

SB 37 INTRODUCED BY BENGTON
TO REVISE METHOD OF DETERMINING NUMBER OF TRUSTEES
 FOR HIGH SCHOOL DISTRICTS

1/05 INTRODUCED
1/05 REFERRED TO EDUCATION & CULTURAL RESOURCES
1/16 HEARING
1/21 ADVERSE COMMITTEE REPORT ADOPTED 40 5

1 SENATE BILL NO. 37
 2 INTRODUCED BY BENOTSON
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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXCLUDE THE TAXABLE
 5 VALUATION OF ANY URBAN RENEWAL TAX INCREMENT PLANS FROM THE
 6 TAXABLE VALUATION USED TO DETERMINE THE NUMBER OF TRUSTEES
 7 FOR A HIGH SCHOOL DISTRICT; AND AMENDING SECTION 20-3-352,
 8 MCA."

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

11 Section 1. Section 20-3-352, MCA, is amended to read:

12 "20-3-352. Request and determination of number of high
 13 school district additional trustee positions. (1) As
 14 provided in 20-3-351(1)(b), each high school district,
 15 except a high school district operating a county high
 16 school, may have additional trustee positions when the
 17 trustees of a majority of the elementary districts with
 18 territory located in the high school district, but without
 19 representation on the high school district trustees under
 20 the provision of 20-3-351(1)(a), request the establishment
 21 of such additional trustee positions.

22 (2) A request for additional trustee positions shall
 23 be made to the county superintendent by a resolution of the
 24 trustees of each elementary district. When a resolution has
 25 been received from a majority of the elementary districts

1 without representation on the high school district trustees,
 2 the county superintendent shall determine the number of
 3 additional trustee positions for the affected high school
 4 district in accordance with the following procedure:

5 (a) The taxable valuation, excluding the taxable
 6 valuation of any tax increment provision authorized under
 7 7-15-4282 through 7-15-4292, of the elementary district
 8 which has its trustees placed on the high school trustees
 9 shall be divided by the number of positions on the trustees
 10 of such elementary district to determine the taxable
 11 valuation per trustee position.

12 (b) The taxable valuation used for the calculation in
 13 subsection (2)(a) above shall be subtracted from the taxable
 14 valuation of the high school district to determine the
 15 taxable valuation of the territory of the high school
 16 district without representation on the high school district
 17 trustees.

18 (c) The taxable valuation determined in subsection
 19 (2)(b) above shall be divided by the taxable valuation per
 20 trustee position calculated in subsection (2)(a) above. The
 21 resulting quotient shall be rounded off to the nearest whole
 22 number.

23 (3) The number determined in subsection (2)(c) above
 24 shall be the number of additional trustee positions, except
 25 that the number of additional trustee positions shall not

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1 exceed four in a first- or second-class high school district
2 or two in a third-class high school district except when
3 two-thirds or more of the high school enrollment of the high
4 school district and two-thirds or more of the taxable
5 valuation of the high school district are located outside of
6 the elementary district which has its trustees placed on the
7 high school district trustees. When this situation exists,
8 three additional trustees shall be elected from the
9 elementary school districts where the high school is not
10 located and one additional trustee shall be elected at large
11 in the high school district."

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