

HOUSE BILL NO. 656

INTRODUCED BY R. JOHNSON
BY REQUEST OF THE JOINT SUBCOMMITTEE
ON EDUCATION AND CULTURAL RESOURCES

IN THE HOUSE

MARCH 3, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
	FIRST READING.
MARCH 12, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
MARCH 13, 1993	PRINTING REPORT.
MARCH 15, 1993	SECOND READING, DO PASS.
MARCH 16, 1993	ENGROSSING REPORT.
MARCH 18, 1993	THIRD READING, PASSED. AYES, 81; NOES, 16.
MARCH 19, 1993	TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 20, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
	FIRST READING.
MARCH 25, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 27, 1993	SECOND READING, CONCURRED IN.
MARCH 29, 1993	THIRD READING, CONCURRED IN. AYES, 45; NOES, 2.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 30, 1993	RECEIVED FROM SENATE.
	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 656
2 INTRODUCED BY L. Johnson
3 BY REQUEST OF THE JOINT SUBCOMMITTEE
4 ON EDUCATION AND CULTURAL RESOURCES

6 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING STATE
7 IMPACT AID TO SCHOOL DISTRICTS; AMENDING SECTIONS 20-3-106
8 AND 20-9-141, MCA; REPEALING SECTION 20-9-304, MCA; AND
9 PROVIDING AN EFFECTIVE DATE."

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

12 **Section 1.** Section 20-3-106, MCA, is amended to read:

13 "20-3-106. Supervision of schools -- powers and duties.

14 The superintendent of public instruction has the general
15 supervision of the public schools and districts of the
16 state, and he shall perform the following duties or acts in
17 implementing and enforcing the provisions of this title:

18 (1) resolve any controversy resulting from the
19 proration of costs by a joint board of trustees under the
20 provisions of 20-3-362;

21 (2) issue, renew, or deny teacher certification and
22 emergency authorizations of employment;

23 (3) negotiate reciprocal tuition agreements with other
24 states in accordance with the provisions of 20-5-314;

25 (4) serve on the teachers' retirement board in

1 accordance with the provisions of 2-15-1010;

2 (5) approve or disapprove the orders of a high school
3 boundary commission in accordance with the provisions of
4 20-6-311;

5 (6) approve or disapprove the opening or reopening of a
6 school in accordance with the provisions of 20-6-502,
7 20-6-503, 20-6-504, or 20-6-505;

8 (7) approve or disapprove school isolation within the
9 limitations prescribed by 20-9-302;

10 (8) generally supervise the school budgeting procedures
11 prescribed by law in accordance with the provisions of
12 20-9-102 and prescribe the school budget format in
13 accordance with the provisions of 20-9-103 and 20-9-506;

14 (9) establish a system of communication for calculating
15 joint district revenues in accordance with the provisions of
16 20-9-151:

17 (10) approve or disapprove the adoption of a district's
18 budget amendment resolution under the conditions prescribed
19 in 20-9-163 and adopt rules for an application for
20 additional state aid for a budget amendment in accordance
21 with the approval and disbursement provisions of 20-9-166;

22 (11) generally supervise the school financial
23 administration provisions as prescribed by 20-9-201(2);

24 (12) prescribe and furnish the annual report forms to
25 enable the districts to report to the county superintendent

1 in accordance with the provisions of 20-9-213(5) and the
 2 annual report forms to enable the county superintendents to
 3 report to the superintendent of public instruction in
 4 accordance with the provisions of 20-3-209;

5 (13) approve, disapprove, or adjust an increase of the
 6 average number belonging (ANB) in accordance with the
 7 provisions of 20-9-313 and 20-9-314;

8 (14) distribute state equalization aid in support of the
 9 foundation program and guaranteed tax base aid, in
 10 accordance with the provisions of 20-9-331, 20-9-333,
 11 20-9-342, 20-9-346, 20-9-347, and 20-9-366 through 20-9-369;

12 ~~(15) distribute state impact aid in accordance with the~~
 13 ~~provisions of 20-9-304;~~

14 ~~(16)~~ provide for the uniform and equal provision of
 15 transportation by performing the duties prescribed by the
 16 provisions of 20-10-112;

17 ~~(17)~~ approve or disapprove an adult education
 18 program for which a district proposes to levy a tax in
 19 accordance with the provisions of 20-7-705;

