

## MINUTES

### MONTANA SENATE 51st LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON EDUCATION

Call to Order: By Senator H. W. Hammond, Chairman, on  
March 13, 1989, at 1:00 pm in Room 402 at the State  
Capitol

#### ROLL CALL

Members Present: Senators: H. W. Hammond, Dennis Nathe,  
Chet Blaylock, Bob Brown, R. J. "Dick" Pinsoneault,  
William Farrell, Pat Regan, John Anderson Jr., and  
Joe Mazurek

Members Excused: None

Members Absent: None

Staff Present: Dave Cogley, Staff Researcher and  
Julie Harmala, Committee Secretary

Announcements/Discussion:

None

#### HEARING ON HB 324

#### Presentation and Opening Statement by Sponsor:

REPRESENTATIVE ERVIN DAVIS, House District #53, stated that this bill was for an act allowing trustees to delegate authority to the clerk of the district to make transfers of any or all of the excess appropriated amount to any other appropriated item of the same budgeted fund, (not transportation to general, but rather within the same general fund, etc.).

#### List of Testifying Proponents and What Group they Represent:

JOHN CAMPBELL, The Montana Association of Business  
Officials  
BRUCE MOERER, The Montana School Board Association  
HENRY BADT, The Montana Association of County School  
Superintendents

Testimony:

JOHN CAMPBELL, (See Exhibit #1)

BRUCE MOERER of the MSBA, stated that they support this particular bill because it does not give the clerk any more authority than they have now. Of course he said, the authority rests with the board and these types of transfers have to be approved by the board. This is a bookkeeping arrangement that allows schools to more accurately budget and understand where their budget really is.

HENRY BADT of the MACSS, stated that they are in favor of this bill as it was amended in the House Education Committee.

List of Testifying Opponents and What Group They Represent:

None

Questions From Committee Members:

Senator Blaylock asked if the equalization bill is passed and it goes down to five funds he wondered if this bill was needed and why.

Mr. Campbell replied, "Yes, because those funds will still have various appropriation items within the funds and this is transferring between appropriation items within a fund. There still would need to be the latitude and ability to transfer between appropriation items within the same fund."

Senator Blaylock said that this does not give the clerk the authority to do this, it comes from the board but he wondered why after approved budgets are set up and now toward the end of the year items can be switched. He did not feel this was safe enough.

Mr. Campbell replied that a budget is set up now for next year and a year from now is what was projected as a mean within an appropriation item, he gave supplies as an example, and this may not be adequate. He said if there is an excess amount, he felt it was logical to transfer the excess amount to an appropriation item that does not have an adequate amount to finance the "experienced needs."

Senator Nathe commented that the trustees currently have this power now and he ask if it was being ask to pass this authority on to the clerk.

Mr. Campbell replied that if the board of trustees so sees fit.

Senator Nathe commented that this is like the state government, which allows transfers between funds but a lot of this comes through the legislative finance committee and there is a process to follow this with the office of budget on the executive side and on the legislative side with the legislative finance committee. So what is being asked here is that the trustees empower the clerk to made decision themselves.

Senator Regan asked what percentage of funds may be transferred. She wondered if there were any limitations n these transfers.

Mr. Campbell replied that there was no limitation.

Senator Farrell asked for an example of what kind of funds are being talked about.

Mr. Campbell replied that it included various types of salaries.

Senator Farrell asked if this included personnel services and if there was a surplus and it could be transferred to buy typewriters.

Mr. Campbell replied that this could be possible if these items are all budgeted within the same fund.

Senator Farrell asked if it would be possible to buy a typewriter and submit it to the board of trustees and say these funds are transferred and have the clerk handle this if this policy is adopted.

Mr. Campbell said it would be possible if the board of trustees were to give the clerk of the district the authority to make transfers.

Senator Hammond commented that Mr. Campbell made the statement that by spring some transfers might be necessary Senator Hammond said the board of trustees can do this because they look at the budget often enough so that they can make these shifts. He wondered why the clerk was wanted to be able to do this. They can tell the clerk to do this at any time.

