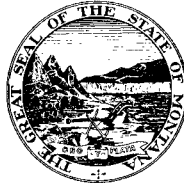


OFFICE OF THE GOVERNOR  
STATE OF MONTANA

BRIAN SCHWEITZER  
GOVERNOR



JOHN BOHLINGER  
LT. GOVERNOR

April 1, 2011

The Honorable Mike Milburn  
Speaker of the House  
State Capitol  
Helena, MT 59620

Dear Speaker Milburn:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 327 (HB 327), **"AN ACT REVISING SCHOOL ADMINISTRATION LAWS; ESTABLISHING A WITHDRAWAL DATE FOR SCHOOL DISTRICT TRUSTEE ELECTIONS; PROVIDING WHO MAY ADMINISTER AN OATH OF OFFICE TO A SCHOOL DISTRICT TRUSTEE; CLARIFYING THE STATUS OF A SINGLE-MEMBER TRUSTEE DISTRICT AND A TRUSTEE NOMINATING DISTRICT IN AN ELECTION BY ACCLAMATION; REQUIRING TRUSTEES OF EACH DISTRICT TO ORGANIZE AS A GOVERNING BOARD NO LATER THAN 15 DAYS AFTER ELECTION DAY; CLARIFYING THE CALCULATION OF MAXIMUM ALLOWABLE INDEBTEDNESS FOR CERTAIN SCHOOL DISTRICTS; ELIMINATING REFERENCE TO AN INTEREST RATE ON SCHOOL DISTRICT BOND ELECTION BALLOTS; AMENDING SECTIONS 20-3-305, 20-3-307, 20-3-313, 20-3-321, 20-9-406, 20-9-426, 20-9-427, AND 20-9-428, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."**

HB 327 amends school administration laws generally in the area of trustee elections and bonding issues. I propose amendments to HB 327 to accomplish two things.

First, section 5 of the bill amends Mont. Code Ann. § 20-9-406, which limits the maximum amount of indebtedness by a K-12 school district through the issuance of bonds up to 100% of the taxable value of the property subject to taxation. Under current law, the limits contained in § 20-9-406 apply to bonds authorized for building reserves. Section 5 of HB 327 excludes from the limits of § 20-9-406 building reserve bonds.

I object to section 5 of HB 327 and propose striking it from the bill. Schools should limit their indebtedness through bonding as a matter of sound fiscal management. I believe that current law appropriately safeguards good fiscal management by trustees by imposing, statutorily, limits to indebtedness that include indebtedness for building reserves. I believe my amendment is good for schools and for the taxpayers who fund school bonds.

Hon. Mike Milburn  
April 1, 2011  
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Second, my amendments would limit certain expenditures by school districts when a board of trustees terminates a teacher because the financial condition of the district requires a reduction in the number of teachers employed. My amendment puts "classrooms first," so that when school boards cut education in the classroom for fiscal reasons, they must curtail expenditures on non-essential items.

I ask you for favorable consideration of my amendment.

Sincerely,

  
BRIAN SCHWEITZER  
GOVERNOR

cc: Legislative Services Division

Amendments to House Bill No. 327  
Reference Copy

Requested by the Governor

For the House Committee of the Whole

Prepared by Susan Byorth Fox  
April 1, 2011 (1:00pm)

1. Title, line 6.

**Following:** "LAWS;"

**Insert:** "PROHIBITING SCHOOL DISTRICTS FROM AUTHORIZING CERTAIN  
EXPENSES IF THE SCHOOL HAS TERMINATED A TENURED TEACHER DUE  
TO THE DISTRICT'S FINANCIAL CONDITION;"

2. Title, line 11 through line 12.

**Following:** "DAY;" on line 11

**Strike:** "CLARIFYING " on line 11 through "DISTRICTS;" on line 12

3. Title, line 14.

**Following:** "SECTIONS"

**Insert:** "20-1-211,"

4. Title, line 15.

**Strike:** "20-9-406,"

5. Page 1, line 20.

**Following:** line 19

**Insert:** "Section 1. Section 20-1-211, MCA, is amended to read:

"20-1-211. Expenses of officers or employees attending  
conventions -- educational associations -- restrictions. (1) A  
Subject to subsection (3), a school district officer or employee  
of any school district may not receive payment from any public  
funds for traveling expenses or other expenses of any sort or  
kind for attendance at any convention, meeting, or other  
gathering of public officers except for attendance at a  
convention, meeting, or other gatherings that the officer or  
employee may by virtue of the office or employment find it  
necessary to attend.

(2) The Subject to subsection (3), the board of trustees of  
any county or district high school or of any school district may  
by resolution adopted by a majority of the entire board make  
their district a member of any state association of school  
districts or school district trustees or any other strictly

educational association and authorize the payment of dues to the association and the necessary traveling expenses of employees or members of the board to attend meetings of the association or other meetings called for the express purpose of considering educational matters.

(3) The board of trustees of a school district or a district officer may not authorize or pay expenses under subsection (1) or (2) if the board terminates a teacher under the provisions of 20-4-203(2)(a)."

{ Internal References to 20-1-211:

20-15-404x }"

**Renumber:** subsequent sections

6. Page 3, line 14 through page 5, line 5.

**Strike:** section 5 in its entirety

**Renumber:** subsequent sections

- END -