20 ~~(18)~~ request, accept, deposit, and expend federal
 21 money in accordance with the provisions of 20-9-603;

22 ~~(19)~~ authorize the use of federal money for the
 23 support of an interlocal cooperative agreement in accordance
 24 with the provisions of 20-9-703 and 20-9-704;

25 ~~(20)~~ prescribe the form and contents of and approve

1 or disapprove interstate contracts in accordance with the
 2 provisions of 20-9-705;

3 ~~(21)~~ approve or disapprove the conduct of school on
 4 a Saturday or on pupil-instruction-related days in
 5 accordance with the provisions of 20-1-303 and 20-1-304;

6 ~~(22)~~ recommend standards of accreditation for all
 7 schools to the board of public education and evaluate
 8 compliance with the standards and recommend accreditation
 9 status of every school to the board of public education in
 10 accordance with the provisions of 20-7-101 and 20-7-102;

11 ~~(23)~~ collect and maintain a file of curriculum
 12 guides and assist schools with instructional programs in
 13 accordance with the provisions of 20-7-113 and 20-7-114;

14 ~~(24)~~ establish and maintain a library of visual,
 15 aural, and other educational media in accordance with the
 16 provisions of 20-7-201;

17 ~~(25)~~ license textbook dealers and initiate
 18 prosecution of textbook dealers violating the law in
 19 accordance with the provisions of the textbooks part of this
 20 title;

21 ~~(26)~~ as the governing agent and executive officer of
 22 the state of Montana for K-12 vocational education, adopt
 23 the policies prescribed by and in accordance with the
 24 provisions of 20-7-301;

25 ~~(27)~~ supervise and coordinate the conduct of special

education in the state in accordance with the provisions of 20-7-403;

~~(28)~~(27) administer the traffic education program in accordance with the provisions of 20-7-502;

~~(29)~~(28) administer the school food services program in accordance with the provisions of 20-10-201, 20-10-202, and 20-10-203;

~~(30)~~(29) review school building plans and specifications in accordance with the provisions of 20-6-622;

~~(31)~~(30) prescribe the method of identification and signals to be used by school safety patrols in accordance with the provisions of 20-1-408;

~~(32)~~(31) provide schools with information and technical assistance for compliance with the student assessment rules provided for in 20-2-121 and collect and summarize the results of the student assessment for the board of public education and the legislature;

~~(33)~~(32) administer the distribution of guaranteed tax base aid for county retirement levy obligations in accordance with 20-9-366 through 20-9-369; and

~~(34)~~(33) perform any other duty prescribed from time to time by this title, any other act of the legislature, or the policies of the board of public education."

Section 2. Section 20-9-141, MCA, is amended to read:

"20-9-141. Computation of general fund net levy

requirement by county superintendent. (1) The county superintendent shall compute the levy requirement for each district's general fund on the basis of the following procedure:

(a) Determine 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 20-9-303; and

(ii) any additional general fund budget amount adopted by the trustees of the district under the provisions of 20-9-145 and 20-9-353, including any additional levies authorized by the electors of the district.

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

(i) anticipated federal money received under the provisions of Title I of Public Law 81-874 or other anticipated federal money received in lieu of that federal act;

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

(iii) general fund balance reappropriated, as

1 established under the provisions of 20-9-104;

2 ~~(iv) anticipated--or--reappropriated--state--impact--aid~~

3 ~~received-under-the-provisions-of-20-9-304;~~

4 ~~(v)~~ anticipated or reappropriated revenue from property

5 taxes and fees imposed under 23-2-517, 23-2-803,

6 61-3-504(2), 61-3-521, 61-3-537, and 67-3-204;

7 ~~(vi)~~(v) anticipated net proceeds taxes for new

8 production, as defined in 15-23-601;

9 ~~(vii)~~(vi) anticipated revenue from local government

10 severance taxes as provided in 15-36-112;

11 ~~(viii)~~(vii) anticipated revenue from coal gross proceeds

12 under 15-23-703;

13 ~~(ix)~~(viii) anticipated interest to be earned or

14 reappropriated interest earned by the investment of general

15 fund cash in accordance with the provisions of 20-9-213(4);

16 ~~(x)~~(ix) anticipated revenue from corporation license

17 taxes collected from financial institutions under the

18 provisions of 15-31-702; and

19 ~~(xi)~~(x) any other revenue anticipated by the trustees

20 to be received during the ensuing school fiscal year that

21 may be used to finance the general fund, excluding any

22 guaranteed tax base aid.