Mr. Campbell replied that the board can only take official action when they are in a regular board meeting.

Senator Hammond pointed out that they can call a special meeting if necessary.

Mr. Campbell replied that this was a matter of keeping the faith with the vendors that the district is doing business with or paying the employees on a timely basis. An appropriation transfer must be approved.

Senator Blaylock stated that as long as the board has the power to do this now, he felt there was not a problem and it must be remembered that all the school boards across the state and he said he has personally had to audit because of bad fiscal practices and he said if the board gave carte blanche to the clerk this could mean more exposure and danger.

Senator Farrell asked if the funds are not transferred if they revert. or do they stay in the present fund.

Mr. Campbell replied that they will not stay in the same fund. He went on to say that what was being talked about was the spending authority or the expenditure portion of the budgeted funds. These are one thing and revenue is another. They must equal but may be the revenue will not be enough to finance the budget or visa versa.

Senator Farrell asked that when the board of trustees meets and there is a hot item if this had to be his a public meeting.

Mr. Campbell replied all meetings are public.

Senator Farrell asked if a clerk makes a decision to take be a public decision, if a swing set was wanted in the general fund but some else says that typewriters are being bought with it and the clerk makes this decision, the board makes this decision now.

Mr. Campbell replied that if there were supply bills to be paid and received.

Senator Farrell stated that when the bills are received, the standard practice is, is that there are 30 days after delivery to pay. this is part of doing business so why would the clerk need the authority to pay this bill or the vendors bill, etc..

Closing by Sponsor:

REPRESENTATIVE DAVIS closed by saying that he hoped no board would give out carte blanche authority to any clerk. This is not the intention of the bill. He said they might in the July, August, September meeting of the year until the clerk or put on record that should something happen that a particular line item end up being over spent because of some emergency that the clerk would be in a position to say, there is excess amount of dollars and when they come to board meeting to express the excess and be able to transfer these fund.

He went on to comment on Senator Farrell's question about typewriters. This will probably never occur just making these types of transfers at will.

He gave an example of what might happen. For instance a snow storm cause pipes to freeze and this would cost over \$2000 and this item is already over spent and hopefully he said the superintendent would like to leave this showing a negative number. At the board meeting that may have already occurred they have to audit to pay the bill. So the vendor does not have to wait. He said that generally they will be smaller transfers, but what the clerks would like to avoid is the end of the year line item transfer, which they are being asked to do, to go through every line item that has a plus and take some of that money and transfer it into a line item that has a minus to register it to have a plus. Then the auditors come in asking for budgets, so the clerks are asking that in some cases they have the authority to make these few transfers if budgets are over drawn on some line items. This would not be given to every clerk, but to the ones that can be trusted.

In conclusion he said the budget line item transfers that are done at the end of the fiscal year are prepared only to satisfy a statute requiring such transactions to be recorded on the permanent records of the districts. By law the trustees authorize all actual expenditure funds any way. Each month the trustees examine all the bills for the month and refuse or authorize payment. By the end of the fiscal year some line items will have gone over budget for a variety of changes, either cold weather or unforeseen illnesses requiring additional substitute teachers or additional enrollment requiring additional supplies with trustee approval for these expenditures.

It is at this point that the clerk makes the appropriate transfers reflected by the official monthly minutes of the

board meeting. Trustees may delegate that transfer authority at the first meeting in July or any other scheduled meetings during the school year. The minutes of the meeting will reflect the authorization of the transfers, thus eliminating any unnecessary lengthy end of the year fiscal report.

He pointed out that all of the objections of this bill were addressed by the various amendments and by all the various groups, it has now been endorsed by the school board association, school administrators of Montana, school superintendents and OPI. They were no opponents in the House committee or on the floor of the house, so he ask for a favorable vote on HB 324.

#### DISPOSITION OF HB 324

##### Discussion:

Senator Hammond stated that the boards meet every month they must see some of these things coming.

