

EXHIBIT 10
DATE 3/23/2011
SB 329

ATTENTION: MARISSA STOCKTON, Secretary to the House Education
Committee, Montana State Legislature.

FAX: (406) 444-4825

SENT BY: Frank Laurence, 514 So. 7th Street, Hamilton, MT 59840
frank.laurence@mac.com (406) 531-8580

Attention: House Education Committee: A Suggestion for an Amendment to SB 66

Chairman Reichner and Members of the House Education Committee: March 16, 2011

I have closely followed the development of SB 66 in its draft versions. I have also listened to the audio minutes of the Education Committee meeting of Friday, March 4. I approve the bill in most regards, and see myself as a proponent of the bill.

I would like to suggest one amendment to the bill. In New Section 9, page 7, lines 8-12, the bill says that the county commissioners shall proceed by order to call an election to refer the question to persons qualified to vote. "The order must include the a current estimate of the mandatory tax levy provided for in 20-15-312 and 20-15-313."

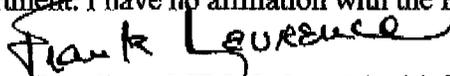
Page 7 at lines 17-23 shows the wording of the ballot "Proposition," beginning "Shall there be organized . . ." etc. I suggest to the Committee this **amendment**: To the ballot language should be added a statement of the actual current estimate of the mandatory tax levy, expressed as a dollar amount and the number of mills. I suggest that the ballot language also state: "Passage of this proposal will increase the taxes on a home with a market value of \$100,000 by approximately _____ and on a home of \$200,000 by approximately _____. The durational limit of the levy is permanent once approved by voters."

The above language follows the required wording for the OFFICIAL BALLOT for "General Fund Levy Elections" in Montana School Elections (at MCA 15-10-425). SB 66 states at p. 7 (4), lines 26-27: "The election must be held in all respects, as nearly as practicable, in conformity with school election laws." In my view, it is practicable in this regard (the ballot clearly stating the estimated tax amount) for community college election law to conform with school election law.

In my view, because the county commissioners have been directed to determine an estimate of the mandatory tax levy, the ballot also should notify the voters of that amount and the tax consequence measured against the market value of their homes. I believe such an addition to the ballot language is in parallel with MCA law concerning school district election. Clear, complete ballot language is in keeping with the ideal of open and transparent taxation legislation.

I ask any Education Committee members to propose and advance this suggested amendment. I offer this suggestion for an amendment with all respect for the Committee and the Montana Legislature, also with particular thanks to the Legislative Services staff, who with courtesy in telephone conversations and emails have helped me follow SB 66.

I am Frank Laurence, resident of Hamilton, MT. In the academic years 2007-'09 I served as Acting Director of the Hamilton Higher Education Center of the University of Montana (and UM College of Technology). Since Fall '09, that program has been in redevelopment as the Bitterroot College Program of the University of Montana. I am currently a Faculty Affiliate of the UM, sometimes teaching for the English Department. I have no affiliation with the Bitterroot College Program.



Frank Laurence 514 So. 7th Street, Hamilton, MT 59840 (406) 531-8580

OFFICIAL BALLOT - General Fund Levy Election

School districts must obtain voter approval for an increase in the number of dollars budgeted for the over-BASE tax levy. 15-10-425, MCA, requires the ballot proposing to increase the over-BASE levy amount to INCLUDE THE FOLLOWING INFORMATION:

STUB

NO. _____

This ballot should be marked with an "X" in the square before "FOR the additional levy" if you wish to vote in favor of the levy or mark an "X" in the box before "AGAINST the additional levy" if you oppose the tax levy.

_____ School District No. _____ of _____ County

DATED this _____ day of _____, 20_____.

PROPOSITION

Shall the district be authorized to impose an increase in local taxes to support the general fund in the amount of \$ _____ which is approximately _____ mills for the purpose of _____?

Passage of this proposal will increase the taxes on a home with a market value of \$100,000 by approximately \$ _____ and on a home with a market value of \$200,000 by approximately \$ _____. The durational limit of the levy is permanent once approved by the voters, assuming the district levies that amount each year thereafter. However, lowering over-BASE tax levies in any year will lower the amount of permissively over-BASE levies in subsequent years.

FOR the additional levy

AGAINST the additional levy

The ballot language above contains all information required to be included per 15-10-425, MCA. As long as the information listed in 15-10-425, MCA is included in the ballot language, trustees are allowed to use their discretion in formulating ballot language for general fund elections.

NOTE: The proposition lists an approximate number of mills, since taxable valuation and other information necessary to determine an exact number of mills are not available at the time of the election. Actual mills will commonly differ from this estimate.

This attached page shows the language for the official ballot for General Fund Levy Elections for school districts, according to MCA 15-20-425.

INSTRUCTIONS TO VOTERS:

- 1. Organization Proposition:** Make an "X" or similar mark in the square before the words "FOR organization" if you wish to vote for the organization of the community college district; make an "X" or similar mark in the square before the words "AGAINST organization" if you wish to vote against the organization of the community college district.
- 2. Community College District Trustees:** Make an "X" or similar mark in the square before the name of each candidate for whom you wish to vote. You may use the blank spaces provided to affix preprinted label(s), or write in the name(s) of individual(s) for whom you wish to vote, and vote by making an "X" or similar mark in each square before the name(s).

OFFICIAL BALLOT

Community College District of the Bitterroot Valley
 Organization Proposition and Trustee Election
 May 8, 2007

ORGANIZATION PROPOSITION

Shall there be organized within the area comprising the School Districts of Corvallis School District #1, Stevensville Elementary School District #2, Hamilton School District #3, Victor School District #7, Darby School District #9, and Lone Rock Elementary School District #13, Ravalli County, State of Montana, a community college district for the offering of 13th- and 14th-year courses, to be known as the Community College District of the Bitterroot Valley, Montana, under the provisions of the laws authorizing community college districts in Montana, as requested in the petition filed with the Board of Regents at Helena, Montana, on the 1st day of March, 2007?

- FOR Organization
 AGAINST Organization

Vote In Next Column

FOR COMMUNITY COLLEGE DISTRICT TRUSTEES

VOTE FOR UP TO SEVEN (7) CANDIDATES

- Douglas C. Bower D.V.M.
- Anna Vee Brandberg
- Maria A. Cole
- Donald Jack Contraman
- Daryl E. Cooper
- Charles Dresser
- Jack Michael Eggensperger
- Gillian Kerby Fretz
- Winston Lyle Frost
- Patricia Furniss
- (Nick) Pete Nicholas Hooper
- Jane W. Kan
- LaRue Moorhouse
- Donald Morton
- John W. Robinson
- Deborah Rogala
- Linda J. Seed
- Greg Seltzer
- Melville J. Walters III
- Zana A. Westfield

This attached page shows the language for Official Ballot for the May 8, 2007, "Community College District of the Bitterroot Valley Organization Proposition and Trustee Election." This ballot contains no statement about the mandatory, non-voted tax levy that will be incurred, if the community college district is finally approved by the legislature.