23 (c) Notwithstanding the provisions of subsection (2),

24 subtract the money available to reduce the property tax

25 required to finance the general fund that has been

1 determined in subsection (1)(b) from any additional general

2 fund budget amount adopted by the trustees of the district

3 as the permissive amount under the provisions of 20-9-145 to

4 determine the general fund permissive net levy requirement.

5 (d) Subtract any amount remaining after the

6 determination in subsection (1)(c) from any additional

7 funding requirement to be met by a district levy as provided

8 in 20-9-303 and 20-9-353 to determine the additional general

9 fund levy requirement.

10 (2) The county superintendent shall calculate the

11 number of mills to be levied on the taxable property in the

12 district to finance the general fund permissive net levy

13 requirement by dividing the amount determined in subsection

14 (1)(c) by the sum of:

15 (a) the amount of guaranteed tax base aid that the

16 district will receive for each mill levied, as certified by

17 the superintendent of public instruction; and

18 (b) the taxable valuation of the district divided by

19 1,000.

20 (3) The net general fund levy requirement determined in

21 subsections (1)(c) and (1)(d) must be reported to the county

22 commissioners on the second Monday of August by the county

23 superintendent as the general fund permissive net levy

24 requirement and the additional general fund levy requirement

25 for the district, and a levy must be set by the county

1 commissioners in accordance with 20-9-142."

2 NEW SECTION. **Section 3.** Repealer. Section 20-9-304,
3 MCA, is repealed.

4 NEW SECTION. **Section 4.** Effective date. [This act] is
5 effective July 1, 1993.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0656, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act eliminating state impact aid to school districts.

ASSUMPTIONS:

1. The Office of Public Instruction disbursed \$3,900 of general fund dollars for state impact aid payments to four school districts in fiscal 1992.
2. Under this bill, the Office of Public Instruction would not pay out any the \$9,200 for state impact aid allocated in the executive budget for the 1995 biennium.
3. Districts which lose impact aid receive 38 percent GTB subsidy as in FY92.

FISCAL IMPACT:

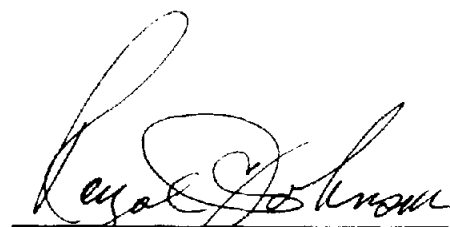
	FY '94			FY '95		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
<u>Expenditures:</u>						
General Fund- Impact aid	4,600	0	(4,600)	4,600	0	(4,600)
SEA- Guaranteed Tax Base Aid	<u>49,711,450</u>	<u>49,713,198</u>	<u>1,748</u>	<u>51,004,050</u>	<u>51,005,778</u>	<u>1,748</u>
Total	49,716,050	49,713,198	(2,852)	51,008,650	51,005,778	(2,852)
<u>Funding:</u>						
General Fund	4,600	0	(4,600)	4,600	0	(4,600)
School Equalization Account (SEA)	<u>49,711,450</u>	<u>49,713,198</u>	<u>1,748</u>	<u>51,004,050</u>	<u>51,005,778</u>	<u>1,748</u>
Total	49,716,050	49,713,198	(2,852)	51,008,650	51,005,778	(2,852)

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

School districts in Deer Lodge and Powell Counties would no longer receive these state impact aid revenues for students whose parents are employed by and reside on the property of a state institution. State GTB aid will offset 38 percent of the reduction.

