

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

1 HOUSE BILL NO. 18  
2 INTRODUCED BY FOSTER  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING UNTIL JULY 1,  
5 2002, THE PERIOD WITHIN WHICH A SCHOOL DISTRICT IS REQUIRED  
6 TO REACH THE BASE BUDGET AMOUNT FOR THE DISTRICT; PROVIDING  
7 A MORATORIUM ON THE REQUIRED PHASEIN AMOUNT FOR THE SCHOOL  
8 YEAR BEGINNING JULY 1, 1994; AMENDING SECTION 20-9-308, MCA;  
9 AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

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

13 "20-9-308. **BASE** budgets and maximum general fund  
14 budgets. (1) ~~For the school fiscal year beginning on July 17~~  
15 ~~1993, the~~ The trustees of a district shall adopt a general  
16 fund budget that:

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

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

22 (2) (a) If the BASE budget for a district ~~for the~~  
23 ~~school fiscal year beginning on July 17 1993~~ is greater  
24 than the general fund budget of the district for the prior  
25 school fiscal year, the trustees of the district:

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

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

9 (A) ~~20% of the range between the district general fund~~  
10 ~~budget for the school fiscal year ending June 30, 1993, and~~  
11 ~~the BASE budget for the district for the school fiscal year~~  
12 ~~beginning July 17, 1993,~~

13 ~~(B) 25% of the range between the district general fund~~  
14 ~~budget for the school fiscal year ending June 30, 1994, and~~  
15 ~~the BASE budget for the district for the school fiscal year~~  
16 ~~beginning July 17, 1994,~~

17 ~~(C) 33.3% 12.5%~~ of the range between the district  
18 general fund budget for the school fiscal year ending June  
19 30, 1995, and the BASE budget for the district for the  
20 school fiscal year beginning July 1, 1995;

21 ~~(B) 50%~~ (B) 14.29% of the range between the district  
22 general fund budget for the school fiscal year ending June  
23 30, 1996, and the BASE budget for the district for the  
24 school fiscal year beginning July 1, 1996;

25 (C) 16.7% of the range between the district general

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

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

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

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

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

20 ~~(B)~~(H) the remainder of the range between the district  
21 general fund budget for the school fiscal year ending June  
22 30, ~~1997~~ 2002, and the BASE budget for the district for the  
23 school fiscal year beginning July 1, ~~1997~~ 2002.

24 (b) ~~(i) For the school fiscal year beginning July 1,~~  
25 ~~1993, a district may not exceed the limitations in~~

1 ~~subsection (2)(a);~~

2 ~~(ii) Except for the school fiscal year beginning July 1,~~  
3 ~~1993, whenever Whenever the trustees of a district adopt a~~  
4 general fund budget that exceeds one of the limitations in  
5 subsection (2)(a) but does not exceed the BASE budget for  
6 the district, the trustees shall submit a proposition on the  
7 amount that exceeds the limitation to the electors of the  
8 district, as provided in 20-9-353.

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

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

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

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

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

23 (b) ~~except for the school fiscal year beginning July 1,~~  
24 ~~1993,~~ submit a proposition on any amount of the over-BASE  
25 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 1, 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 1, 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.

-End-