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COMMUNITY COLLEGE DISTRICT FORMATION BY VOTER PETITION

House Bill 5840

Sponsor: Rep. Martha Scott

Committee: Constitutional Law and Ethics

Complete to 8-23-00

A SUMMARY OF HOUSE BILL 5840 AS INTRODUCED 5-24-00

Currently, the Community College Act of 1966 allows a school district, or two or more contiguous school districts, that operate grades kindergarten through twelfth grade to form a community college district by filing a resolution with the state board of education for approval.

The bill would amend the act to allow the formation of a community college district within a single school district, either as currently, by the adoption of a resolution by the school district board of education, or through the submission to the school board of a petition signed by at least 500 school electors of the district. The secretary of the school board then would refer the question, as currently, to the state board of education for approval. However, the bill would add that the secretary would refer the questions “of organizing the community college district and the proposed annual tax rate” to the state board of education for approval, both for school district initiated requests and for school elector requests. If the state board of education granted its approval, the school board secretary would have to include the necessary community college propositions in the proceeding for the next annual school election if he or she received the state board’s approval at least 60 days but not more than six months before the annual school election. If the school board secretary received the state board’s approval more than six months before the date of the district’s next annual school election, the school district’s board of education would have to call a special election not more than 90 days after receiving the approval. A majority of the electors of the school district voting on the proposition would have to approve the organization of the community college district [for it to be organized].

MCA 389.31 and 389.32

Analyst: S. Ekstrom

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