 3.8.93

DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning



ROYAL JOHNSON, PRIMARY SPONSOR DATE
Fiscal Note for HB0656, as introduced

HB 656

APPROVED BY COMMITTEE
ON APPROPRIATIONS

1 House BILL NO. 656
2 INTRODUCED BY [Signature]
3 BY REQUEST OF THE JOINT SUBCOMMITTEE
4 ON EDUCATION AND CULTURAL RESOURCES
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20 provisions of 20-3-362;

21 (2) issue, renew, or deny teacher certification and
22 emergency authorizations of employment;

23 (3) negotiate reciprocal tuition agreements with other
24 states in accordance with the provisions of 20-5-314;

25 (4) serve on the teachers' retirement board in

1 accordance with the provisions of 2-15-1010;

2 (5) approve or disapprove the orders of a high school
3 boundary commission in accordance with the provisions of
4 20-6-311;

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6 school in accordance with the provisions of 20-6-502,
7 20-6-503, 20-6-504, or 20-6-505;

8 (7) approve or disapprove school isolation within the
9 limitations prescribed by 20-9-302;

10 (8) generally supervise the school budgeting procedures
11 prescribed by law in accordance with the provisions of
12 20-9-102 and prescribe the school budget format in
13 accordance with the provisions of 20-9-103 and 20-9-506;

14 (9) establish a system of communication for calculating
15 joint district revenues in accordance with the provisions of
16 20-9-151;

17 (10) approve or disapprove the adoption of a district's
18 budget amendment resolution under the conditions prescribed
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20 additional state aid for a budget amendment in accordance
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25 enable the districts to report to the county superintendent

1 in accordance with the provisions of 20-9-213(5) and the
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 9 foundation program and guaranteed tax base aid, in
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 11 20-9-342, 20-9-346, 20-9-347, and 20-9-366 through 20-9-369;

12 ~~(15) distribute state impact aid in accordance with the~~
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 15 transportation by performing the duties prescribed by the
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17 ~~(17)~~ approve or disapprove an adult education
 18 program for which a district proposes to levy a tax in
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20 ~~(18)~~ request, accept, deposit, and expend federal
 21 money in accordance with the provisions of 20-9-603;

22 ~~(19)~~ authorize the use of federal money for the
 23 support of an interlocal cooperative agreement in accordance
 24 with the provisions of 20-9-703 and 20-9-704;

25 ~~(20)~~ prescribe the form and contents of and approve

1 or disapprove interstate contracts in accordance with the
 2 provisions of 20-9-705;

3 ~~(21)~~ approve or disapprove the conduct of school on
 4 a Saturday or on pupil-instruction-related days in
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6 ~~(22)~~ recommend standards of accreditation for all
 7 schools to the board of public education and evaluate
 8 compliance with the standards and recommend accreditation
 9 status of every school to the board of public education in
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11 ~~(23)~~ collect and maintain a file of curriculum
 12 guides and assist schools with instructional programs in
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14 ~~(24)~~ establish and maintain a library of visual,
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 22 the state of Montana for K-12 vocational education, adopt
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 24 provisions of 20-7-301;

25 ~~(27)~~ supervise and coordinate the conduct of special

education in the state in accordance with the provisions of 20-7-403;

~~{28}~~{27} administer the traffic education program in accordance with the provisions of 20-7-502;

~~{29}~~{28} administer the school food services program in accordance with the provisions of 20-10-201, 20-10-202, and 20-10-203;

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~~{32}~~{31} provide schools with information and technical assistance for compliance with the student assessment rules provided for in 20-2-121 and collect and summarize the results of the student assessment for the board of public education and the legislature;

~~{33}~~{32} administer the distribution of guaranteed tax base aid for county retirement levy obligations in accordance with 20-9-366 through 20-9-369; and

~~{34}~~{33} perform any other duty prescribed from time to time by this title, any other act of the legislature, or the policies of the board of public education."

Section 2. Section 20-9-141, MCA, is amended to read:

"20-9-141. Computation of general fund net levy

requirement by county superintendent. (1) The county superintendent shall compute the levy requirement for each district's general fund on the basis of the following procedure:

(a) Determine 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 20-9-303; and

(ii) any additional general fund budget amount adopted by the trustees of the district under the provisions of 20-9-145 and 20-9-353, including any additional levies authorized by the electors of the district.

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

(i) anticipated federal money received under the provisions of Title I of Public Law 81-874 or other anticipated federal money received in lieu of that federal act;

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

(iii) general fund balance reappropriated, as

1 established under the provisions of 20-9-104;

2 (iv) ~~anticipated--or--reappropriated--state--impact--aid~~

3 ~~received-under-the-provisions-of-20-9-304;~~

4 {v} anticipated or reappropriated revenue from property

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12 under 15-23-703;

13 {viii} anticipated interest to be earned or

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15 fund cash in accordance with the provisions of 20-9-213(4);

16 {ix} anticipated revenue from corporation license

17 taxes collected from financial institutions under the

18 provisions of 15-31-702; and

19 {x} any other revenue anticipated by the trustees

20 to be received during the ensuing school fiscal year that

21 may be used to finance the general fund, excluding any

22 guaranteed tax base aid.

