

Opinion No. 142.**Schools and School Districts—High
Schools—Vocational Educational
Funds—Budget.**

HELD: 1. Federal Vocational Funds granted to High Schools need not be budgeted.

2. The State Examiner may make suitable regulations safeguarding the expenditure of such funds.

September 27, 1939.

Miss Ruth Reardon
State Superintendent of Public
Instruction
State Capitol Building
Helena, Montana

My Dear Miss Reardon:

You have submitted the question as to whether or not federal vocational high school funds received by the high school district must be budgeted for under the general high school budget laws.

The preparation and adoption of the high school budget requires expenditures to balance revenues. The principal income of the high school consists of revenue derived from the special levy provided for by Section 1263.11. The principal expenditures are made from such income. The county superintendent's estimate of revenue as provided for in Section 1263.3 and the preliminary and final high school budget contemplate a systematic estimation of revenues and not merely a haphazard guess. Estimations of income based upon tax levies, subject to a slight variation because of changes in valuation and amounts of tax delinquencies, are generally accurate. The amount of the levy circumscribed by law is under the control of the district and county officers. The federal government exercises its exclusive sovereignty when and if it makes a grant for vocational education purposes. The time when the federal government makes its appropriation, and the amount of the appropriation, is uncertain, indefinite, and contingent. An attempt to budget such funds would be inaccurate, misleading, or

impossible. Some of the funds would be received after the final adoption of the budget and could not be expended during the current year because such funds had not been budgeted. Most of the federal funds are earmarked by the federal government for expenditures for specific purposes; hence there can be no object in budgeting for the same. Generally, our high school budget laws relate to revenues received and expended from tax levies or sources which are under the control and jurisdiction of the district or county officials.

While funds appropriated by the federal government for the high schools for vocational education need not be budgeted for, yet in order to safeguard the proper expenditure and protect against possible abuse the state examiner, under authority of subsection 2 of Section 210, R. C. M., 1935, may prescribe the general methods and details of accounting for the receipt and disbursement of such funds.