

SENATE BILL 29

Introduced by Devlin

12/27	Introduced
12/31	Referred to Education & Cultural
Resources	
1/07	First Reading
1/11	Hearing
1/14	Tabled in Committee

1 SENATE BILL NO. 29
2 INTRODUCED BY DEVLIN

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE
5 TERM OF SERVICE FOR A SCHOOL DISTRICT TRUSTEE BEGINS JULY 1
6 FOLLOWING THE TRUSTEE'S ELECTION TO OFFICE; AND AMENDING
7 SECTIONS 20-3-301, 20-3-307, AND 20-3-309, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 **Section 1.** Section 20-3-301, MCA, is amended to read:

11 "20-3-301. Election and term of office. (1) Every Each
12 trustee position prescribed by this title ~~shall--be~~ is
13 subject to election, and the term of office for each
14 position ~~shall--be~~ is 3 years unless it is otherwise
15 specifically prescribed by this title. The term of service
16 for each trustee position begins July 1 following the
17 trustee's election to office.

18 (2) The trustees ~~shall-be~~ are composed of the number of
19 trustee positions prescribed for a district by 20-3-341 and
20 20-3-351. When exercising the power and performing the
21 duties of trustees, the members shall act collectively and
22 only at a regular or a properly called special meeting.

23 (3) The number of trustee positions in a district ~~shall~~
24 must vary in accordance with 20-3-341 and 20-3-351 according
25 to the type of district."

1 **Section 2.** Section 20-3-307, MCA, is amended to read:

2 "20-3-307. Qualification and oath. (1) Any A person who
3 receives a certificate of election as a trustee under the
4 provisions of 20-20-416 ~~shall~~ may not assume the trustee
5 position until he has qualified. ~~Such~~ The person shall
6 qualify by completing and filing an oath of office with the
7 county superintendent not more than 15 days after the
8 receipt of the certificate of election. After a person has
9 qualified for a trustee position, he shall hold ~~such~~ the
10 position for the term of the position beginning July 1
11 following his election and until his successor has been
12 elected or appointed and has been qualified for a term of
13 service.

14 (2) If the elected person does not qualify in
15 accordance with this requirement, a person ~~shall~~ must be
16 appointed in the manner provided by 20-3-309 and shall serve
17 until the successor who has been elected at the next regular
18 election and who has been qualified for the office begins
19 his term of service."

20 **Section 3.** Section 20-3-309, MCA, is amended to read:

21 "20-3-309. Filling vacated trustee position --
22 appointee qualification and term of office. (1) Whenever a
23 trustee position becomes vacant in any a district, the
24 remaining members of the trustees shall declare ~~such~~ the
25 position vacant and they shall appoint, in writing within 60

1 days, a competent person as a successor. The trustees shall
2 notify the appointee and the county superintendent of ~~such~~
3 the appointment. If the trustees do not make the appointment
4 within ~~such~~ the 60-day period, the county superintendent
5 shall appoint, in writing, a competent person as a successor
6 and notify ~~such~~ the person of his appointment.

7 (2) Any A person who has been appointed to a trustee
8 position shall qualify by completing and filing an oath of
9 office with the county superintendent within 15 days after
10 receiving notice of his appointment. Failure to file the
11 oath of office ~~shall constitute~~ constitutes a continuation
12 of the trustee position vacancy ~~which--shall~~ that must be
13 filled under the provisions of this section.

14 (3) Any A person assuming a trustee position under the
15 provisions of this section shall serve until the successor
16 who has been elected at the next regular school election and
17 ~~his--successor--has-qualified~~ who has been qualified for the
18 office begins his term of service."

-End-