23 (c) Notwithstanding the provisions of subsection (2),

24 subtract the money available to reduce the property tax

25 required to finance the general fund that has been

1 determined in subsection (1)(b) from any additional general

2 fund budget amount adopted by the trustees of the district

3 as the permissive amount under the provisions of 20-9-145 to

4 determine the general fund permissive net levy requirement.

5 (d) Subtract any amount remaining after the

6 determination in subsection (1)(c) from any additional

7 funding requirement to be met by a district levy as provided

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9 fund levy requirement.

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11 number of mills to be levied on the taxable property in the

12 district to finance the general fund permissive net levy

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16 district will receive for each mill levied, as certified by

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18 (b) the taxable valuation of the district divided by

19 1,000.

20 (3) The net general fund levy requirement determined in

21 subsections (1)(c) and (1)(d) must be reported to the county

22 commissioners on the second Monday of August by the county

23 superintendent as the general fund permissive net levy

24 requirement and the additional general fund levy requirement

25 for the district, and a levy must be set by the county

1 commissioners in accordance with 20-9-142."

2 NEW SECTION. **Section 3.** Repealer. Section 20-9-304,
3 MCA, is repealed.

4 NEW SECTION. **Section 4.** Effective date. [This act] is
5 effective July 1, 1993.

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13 accordance with the provisions of 20-7-113 and 20-7-114;

14 (24) establish and maintain a library of visual,
15 aural, and other educational media in accordance with the
16 provisions of 20-7-201;

17 (25) license textbook dealers and initiate
18 prosecution of textbook dealers violating the law in
19 accordance with the provisions of the textbooks part of this
20 title;

21 (26) as the governing agent and executive officer of
22 the state of Montana for K-12 vocational education, adopt
23 the policies prescribed by and in accordance with the
24 provisions of 20-7-301;

25 (27) supervise and coordinate the conduct of special

1 education in the state in accordance with the provisions of
2 20-7-403;

3 ~~(28)~~(27) administer the traffic education program in
4 accordance with the provisions of 20-7-502;

5 ~~(29)~~(28) administer the school food services program in
6 accordance with the provisions of 20-10-201, 20-10-202, and
7 20-10-203;

8 ~~(30)~~(29) review school building plans and specifications
9 in accordance with the provisions of 20-6-622;

10 ~~(31)~~(30) prescribe the method of identification and
11 signals to be used by school safety patrols in accordance
12 with the provisions of 20-1-408;

13 ~~(32)~~(31) provide schools with information and technical
14 assistance for compliance with the student assessment rules
15 provided for in 20-2-121 and collect and summarize the
16 results of the student assessment for the board of public
17 education and the legislature;

18 ~~(33)~~(32) administer the distribution of guaranteed tax
19 base aid for county retirement levy obligations in
20 accordance with 20-9-366 through 20-9-369; and

21 ~~(34)~~(33) perform any other duty prescribed from time to
22 time by this title, any other act of the legislature, or the
23 policies of the board of public education."

24 **Section 2.** Section 20-9-141, MCA, is amended to read:

25 "20-9-141. Computation of general fund net levy

1 requirement by county superintendent. (1) The county
2 superintendent shall compute the levy requirement for each
3 district's general fund on the basis of the following
4 procedure:

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

8 (i) the district's nonisolated school foundation
9 program requirement to be met by a district levy as provided
10 in 20-9-303; and

11 (ii) any additional general fund budget amount adopted
12 by the trustees of the district under the provisions of
13 20-9-145 and 20-9-353, including any additional levies
14 authorized by the electors of the district.

