

HOUSE BILL NO. 267

INTRODUCED BY HARBIN

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE HOUSE

January 19, 1985	Introduced and referred to Committee on Education and Cultural Resources.
January 26, 1985	Committee recommend bill do pass. Report adopted.
January 28, 1985	Bill printed and placed on members' desks.
January 30, 1985	Second reading, do pass. Considered correctly engrossed.
January 31, 1985	Third reading, passed. Ayes, 99; Noes, 0. Transmitted to Senate.

IN THE SENATE

February 4, 1985	Introduced and referred to Committee on Education and Cultural Resources.
February 16, 1985	Committee recommend bill be concurred in. Report adopted.
February 19, 1985	Second reading, concurred in.
February 21, 1985	Third reading, concurred in. Ayes, 49; Noes, 0. Returned to House.

IN THE HOUSE

February 22, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

1 distributed to a county and designated for expenditure for
2 the benefit of the county common schools under the
3 provisions of 17-3-232;

4 (c) all money paid into the county treasury as a
5 result of fines for violations of law and the use of which
6 is not otherwise specified by law;

7 (d) any money remaining at the end of the immediately
8 preceding school fiscal year in the county treasurer's
9 account for the various sources of revenue established or
10 referred to in this section; and

11 (e) any federal or state money, including anticipated
12 motor vehicle fees and reimbursement under the provisions of
13 61-3-532 and 61-3-536, distributed to the county as payment
14 in lieu of the property taxation established by the county
15 levy required by this section."

16 Section 2. Section 20-9-333, MCA, is amended to read:

17 "20-9-333. Basic special levy and other revenues for
18 county equalization of high school district foundation
19 program. (1) It shall be the duty of the county
20 commissioners of each county to levy an annual basic special
21 tax for high schools of 17 mills on the dollar of the
22 taxable value of all taxable property within the county for
23 the purposes of local and state foundation program support.
24 The revenue to be collected from this levy shall be
25 apportioned to the support of the foundation programs of

1 high school districts in the county and to the state special
2 revenue fund, state equalization aid account, in the
3 following manner:

4 (a) In order to determine the amount of revenue raised
5 by this levy which is retained by the county, the estimated
6 revenues identified in subsections (2)(a) and (2)(b) below
7 shall be subtracted from the sum of the county's high school
8 tuition obligation and the total of the foundation programs
9 of all high school districts of the county.

10 (b) If the basic levy prescribed by this section
11 produces more revenue than is required to finance the
12 difference determined above, the county commissioners shall
13 order the county treasurer to remit the surplus to the state
14 treasurer for deposit to the state special revenue fund,
15 state equalization aid account, not later than June ± 20 of
16 the fiscal year for which the levy has been set.

17 (2) The proceeds realized from the county's portion of
18 the levy prescribed in this section and the revenues from
19 the following sources shall be used for the equalization of
20 the high school district foundation programs of the county
21 as prescribed in 20-9-334, and a separate accounting shall
22 be kept of these proceeds by the county treasurer in
23 accordance with 20-9-212(1):

24 (a) any money remaining at the end of the immediately
25 preceding school fiscal year in the county treasurer's

1 account for deposit of the proceeds from the levy
2 established in this section; and

3 (b) any federal or state moneys, including anticipated
4 motor vehicle fees and reimbursement under the provisions of
5 61-3-532 and 61-3-536, distributed to the county as a
6 payment in lieu of the property taxation established by the
7 county levy required by this section."

8 NEW SECTION. Section 3. Effective date. This act is
9 effective on passage and approval.

-End-

APPROVED BY COMM. ON EDUCATION
AND CULTURAL RESOURCES

1 HOUSE BILL NO. 267
2 INTRODUCED BY Hartman
3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE DATE BY
6 WHICH SCHOOL EQUALIZATION MILL LEVY SURPLUSES ARE TO BE
7 REMITTED TO THE STATE FROM JUNE 1 TO JUNE 20 OF THE FISCAL
8 YEAR FOR WHICH THE LEVY HAS BEEN SET; AMENDING SECTIONS
9 20-9-331 AND 20-9-333, MCA; AND PROVIDING AN IMMEDIATE
10 EFFECTIVE DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 20-9-331, MCA, is amended to read:
14 "20-9-331. Basic county tax and other revenues for
15 county equalization of the elementary district foundation
16 program. (1) It shall be the duty of the county
17 commissioners of each county to levy an annual basic tax of
18 28 mills on the dollars of the taxable value of all taxable
19 property within the county for the purposes of local and
20 state foundation program support. The revenue to be
21 collected from this levy shall be apportioned to the support
22 of the foundation programs of the elementary school
23 districts in the county and to the state special revenue
24 fund, state equalization aid account, in the following
25 manner:

1 (a) In order to determine the amount of revenue raised
2 by this levy which is retained by the county, the sum of the
3 estimated revenues identified in subsections (2)(a) through
4 (2)(f) below shall be subtracted from the sum of the county
5 elementary transportation obligation and the total of the
6 foundation programs of all elementary districts of the
7 county.

8 (b) If the basic levy prescribed by this section
9 produces more revenue than is required to finance the
10 difference determined above, the county commissioners shall
11 order the county treasurer to remit the surplus funds to the
12 state treasurer for deposit to the state special revenue
13 fund, state equalization aid account, not later than June 1
14 20 of the fiscal year for which the levy has been set.

15 (2) The proceeds realized from the county's portion of
16 the levy prescribed by this section and the revenues from
17 the following sources shall be used for the equalization of
18 the elementary district foundation programs of the county as
19 prescribed in 20-9-334, and a separate accounting shall be
20 kept of such proceeds and revenues by the county treasurer
21 in accordance with 20-9-212(1):

22 (a) the portion of the federal Taylor Grazing Act
23 funds distributed to a county and designated for the common
24 school fund under the provisions of 17-3-222;

25 (b) the portion of the federal flood control act funds

1 distributed to a county and designated for expenditure for
2 the benefit of the county common schools under the
3 provisions of 17-3-232;

4 (c) all money paid into the county treasury as a
5 result of fines for violations of law and the use of which
6 is not otherwise specified by law;

7 (d) any money remaining at the end of the immediately
8 preceding school fiscal year in the county treasurer's
9 account for the various sources of revenue established or
10 referred to in this section; and

11 (e) any federal or state money, including anticipated
12 motor vehicle fees and reimbursement under the provisions of
13 61-3-532 and 61-3-536, distributed to the county as payment
14 in lieu of the property taxation established by the county
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16 Section 2. Section 20-9-333, MCA, is amended to read:

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18 county equalization of high school district foundation
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20 commissioners of each county to levy an annual basic special
21 tax for high schools of 17 mills on the dollar of the
22 taxable value of all taxable property within the county for
23 the purposes of local and state foundation program support.
24 The revenue to be collected from this levy shall be
25 apportioned to the support of the foundation programs of

1 high school districts in the county and to the state special
2 revenue fund, state equalization aid account, in the
3 following manner:

4 (a) In order to determine the amount of revenue raised
5 by this levy which is retained by the county, the estimated
6 revenues identified in subsections (2)(a) and (2)(b) below
7 shall be subtracted from the sum of the county's high school
8 tuition obligation and the total of the foundation programs
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10 (b) If the basic levy prescribed by this section
11 produces more revenue than is required to finance the
12 difference determined above, the county commissioners shall
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23 accordance with 20-9-212(1):

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25 preceding school fiscal year in the county treasurer's

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