

HOUSE BILL NO. 756

2/09 Introduced
2/09 Referred to Education & Cultural Resources
2/20 Hearing
Died in Committee

1 HOUSE BILL NO. 756
 2 INTRODUCED BY Merrilee Dinnell Harrington Staff
 3 Laurie Keenan Beck Victoria Wright

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE TRUSTEES
 5 OF ANY DISTRICT TO SUBMIT TO THE ELECTORS A PROPOSITION FOR
 6 AUTHORITY TO EXPEND ANY GENERAL FUND BUDGET AMOUNT FOR
 7 SALARY AND BENEFIT FOR THE DISTRICT SUPERINTENDENT THAT IS
 8 IN EXCESS OF \$50,000; AMENDING SECTION 20-9-353, MCA."

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

11 Section 1. Section 20-9-353, MCA, is amended to read:

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

- 18 (a) building, altering, repairing, or enlarging any
- 19 schoolhouse of the district;
- 20 (b) furnishing additional school facilities for the
- 21 district;
- 22 (c) acquisition of land for the district;
- 23 (d) proper maintenance and operation of the school
- 24 programs of the district.

25 (2) When the trustees of any district determine that

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

18 PROPOSITION

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

25 FOR the additional levy.



1 AGAINST the additional levy.

2 (3) If the trustees of any district determine that the
3 salary and benefits to be budgeted for the district
4 superintendent are in excess of \$50,000, the trustees shall:

5 (a) propose the amount in excess as a separate budget
6 item within the general fund budget proposed under
7 subsection (2); and

8 (b) submit to the qualified electors a proposition for
9 authority to expend the excess amount, and the proposition
10 must be in the following format:

11 PROPOSITION

12 Shall the trustees of the district be authorized to
13 expend (state the amount of the salary and benefits budgeted
14 for the district superintendent in excess of \$50,000),
15 within the general fund budget for which the additional tax
16 levy is authorized, for the salary and benefits budgeted for
17 the district superintendent, which is the excess over
18 \$50,000?

19 FOR the excess amount for salary and benefits for
20 district superintendent.

21 AGAINST the excess amount for salary and benefits for
22 district superintendent.

23 +3+(4) If the election on any additional levy for the
24 general fund as provided in subsection (2) or on the excess
25 amount for the salary and benefits for the district

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

12 +4+(5) Authorization to levy an additional tax under
13 the provisions of this section shall be effective for only 1
14 school fiscal year and shall be authorized by a special
15 election conducted before August 1 of the school fiscal year
16 for which it is effective."

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