Senator Pinsoneault stated if they do not give carte blanche and can only pay for any thing less than \$500 and only moving around line items within the same fund, he did not see a problem.

Mr. Moerer of the MSBA, stated that there is a difference between an approval of an expenditure and doing a line item transfer which is in the accounting of it and this is what is specifically being discussed. The reason they gave for wanting to do this was that through out the year most clerks have looked at situations that if a line item budget runs out and it is within the same fund other line items can be transferred into it. The clerks feel it is a waste of time making interim transfers when it is easier to run the line items from where there are plus to make up for deficient items.

They are also trying to get away from requirements to have to go through each line item and make sure it zeros out before coming out with a plus in the fund.

Senator Nathe said that he felt the whole issue was one of accountability.

Senator Farrell stated that there are school trustees to take care of this and nothing needs to be paid within 30 days. He said he was not impressed with the bill because it could happen that a decision is made and the board of trustees could say the clerk was responsible and no one may

know what actually happened.

Senator Anderson questioned the need of the bill. He said the board of trustees is always aware of transfers and should have to make that decision.

Recommendation and Vote:

Senator Farrell moved that HB 324 be not concurred in.

Senator Blaylock called for the question.

THE MOTION CARRIED 7 TO 2, with Senator Mazurek and Senator Pinsoneault voting against it.

HEARING ON HB 518

Presentation and Opening Statement by Sponsor:

REPRESENTATIVE JESSICA STICKNEY, House District #26, stated that this bill is an act to revise the budget procedures for community colleges, to allow a community colleges to retain and expend student tuition and fee revenue in excess of a certain amount.

She pointed out that on Page 3, Lines 4-9 of HB 518, the unlined portion is really the heart of the bill. It is she said seeking to make it possible for a community college to raise the tuition fees over and above the regular budget with the approval of the Board of Regents and to be able to spend this money.

She said she was sure the committee was aware that community college budgets rely on three primary sources of revenue; The state general fund appropriations, the local mandatory levy and the student tuition and fees. In the biennium just ending, the state general fund share made up 48% of the authorized per student expenditure and the other two sources made up 52%.

In the proposed budget of the upcoming biennium now before the House Appropriations Committee the authorized student expenditure increases from \$3,642 to \$3,907, but the state share is lowered to 47%. Under present statute the mandatory levy and student tuition automatically off set each other. If tuition goes up, the levy goes down by the same amount. This occurs because the levy and tuition together must equal a certain percentage of the per student expenditure figure.

This bill she said keeps the basic structure of community college funding in tact. The method of calculating state general fund support is not changed and there is no state general fund cost impact. The mandatory levy and tuition will still make up the rest of the colleges' unrestricted budget. However this bill allows a local board of trustees to raise tuition so that school's student expenditure level may rise above the amount on which state general fund support is calculated. There would be no off set against the mandatory levy in this case, such increases would have to be approved by the Board of Regents.

She concluded by saying that "in short, this bill gives the community college's board of trustees the option to raise and use tuition revenues without losing local tax moneys.

List of Testifying Proponents and What Group they Represent:

CARROLL KRAUSE, The Commissioner for Higher Education  
for The Board of Regents  
DON KETTNER, President of Dawson Community College

Testimony:

CARROLL KRAUSE stated that one of the reasons this bill is being introduced is because of the problems of maintaining relationships with tuition at different educational units within the state.

He stated that the current tuition rate at community college per quarter compared to the Vo Techs and the University systems is now about \$100 per quarter or \$300 a year for community colleges. By comparison the Vo Tech tuition is \$240 and the University system is \$309. He said that they have found that over the course of time there has been an erosion of the amount that students are paying at the community colleges and certainly there is the desire to keep tuition low but the relationship is becoming "out of wac" and the problem with the current statute is that when tuition rises it simply lowers the mandatory levies, so the incentive on the board of trustees to raise tuition just has not existed. As the appropriation process is being worked through, the Education Sub Committee has made provisions for spending authority to increase tuition but he said the Board of Regent thinks that tuition ought to be relative to what it is at the other systems of the state, and certainly this bill would encourage the board of trustees to increase the tuition component.

