

HOUSE BILL 18

Introduced by Foster

11/23	Introduced
11/23	Fiscal Note Requested
11/24	Referred to Education & Cultural Resources
11/29	First Reading
11/30	Hearing
11/30	Tabled in Committee
11/30	Fiscal Note Received

HOUSE BILL NO. 18
INTRODUCED BY FOSTER

A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING UNTIL JULY 1, 2002, THE PERIOD WITHIN WHICH A SCHOOL DISTRICT IS REQUIRED TO REACH THE BASE BUDGET AMOUNT FOR THE DISTRICT; PROVIDING A MORATORIUM ON THE REQUIRED PHASEIN AMOUNT FOR THE SCHOOL YEAR BEGINNING JULY 1, 1994; AMENDING SECTION 20-9-308, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

Section 1. Section 20-9-308, MCA, is amended to read:

"20-9-308. BASE budgets and maximum general fund budgets. (1) For the school fiscal year beginning on July 1, 1993, the The trustees of a district shall adopt a general fund budget that:

(a) except as provided in subsection (2), is at least equal to the BASE budget established for the district; or

(b) except as provided in subsection (4), does not exceed the maximum general fund budget established for the district.

(2) (a) If the BASE budget for a district for the school fiscal year beginning on July 1, 1993, is greater than the general fund budget of the district for the prior school fiscal year, the trustees of the district:

(i) may increase the general fund budget for the district by 4% of the previous year's general fund budget or by 4% of the previous year's general fund budget per-ANB multiplied by the current year's ANB for budgeting purposes; but

(ii) may not adopt a general fund budget that reflects less than the following general fund budget growth amounts for the appropriate school fiscal year:

(A) 20% of the range between the district general fund budget for the school fiscal year ending June 30, 1993, and the BASE budget for the district for the school fiscal year beginning July 1, 1993;

(B) 25% of the range between the district general fund budget for the school fiscal year ending June 30, 1994, and the BASE budget for the district for the school fiscal year beginning July 1, 1994;

(C) 33.3% 12.5% of the range between the district general fund budget for the school fiscal year ending June 30, 1995, and the BASE budget for the district for the school fiscal year beginning July 1, 1995;

(D) 50% (B) 14.29% of the range between the district general fund budget for the school fiscal year ending June 30, 1996, and the BASE budget for the district for the school fiscal year beginning July 1, 1996;

(E) 16.7% of the range between the district general

fund budget for the school fiscal year ending June 30, 1997,
and the BASE budget for the district for the school fiscal
year beginning July 1, 1997;

(D) 20% of the range between the district general fund
budget for the school fiscal year ending June 30, 1998, and
the BASE budget for the district for the school fiscal year
beginning July 1, 1998;

(E) 25% of the range between the district general fund
budget for the school fiscal year ending June 30, 1999, and
the BASE budget for the district for the school fiscal year
beginning July 1, 1999;

(F) 33.3% of the range between the district general
fund budget for the school fiscal year ending June 30, 2000,
and the BASE budget for the district for the school fiscal
year beginning July 1, 2000;

(G) 50% of the range between the district general fund
budget for the school fiscal year ending June 30, 2001, and
the BASE budget for the district for the school fiscal year
beginning July 1, 2001; or

~~(B)~~ (H) the remainder of the range between the district
general fund budget for the school fiscal year ending June
30, 1997 2002, and the BASE budget for the district for the
school fiscal year beginning July 1, 1997 2002.

~~(b) ~~{i}~~-For-the-school-fiscal-year--beginning--July--1,~~

~~subsection-(2)(a);~~

~~{ii}-Except-for-the-school-fiscal-year-beginning-July-1,~~
~~1993,--whenever Whenever the trustees of a district adopt a~~
~~general fund budget that exceeds one of the limitations in~~
~~subsection (2)(a) but does not exceed the BASE budget for~~
~~the district, the trustees shall submit a proposition on the~~
~~amount that exceeds the limitation to the electors of the~~
~~district, as provided in 20-9-353.~~

~~(c) Nothing in this section is intended to require a~~
~~district to budget in excess of its BASE budget.~~

~~(3) Whenever the trustees of a district adopt a general~~
~~fund budget that exceeds the BASE budget for the district~~
~~but does not exceed the maximum general fund budget for the~~
~~district, the trustees shall:~~

~~(a) adopt a resolution stating the reasons and purposes~~
~~for exceeding the BASE budget amount if the general fund~~
~~budget adopted under this subsection (3) does not exceed the~~
~~greater of:~~

~~(i) 104% of the previous year's general fund budget; or~~

~~(ii) 104% of the previous year's general fund budget~~
~~per-ANB multiplied by the current year's ANB for budgeting~~
~~purposes; or~~

~~(b) except-for-the-school-fiscal-year-beginning-July-1,~~
~~1993, submit a proposition on any amount of the over-BASE~~
~~budget that exceeds one of the limitations in subsection~~

1 (3)(a) to the electors of the district, as provided in
2 20-9-353.

3 ~~{c}--For--the--school--fiscal--year--beginning--July--17--1993,~~
4 ~~a--district--may--not--exceed--the--limitations--in--subsection~~
5 ~~{3}{a}.~~

6 (4) (a) If the maximum general fund budget for a
7 district for an ensuing school fiscal year is less than the
8 general fund budget for the district for the current school
9 fiscal year, the trustees of the district may not adopt a
10 general fund budget for the ensuing school fiscal year that
11 is greater than the district's general fund budget for the
12 current school fiscal year.

13 (b) Except for the school fiscal years year beginning
14 ~~July 17, 1993,~~ and July 1, 1994, the trustees of the district
15 shall submit a proposition to raise any general fund budget
16 amount that is in excess of the maximum general fund budget
17 for the district to the electors who are qualified under
18 20-20-301 to vote on the proposition, as provided in
19 20-9-353.

20 (5) Whenever the trustees of a district adopt a general
21 fund budget that does not exceed the BASE budget for the
22 district, the trustees shall finance this amount with the
23 following sources of revenue:

24 (a) state equalization aid as provided in 20-9-343,
25 including any guaranteed tax base aid for which the district

1 may be eligible, as provided in 20-9-366 through 20-9-369;

2 (b) county equalization aid, as provided in 20-9-331
3 and 20-9-333;

4 (c) a district levy for support of a school not
5 approved as an isolated school under the provisions of
6 20-9-302;

7 (d) payments in support of special education programs
8 under the provisions of 20-9-321;

9 (e) nonlevy revenue as provided in 20-9-141; and

10 (f) a BASE budget levy on the taxable value of all
11 property within the district.

12 (6) The over-BASE budget amount of a district must be
13 financed by a levy on the taxable value of all property
14 within the district or other revenue available to the
15 district as provided in 20-9-141.

16 [(7) For the purpose of this section, the general fund
17 budget or general fund per-ANB budget for the school fiscal
18 year ending June 30, 1993, is the general fund budget funded
19 by any state, local, and federal revenue, excluding Public
20 Law 81-874 receipts received in the school fiscal year
21 ending June 30, 1993. Before excluding any Public Law 81-874
22 funding, a district may increase the district general fund
23 budget for the school fiscal year ending June 30, 1993, by
24 the allowable increases in subsections (2) and (3).]"

25 NEW SECTION. Section 2. Effective date --

HB 0018/01

1 applicability. [This act] is effective July 1, 1994, and
2 applies to school district general fund budgets for the
3 school fiscal year beginning July 1, 1994.

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