

HOUSE BILL NO. 209

INTRODUCED BY EUDAILY, THOMAS, DONALDSON,  
LORY, PECK, REAM, J. HAMMOND

IN THE HOUSE

January 16, 1985	Introduced and referred to Committee on Education and Cultural Resources.
January 29, 1985	Committee recommend bill do pass. Report adopted.  Bill printed and placed on members' desks.
January 30, 1985	Second reading, do pass as amended.
January 31, 1985	Correctly engrossed.
February 1, 1985	Third reading, passed. Ayes, 99; Noes, 0.  Transmitted to Senate.

IN THE SENATE

February 6, 1985	Introduced and referred to Committee on Education and Cultural Resources.
March 9, 1985	Committee recommend bill be concurred in. Report adopted.
March 12, 1985	Second reading, concurred in.
March 14, 1985	Third reading, concurred in. Ayes, 49; Noes, 0.  Returned to House.

IN THE HOUSE

March 15, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.



1 (v) anticipated motor vehicle fees and reimbursement  
2 under the provisions of 61-3-532 and 61-3-536;

3 (vi) anticipated interest to be earned by the  
4 investment of general fund cash in accordance with the  
5 provisions of 20-9-213(4); and

6 (vii) any other revenue anticipated by the trustees to  
7 be received during the ensuing school fiscal year which may  
8 be used to finance the general fund.

9 (c) Subtract the total of the moneys available to  
10 reduce the property tax required to finance the general fund  
11 that has been determined in subsection (1)(b) from the total  
12 ~~levy~~ requirement determined in subsection (1)(a).

13 (2) The net general fund levy requirement determined  
14 in subsection (1)(c) shall be reported to the county  
15 commissioners on the second Monday of August by the county  
16 superintendent as the general fund levy requirement for the  
17 district, and a levy shall be made by the county  
18 commissioners in accordance with 20-9-142."

19 Section 2. Section 20-9-353, MCA, is amended to read:

20 "20-9-353. Additional levy for general fund --  
21 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  
25 for any of the following purposes:

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

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

5 (c) acquisition of land for the district;

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

8 (2) 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~~ any funds available to finance the additional  
20 amount other than those funds to be raised by the additional  
21 levy. Such special election shall be called and conducted in  
22 the manner prescribed by this title for school elections.  
23 The ballot for such election shall state only the amount of  
24 money to be raised by additional property taxation, the  
25 approximate number of mills required to raise such money,

1 and the purpose for which such money will be expended, and  
2 it shall be in the following format:

3 PROPOSITION

4 Shall a levy be made in addition to the levies  
5 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 additional tax levy), and being approximately (give  
8 number) mills, for the purpose of (insert the purpose for  
9 which the additional tax levy is made)?

10  FOR the additional levy.

11  AGAINST the additional levy.

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

24 (4) Authorization to levy an additional tax under the  
25 provisions of this section shall be effective for only 1

1 school fiscal year and shall be authorized by a special  
2 election conducted before August 1 of the school fiscal year  
3 for which it is effective."

-End-

APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

1 HOUSE BILL NO. 209  
2 INTRODUCED BY Cindy Thomas  
3 Beck Dean J. Harman

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE TRUSTEES  
5 OF A DISTRICT WHO REQUEST AN ADDITIONAL LEVY TO FINANCE THE  
6 DISTRICT'S GENERAL FUND BUDGET TO PLACE ONLY THE AMOUNT TO  
7 BE RAISED BY THE LEVY ON THE SPECIAL ELECTION LEVY BALLOT;  
8 TO PROVIDE THAT NO ELECTION IS REQUIRED TO PERMIT THE  
9 TRUSTEES TO USE ANY AVAILABLE FUNDS TO FINANCE A GENERAL  
10 FUND BUDGET OTHER THAN THOSE FUNDS TO BE RAISED BY AN  
11 ADDITIONAL LEVY; AMENDING SECTIONS 20-9-141 AND 20-9-353,  
12 MCA."

13  
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 Section 1. Section 20-9-141, MCA, is amended to read:  
16 "20-9-141. Computation of general fund net levy  
17 requirement by county superintendent. (1) The county  
18 superintendent shall compute the levy requirement for each  
19 district's general fund on the basis of the following  
20 procedure:

21 (a) Determine the total of the funding required for  
22 the district's final general fund budget less the amount  
23 established by the schedules in 20-9-316 through 20-9-321 by  
24 totaling:

25 (i) the district's nonisolated school foundation

1 program requirement to be met by a district levy as provided  
2 in 20-9-303*7*;

3 (ii) the district's permissive levy amount as provided  
4 in 20-9-352*7*; and

5 (iii) any general fund budget amount adopted by the  
6 trustees of the district under the provisions of 20-9-353,  
7 including any additional levies authorized by the electors  
8 of the district under--the-provisions-of-20-9-353,--except  
9 that-the-total-of-the-permissive-and-additional-levies-shall  
10 not-exceed-the-total-amount-of-the-final-general-fund-budget  
11 less-the-foundation-program.

