1,751"
Insert: "\$1,642"

24. Page 4, line 4.
Following: "26"
Strike: "36"
Insert: "34"

25. Page 4, line 7.
Following: "~~1,186~~"
Strike: "\$1,642"
Insert: "\$1,540"

26. Page 4, line 20.
Following: "~~13,202~~"
Strike: "\$18,618"
Insert: "\$17,915"

27. Page 4, line 23.
Following: "~~13,202~~"
Strike: "\$18,618"
Insert: "\$17,915"

28. Page 4, line 24.
Following: line 23
Strike: "\$778.10"
Insert: "\$748.70"

29. Page 5, line 2.
Following: "~~10,168~~"
Strike: "\$25,620"
Insert: "\$24,654"

30. Page 5, line 3.
Following: "~~551-70~~"
Strike: "\$778.10"
Insert: "\$748.70"

31. Page 5, line 6.
Following: "~~29,006~~"
Strike: "\$40,905"
Insert: "\$39,361"

32. Page 5, line 7.
Following: "~~345-58~~"
Strike: "\$487.30"
Insert: "\$468.90"

Page 4
House Bill No. 610

33. Page 5, line 14.
Following: line 13
Strike: "\$1,808"
Insert: "\$1,740"
Following: "~~1-25~~"
Strike: "\$1.76"
Insert: "\$1.69"

34. Page 5, line 18.
Following: "~~1,207~~"
Strike: "\$1,702"
Insert: "\$1,638"

35. Page 5, line 19.
Following: "~~1-12~~"
Strike: "\$1.61"
Insert: "\$1.54"

36. Page 5, line 22.
Following: "~~979-68~~"
Strike: "\$1,381"
Insert: "\$1,329"

37. Page 6, line 9.
Following: "~~75,218~~"
Strike: "\$106,068"
Insert: "\$102,066"

38. Page 6, line 11.
Following: "~~3,134~~"
Strike: "\$4,420"
Insert: "\$4,253"

39. Page 6, line 12.
Following: "~~17-89~~"
Strike: "\$24.10"
Insert: "\$23.19"

40. Page 6, line 15.
Following: "~~2,868~~"
Strike: "\$4,034"
Insert: "\$3,882"

41. Page 6, line 16.
Following: "~~17-89~~"
Strike: "\$24.10"
Insert: "\$23.19"

42. Page 6, line 19.
Following: "~~1,835~~"
Strike: "\$2,588"
Insert: "\$2,490"

43. Page 6, line 20.
Following: "~~2-86~~"
Strike: "\$4.03"
Insert: "\$3.88"

44. Page 6, line 23.
Following: "~~\$17,549~~"
Strike: "~~\$2,184~~"
Insert: "\$2,102"

45. Page 6, line 24.
Following: "~~\$17,57~~"
Strike: "~~\$2.22~~"
Insert: "\$2.13"

46. Page 7, line 2.
Following: "~~\$17,392~~"
Strike: "~~\$1,963~~"
Insert: "\$1,889"

47. Page 7, line 3.
Following: "~~28~~"
Strike: "~~41~~"
Insert: "39"

48. Page 7, line 6.
Following: "~~\$17,305~~"
Strike: "~~\$1,840~~"
Insert: "\$1,771"

49. Page 8, line 4.
Strike: "(2)"
Renumber all subsequent subsections

50. Page 8, lines 10 through 23.
Strike: subsections (A) and (B) in their entirety

51. Page 10, lines 21 through line 6 on page 12.
Strike: sections 6 and 7 in their entirety