

HOUSE BILL NO. 902

2/20 Introduced
2/20 Referred to Education & Cultural Resources
2/22 Hearing
2/23 Adverse Committee Report
2/23 Objection to Adverse Committee Report
2/26 2nd Reading Do Not Pass
2/26 Bill Killed

1 HOUSE BILL NO. 902
2 INTRODUCED BY J. P. Keefe

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO LIMIT THE GENERAL
5 FUND BUDGET AMOUNT THAT THE TRUSTEES OF ANY DISTRICT MAY
6 PROPOSE FOR SCHOOL FISCAL YEARS 1985 THROUGH 1987; TO
7 PROVIDE FOR AN EXTRAORDINARY LEVY; AMENDING SECTION
8 20-9-353, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND
9 A TERMINATION DATE."

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

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

13 "20-9-353. Additional levy for general fund --
14 extraordinary levy -- election for authorization to impose
15 -- limitation. (1) The Subject to subsection (5), the
16 trustees of any district may propose to adopt a general fund
17 budget in excess of the general fund budget amount for such
18 district as established by the schedules in 20-9-316 through
19 20-9-321 for any of the following purposes:

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

1 programs of the district.

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

20 PROPOSITION

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



1 which the additional tax levy is made)?

2 FOR the additional levy.

3 AGAINST the additional levy.

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

16 (4) Authorization to levy an additional tax under the
17 provisions of this section shall be effective for only 1
18 school fiscal year and shall be authorized by a special
19 election conducted before August 1 of the school fiscal year
20 for which it is effective.

21 (5) (a) The trustees of any district may not adopt a
22 general fund budget for school fiscal year 1985-86 that
23 exceeds the schedule amount allowed in 20-9-316 through
24 20-9-321 for that year plus the 1984-85 school fiscal year's
25 general fund budget in excess of the schedule amount

1 multiplied by 1.04.

2 (b) The trustees of any district may not adopt a
3 general fund budget for school fiscal year 1986-87 that
4 exceeds the schedule amount allowed in 20-9-316 through
5 20-9-321 for that year plus the 1984-85 school fiscal year's
6 general fund budget in excess of the schedule amount
7 multiplied by 1.087.

8 (6) The trustees of any district may determine that
9 additional funding is required in excess of the limitations
10 set forth in subsection (5) for school fiscal years 1985-86
11 and 1986-87. If such a determination is made, the trustees
12 may submit the proposition of an extraordinary levy to the
13 electors in the manner provided for in subsections (1)
14 through (4), except as follows:

15 (a) An additional levy under subsections (1) through
16 (4) and an extraordinary levy under this subsection (6) must
17 be submitted to the electors on two separate ballots.

18 (b) The extraordinary levy ballot must be in the
19 following 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 mills as may be
24 necessary to raise the sum of (state the amount to be raised
25 by extraordinary tax levy), and being approximately (give

1 number) mills, 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 levy.

5 AGAINST the extraordinary levy.

6 (c) If the election on any additional levy proposed
7 for the same year pursuant to subsections (1) through (4)
8 fails to be approved, an extraordinary levy may not carry,
9 whether or not approved by a majority of the electors.

10 (d) 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 NEW SECTION. Section 2. Effective date. This act is
14 effective on passage and approval and terminates July 1,
15 1987.

-End-

1 which the additional tax levy is made)?

2 FOR the additional levy.

3 AGAINST the additional levy.

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

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17 provisions of this section shall be effective for only 1
18 school fiscal year and shall be authorized by a special
19 election conducted before August 1 of the school fiscal year
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22 general fund budget for school fiscal year 1985-86 that
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9 additional funding is required in excess of the limitations
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2 item the purpose for which the extraordinary tax levy is
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