12 (b) Determine the total of the moneys available for  
13 the reduction of the property tax on the district for the  
14 general fund by totaling:

15 (i) anticipated federal moneys received under the  
16 provisions of Title I of Public Law 81-874 or other  
17 anticipated federal moneys received in lieu of such federal  
18 act;

19 (ii) anticipated tuition payments for out-of-district  
20 pupils under the provisions of 20-5-303, 20-5-307, 20-5-312,  
21 and 20-5-313;

22 (iii) general fund cash reappropriated, as established  
23 under the provisions of 20-9-104;

24 (iv) anticipated state impact aid received under the  
25 provisions of 20-9-304;



1 (v) anticipated motor vehicle fees and reimbursement  
2 under the provisions of 61-3-532 and 61-3-536;

3 (vi) anticipated interest to be earned by the  
4 investment of general fund cash in accordance with the  
5 provisions of 20-9-213(4); and

6 (vii) any other revenue anticipated by the trustees to  
7 be received during the ensuing school fiscal year which may  
8 be used to finance the general fund.

9 (c) Subtract the total of the moneys available to  
10 reduce the property tax required to finance the general fund  
11 that has been determined in subsection (1)(b) from the total  
12 ~~levy~~ requirement determined in subsection (1)(a).

13 (2) The net general fund levy requirement determined  
14 in subsection (1)(c) shall be reported to the county  
15 commissioners on the second Monday of August by the county  
16 superintendent as the general fund levy requirement for the  
17 district, and a levy shall be made by the county  
18 commissioners in accordance with 20-9-142."

19 Section 2. Section 20-9-353, MCA, is amended to read:

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21 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  
25 for any of the following purposes:

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

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

5 (c) acquisition of land for the district;

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

8 (2) 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~~ any funds available to finance the additional  
20 amount other than those funds to be raised by the additional  
21 levy. Such special election shall be called and conducted in  
22 the manner prescribed by this title for school elections.  
23 The ballot for such election shall state only the amount of  
24 money to be raised by additional property taxation, the  
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1 and the purpose for which such money will be expended, and  
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12 (3) If the election on any additional levy for the  
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18 amount authorized by such a special election on the budget  
19 form that is submitted to the county superintendent, and the  
20 county commissioners shall levy such number of mills on the  
21 taxable value of all taxable property within the district,  
22 as prescribed in 20-9-141, as are required to raise the  
23 amount of such additional levy.

24 (4) Authorization to levy an additional tax under the  
25 provisions of this section shall be effective for only 1

1 school fiscal year and shall be authorized by a special  
2 election conducted before August 1 of the school fiscal year  
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-End-



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3 LORY, PECK, REAM, J. HAMMOND

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE TRUSTEES  
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18 requirement by county superintendent. (1) The county  
19 superintendent shall compute the levy requirement for each  
20 district's general fund on the basis of the following  
21 procedure:

22 (a) Determine the total of the funding required for  
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18 anticipated federal moneys received in lieu of such federal  
19 act;

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21 pupils under the provisions of 20-5-303, 20-5-307, 20-5-312,  
22 and 20-5-313;

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25 (iv) anticipated state impact aid received under the

1 provisions of 20-9-304;

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15 in subsection (1)(c) shall be reported to the county

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15 20-20-301 to vote upon such proposition except that no

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5 NEW SECTION. SECTION 3. EFFECTIVE DATE. THIS ACT IS  
6 EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

## HOUSE BILL NO. 209

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A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE TRUSTEES OF A DISTRICT WHO REQUEST AN ADDITIONAL LEVY TO FINANCE THE DISTRICT'S GENERAL FUND BUDGET TO PLACE ONLY THE AMOUNT TO BE RAISED BY THE LEVY ON THE SPECIAL ELECTION LEVY BALLOT; TO PROVIDE THAT NO ELECTION IS REQUIRED TO PERMIT THE TRUSTEES TO USE ANY AVAILABLE FUNDS TO FINANCE A GENERAL FUND BUDGET OTHER THAN THOSE FUNDS TO BE RAISED BY AN ADDITIONAL LEVY; AMENDING SECTIONS 20-9-141 AND 20-9-353, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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(a) Determine the total of the funding required for the district's final general fund budget less the amount established by the schedules in 20-9-316 through 20-9-321 by totaling:

(i) the district's nonisolated school foundation program requirement to be met by a district levy as provided in 20-9-3037;

(ii) the district's permissive levy amount as provided in 20-9-3527; and

(iii) any general fund budget amount adopted by the trustees of the district under the provisions of 20-9-353, including any additional levies authorized by the electors of the district under--the-provisions-of-20-9-3537--except that-the-total-of-the-permissive-and-additional-levies-shall not-exceed-the-total-amount-of-the-final-general-fund-budget less-the-foundation-program.

(b) Determine the total of the moneys available for the reduction of the property tax on the district for the general fund by totaling:

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