DON KETTNER stated that he wanted to make a few significant points and that is that HB 518 does not impact state



appropriations, this is determined by a formula that is based on full time equivalencies of which the state provides 47% of that appropriation from the general fund. the bill does not force higher tuition rates and he ask that his bill not be confused with the funding package that Dr. Krause just referred to, that the joint committee has recommended the increase in tuition as part of the total funding authority. This would be 59% increase at Dawson Community College this year over last and will bring more in line with the other post secondary institutions. Also this will mandate a better balance on the local share in terms of tuition vs. mandatory levies.

He pointed out that this bill does, however, allow the trustees to establish a better balance between fees and local taxes, whether this is for new programs or additional services. He repeated that this is without impacting the state's share in any way.

Just for comparison purposes he stated that at Dawson College tuition and fees are at \$167 a quarter. This is commensurate with the other community colleges for in district students, \$217 for out of district students and \$317 for out of state for a quarter.

Three options are being looked at to raise the base and this is based on a ten dollar per credit base. It is being looked at to raise \$15, \$16 or \$17 a credit hour to meet the recommended tuition of \$209,000 that is part of Dawson Community College's share by the sub committee.

List of Testifying Opponents and What Group They Represent:

None

Questions From Committee Members:

Senator Blaylock asked if there were any excess student fees above the percentage and if these would be reverted back to the state. President Kettner replied that it goes to reducing the mandatory levy.

Senator Blaylock asked that if this bill were to pass then the levies would stay the same. President Kettner said this bill would give the authority to reduce the mandatory levy to meet the local share of the formula. The bill gives the community colleges under the state appropriations, the authority to implement new services and programs beyond this, but it does not necessarily reduce the mandatory levy unless the board chooses to do this. It gives more

authority to local board of trustees.

Senator Blaylock asked if there was an excess of student fees if they would have to reduce the levies and if this bill was passed then this meant that the levies would not have to be reduced. He wondered if new programs could be instituted with this money. President Kettner replied that yes this gives the board of trustees the authority and this would be important because the local board is elected by the people and are very accountable. The trustees are not about to do anything unless it does aid the mandatory because it is very high in these counties. There should not be any fear that tuition will become out of sight because the schools would lose students and the mandatory levy is closely watched because they are an accountable electorate.

Senator Regan asked if the excess money is used to institute a new program and a bigger base is built and the college comes back to the appropriations committee she wondered if committee was obligated to fund a certain percentage of the base. President Kettner replied no because the local board of trustees with the approval of the Board of Regents would decide to raise tuition for a specific reason, this does not change the formula base because the formula is based on  $FTE \times \$ \text{ per FTE} \times 47\% = \text{the budget story}$ .

Senator Brown asked about the way the budget bill is drawn now, if the state has an obligation to pay for 47% of the cost and he wondered how the 53% was divided. President Kettner replied that it was divided between the mandatory levy and the local tuition fees.

Senator Brown asked if it was divided in a particular way. President Kettner replied that if it was done on a black board, the state appropriations would come first, subtracting this out of the budget authority then subtracting tuition and fees, then this balance becomes the mandatory local mill.

Senator Brown said that what he was reaching for with his questions was that if the 47% is subtracted from the 100%, there is 53% remaining and he wondered if there was any way, 53% could be specifically broken down. President Kettner replied that there is not a specific way other than to subtract out tuition and fees, then the balance of this becomes the mandatory, what ever is left.

Senator Farrell (he referred to line 21 of HB 518) asked who sets the tuition fees and then what happens if the board sets the mandatory level and then the fees are raised and at the same time a program is expanded, he wondered if this was possible. President Kettner replied that this was possible

with the approval of the B of R to add additional tuition.

