

## 1 HOUSE BILL NO. 49

2 INTRODUCED BY KADAS

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A COUNTY HIGH SCHOOL DISTRICT, WHETHER  
5 OR NOT THE COUNTY HIGH SCHOOL DISTRICT IS UNIFIED WITH AN ELEMENTARY DISTRICT, TO  
6 AUTHORIZE A LEVY OF NOT MORE THAN 2 MILLS ON THE DISTRICT; AMENDING SECTION 20-7-705,  
7 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY PROVISION."  
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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
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11 **Section 1.** Section 20-7-705, MCA, is amended to read:

12 **"20-7-705. Adult education fund.** (1) A separate adult education fund must be established when  
13 an adult education program is operated by a district or community college district. The financial  
14 administration of the fund must comply with the budgeting, financing, and expenditure provisions of the  
15 laws governing the schools.

16 (2) Whenever the trustees of a district establish an adult education program under the provisions  
17 of 20-7-702, they shall establish an adult education fund under the provisions of this section. The adult  
18 education fund is the depository for all district money received by the district in support of the adult  
19 education program. Federal and state adult education program money must be deposited in the  
20 miscellaneous programs fund.

21 (3) The trustees of a district may authorize the levy of a tax of not more than 1 mill on the district,  
22 except that trustees of a county high school district ~~that is not~~ may, whether or not the county high school  
23 district is unified with an elementary district under the provisions of 20-6-312, ~~may~~ authorize a levy of not  
24 more than 2 mills on the district and a K-12 school district formed under the provisions of 20-6-701 may  
25 authorize a levy of not more than 3 mills on the district, for the operation of an adult education program  
26 when the superintendent of public instruction has approved the educational program to be supported by  
27 the levy. The trustees shall obtain the approval of the superintendent of public instruction before the fourth  
28 Monday of June in order to include the expenditures to be financed by the levy in the preliminary budget.  
29 The superintendent of public instruction shall promulgate rules and forms for the approval.

30 (4) Whenever the trustees of a district decide to offer an adult education program during the

1 ensuing school fiscal year, they shall budget for the cost of the program in the adult education fund of the  
2 preliminary budget. Any expenditures in support of the adult education program under the final adult  
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5 (5) When a tax levy for an adult education program that has been approved by the superintendent  
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7 superintendent shall report the levy requirement to the county commissioners on the fourth Monday of  
8 August and a levy on the district must be made by the county commissioners in accordance with  
9 20-9-142."

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11 **NEW SECTION. Section 2. Applicability.** [This act] does not apply to a unification of a county high  
12 school district with an elementary district that was effective prior to the school fiscal year beginning July  
13 1, 1994.

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15 **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

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-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0049, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act allowing a county high school district, whether or not the county high school district is unified with an elementary district, to authorize a levy of not more than 2 mills on the district for adult education.

ASSUMPTIONS:

1. At most, six county high school districts would be affected: Beaverhead, Carter, Dawson, Missoula, Powell, and Sweet Grass County High School Districts.
2. The bill applies to county high school districts that unify with an elementary district on or after July 1, 1995. Only one county high school district (Missoula County) has unified with an elementary district since July 1, 1994.
3. Missoula County High School district levied 1.95 mills for the 1993-1994 school year. For 1994-1995, the high school district was limited to 1 mill. The district is likely to restore its levy to 2 mills upon passage of this bill.

FISCAL IMPACT: No fiscal impact to the state.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Property taxes may increase by 1 mill in Missoula County from the current level.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

TECHNICAL NOTES:

*Dave Lewis* 1-5-95

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

*Mike Kadás* 1-5-95

MIKE KADAS, PRIMARY SPONSOR      DATE

Fiscal Note for HB0049, as introduced

HB 49

APPROVED BY COMM. ON EDUCATION  
AND CULTURAL RESOURCES

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(2) Whenever the trustees of a district establish an adult education program under the provisions of 20-7-702, they shall establish an adult education fund under the provisions of this section. The adult education fund is the depository for all district money received by the district in support of the adult education program. Federal and state adult education program money must be deposited in the miscellaneous programs fund.

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