15 (b) Determine the money available for the reduction of
16 the property tax on the district for the general fund by
17 totaling:

18 (i) anticipated federal money received under the
19 provisions of Title I of Public Law 81-874 or other
20 anticipated federal money received in lieu of that federal
21 act;

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

25 (iii) general fund balance reappropriated, as

1 established under the provisions of 20-9-104;

2 ~~(iv) anticipated--or--reappropriated--state--impact--aid~~

3 ~~received-under-the-provisions-of-20-9-304;~~

4 ~~(v)~~ anticipated or reappropriated revenue from property

5 taxes and fees imposed under 23-2-517, 23-2-803,

6 61-3-504(2), 61-3-521, 61-3-537, and 67-3-204;

7 ~~(vi)~~(v) anticipated net proceeds taxes for new

8 production, as defined in 15-23-601;

9 ~~(vii)~~(vi) anticipated revenue from local government

10 severance taxes as provided in 15-36-112;

11 ~~(viii)~~(vii) anticipated revenue from coal gross proceeds

12 under 15-23-703;

13 ~~(ix)~~(viii) anticipated interest to be earned or

14 reappropriated interest earned by the investment of general

15 fund cash in accordance with the provisions of 20-9-213(4);

16 ~~(x)~~(ix) anticipated revenue from corporation license

17 taxes collected from financial institutions under the

18 provisions of 15-31-702; and

19 ~~(xi)~~(x) any other revenue anticipated by the trustees

20 to be received during the ensuing school fiscal year that

21 may be used to finance the general fund, excluding any

22 guaranteed tax base aid.

23 (c) Notwithstanding the provisions of subsection (2),

24 subtract the money available to reduce the property tax

25 required to finance the general fund that has been

1 determined in subsection (1)(b) from any additional general

2 fund budget amount adopted by the trustees of the district

3 as the permissive amount under the provisions of 20-9-145 to

4 determine the general fund permissive net levy requirement.

5 (d) Subtract any amount remaining after the

6 determination in subsection (1)(c) from any additional

7 funding requirement to be met by a district levy as provided

8 in 20-9-303 and 20-9-353 to determine the additional general

9 fund levy requirement.

10 (2) The county superintendent shall calculate the

11 number of mills to be levied on the taxable property in the

12 district to finance the general fund permissive net levy

13 requirement by dividing the amount determined in subsection

14 (1)(c) by the sum of:

15 (a) the amount of guaranteed tax base aid that the

16 district will receive for each mill levied, as certified by

17 the superintendent of public instruction; and

18 (b) the taxable valuation of the district divided by

19 1,000.

20 (3) The net general fund levy requirement determined in

21 subsections (1)(c) and (1)(d) must be reported to the county

22 commissioners on the second Monday of August by the county

23 superintendent as the general fund permissive net levy

24 requirement and the additional general fund levy requirement

25 for the district, and a levy must be set by the county

LC 1583/01

1 commissioners in accordance with 20-9-142."

2 NEW SECTION. **Section 3.** Repealer. Section 20-9-304,
3 MCA, is repealed.

4 NEW SECTION. **Section 4.** Effective date. [This act] is
5 effective July 1, 1993.

-End-

1 HOUSE BILL NO. 656

2 INTRODUCED BY R. JOHNSON

3 BY REQUEST OF THE JOINT SUBCOMMITTEE

4 ON EDUCATION AND CULTURAL RESOURCES

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING STATE
7 IMPACT AID TO SCHOOL DISTRICTS; AMENDING SECTIONS 20-3-106
8 AND 20-9-141, MCA; REPEALING SECTION 20-9-304, MCA; AND
9 PROVIDING AN EFFECTIVE DATE."

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

12 Section 1. Section 20-3-106, MCA, is amended to read:

13 "20-3-106. Supervision of schools -- powers and duties.

14 The superintendent of public instruction has the general
15 supervision of the public schools and districts of the
16 state, and he shall perform the following duties or acts in
17 implementing and enforcing the provisions of this title:

18 (1) resolve any controversy resulting from the
19 proration of costs by a joint board of trustees under the
20 provisions of 20-3-362;

21 (2) issue, renew, or deny teacher certification and
22 emergency authorizations of employment;

23 (3) negotiate reciprocal tuition agreements with other
24 states in accordance with the provisions of 20-5-314;

25 (4) serve on the teachers' retirement board in

1 accordance with the provisions of 2-15-1010;

2 (5) approve or disapprove the orders of a high school
3 boundary commission in accordance with the provisions of
4 20-6-311;

5 (6) approve or disapprove the opening or reopening of a
6 school in accordance with the provisions of 20-6-502,
7 20-6-503, 20-6-504, or 20-6-505;

8 (7) approve or disapprove school isolation within the
9 limitations prescribed by 20-9-302;

10 (8) generally supervise the school budgeting procedures
11 prescribed by law in accordance with the provisions of
12 20-9-102 and prescribe the school budget format in
13 accordance with the provisions of 20-9-103 and 20-9-506;

14 (9) establish a system of communication for calculating
15 joint district revenues in accordance with the provisions of
16 20-9-151;

17 (10) approve or disapprove the adoption of a district's
18 budget amendment resolution under the conditions prescribed
19 in 20-9-163 and adopt rules for an application for
20 additional state aid for a budget amendment in accordance
21 with the approval and disbursement provisions of 20-9-166;

22 (11) generally supervise the school financial
23 administration provisions as prescribed by 20-9-201(2);

24 (12) prescribe and furnish the annual report forms to
25 enable the districts to report to the county superintendent

1 in accordance with the provisions of 20-9-213(5) and the
 2 annual report forms to enable the county superintendents to
 3 report to the superintendent of public instruction in
 4 accordance with the provisions of 20-3-209;

5 (13) approve, disapprove, or adjust an increase of the
 6 average number belonging (ANB) in accordance with the
 7 provisions of 20-9-313 and 20-9-314;

8 (14) distribute state equalization aid in support of the
 9 foundation program and guaranteed tax base aid, in
 10 accordance with the provisions of 20-9-331, 20-9-333,
 11 20-9-342, 20-9-346, 20-9-347, and 20-9-366 through 20-9-369;

12 (15) ~~distribute state impact aid in accordance with the~~
 13 ~~provisions of 20-9-304;~~

14 (16) provide for the uniform and equal provision of
 15 transportation by performing the duties prescribed by the
 16 provisions of 20-10-112;

17 (16) approve or disapprove an adult education
 18 program for which a district proposes to levy a tax in
 19 accordance with the provisions of 20-7-705;

20 (17) request, accept, deposit, and expend federal
 21 money in accordance with the provisions of 20-9-603;

22 (18) authorize the use of federal money for the
 23 support of an interlocal cooperative agreement in accordance
 24 with the provisions of 20-9-703 and 20-9-704;

25 (19) prescribe the form and contents of and approve

1 or disapprove interstate contracts in accordance with the
 2 provisions of 20-9-705;

3 (20) approve or disapprove the conduct of school on
 4 a Saturday or on pupil-instruction-related days in
 5 accordance with the provisions of 20-1-303 and 20-1-304;

6 (21) recommend standards of accreditation for all
 7 schools to the board of public education and evaluate
 8 compliance with the standards and recommend accreditation
 9 status of every school to the board of public education in
 10 accordance with the provisions of 20-7-101 and 20-7-102;

11 (22) collect and maintain a file of curriculum
 12 guides and assist schools with instructional programs in
 13 accordance with the provisions of 20-7-113 and 20-7-114;

14 (23) establish and maintain a library of visual,
 15 aural, and other educational media in accordance with the
 16 provisions of 20-7-201;

17 (24) license textbook dealers and initiate
 18 prosecution of textbook dealers violating the law in
 19 accordance with the provisions of the textbooks part of this
 20 title;

21 (25) as the governing agent and executive officer of
 22 the state of Montana for K-12 vocational education, adopt
 23 the policies prescribed by and in accordance with the
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1 education in the state in accordance with the provisions of
2 20-7-403;

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5 ~~(29)~~(28) administer the school food services program in
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19 base aid for county retirement levy obligations in
20 accordance with 20-9-366 through 20-9-369; and

21 ~~(34)~~(33) perform any other duty prescribed from time to
22 time by this title, any other act of the legislature, or the
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2 superintendent shall compute the levy requirement for each
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10 in 20-9-303; and

11 (ii) any additional general fund budget amount adopted
12 by the trustees of the district under the provisions of
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14 authorized by the electors of the district.

15 (b) Determine the money available for the reduction of
16 the property tax on the district for the general fund by
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2 fund budget amount adopted by the trustees of the district

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6 determination in subsection (1)(c) from any additional

7 funding requirement to be met by a district levy as provided

8 in 20-9-303 and 20-9-353 to determine the additional general

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10 (2) The county superintendent shall calculate the

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25 for the district, and a levy must be set by the county

1 commissioners in accordance with 20-9-142."

2 NEW SECTION. **Section 3. Repealer.** Section 20-9-304,

3 MCA, is repealed.

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