Closing by Sponsor:

REPRESENTATIVE STICKNEY closed by emphasizing that the community colleges are so bound by the state appropriations for their basic budget and tuition fees that the additional tuition that would be able to be expended on something other than reducing the mandatory would be over and above this. She said that this is something that is not apt to be done very soon. All this is doing is giving the community colleges an option to utilize this at some point and most boards are very conservative. She said that this would be good option to be "setting in the wings," to utilize as budgeting becomes more stabilized.

HEARING ON HB 561

Presentation and Opening Statement by Sponsor:

REPRESENTATIVE KELLY ADDY, House District #94, stated that this bill is technical in that it deals with tenure rights. He said there are big changes going on in the educational field and these days it may not be true that the most common reason for a teacher being terminated is simply non renewal without tenure. Now if a teacher has tenure, their job is still for from secure, given the fluctuation of school districts. In Billings 100 teachers were laid off and there are major impacts being looked at straight across the board. This of course he said reaches into the rank of the non tenured teachers. If a teacher is tenured in this situation and laid off simply due to this financial condition of the district, which requires a reduction in force, it is unclear presently under Montana's tenure laws whether tenure is lost or not. This would be an inequitable result and an unfortunate result. We are leaving questions of quality control to change in fiscal climate.

All this bill means he explained, is to say that when these circumstances occur, tenure is not lost by the teacher.

One technical point on Page 2, Line 6, the second condition that appears is continued employment rights are provided in the collectively bargained contract of the district. The House inserted "continued employment rights that do not exceed two contract years." If this committee can make sense out of this he asked that they clarify the language or strike it.

List of Testifying Proponents and What Group they Represent:

PHIL CAMPBELL, The Montana Education Association  
TERRY MINOW, The Montana Federation of Teachers

Testimony:

PHIL CAMPBELL of the MEA, stood in support of HB 561. He said this bill allows a tenured teacher to keep their tenure if they have been laid off and if a collective bargaining agreement has a lay off procedure in it. They have employment rights under this contract to come back to the district (recall rights). So that in a situation of a school district laying off a teacher for financial reasons, the teacher can come back as a tenured teacher.

He went on to say that this would be left to the local school district, "local control." If a school district chooses to bargain into the contract a lay off procedure that includes recall rights, then the tenured teacher would not lose their tenured statutory right. If they were recalled they could come back as a tenured teacher.

He pointed out that the MSBA would want to strike the word "employment" and Mr. Campbell submitted to the committee that tenure is not a negotiable subject, it is a statutory right that is acquired on the signing of the fourth consecutive contract, and is not negotiable.

What is wanted with this bill is to protect the rights of someone who has tenure and through no fault of their own nor the districts is laid off, in which case the teacher will retain the statutory right of tenure if recalled.

He said the majority of school districts extends their recall right for about two years and one district in Missoula provides recall rights for thirty-six months. The amendment that was put in in the house would limit the local school district in bargaining in what ever they would think is appropriate.

TERRY MINOW of the MFT, stated that they strongly support HB 561. This bill she said simply clarifies the rights of teachers under the tenure statues. Tenure should not be lost just because of a reduction of force. A teacher who is recalled under this situation should maintain this tenure.

She urged a do pass recommendation and she asked that the committee realize that teachers will be facing "reductions in force, in the next few years in Montana."

List of Testifying Opponents and What Group They Represent:

None

Testimony:

BRUCE MOERER stated that this bill did arise out of a Great Falls situation where a tenured teacher was properly terminated and this Supreme Court decision asked if the recall agreement and the collective bargaining agreement reinstated tenure.

He explained that the amendment proposed on Page 6, Line 2, states that the union and the school board can negotiate when they negotiate a recall provision. The bill currently reads that the teacher automatically comes back with tenure and what this amendment does when they negotiate a recall provision is that they can either have a recall provision that would bring them back as a tenured teacher or the recall provision could be negotiated in to bring them back as a non tenured teacher. If it is going to be negotiated both options he said would be wanted. This amendment preserves two options when a recall provision is negotiated.

Questions From Committee Members:

Senator Pinsoneault asked if there were any high school districts in the state that do not have a bargaining agent. Mr. Campbell replied yes that he had represented teachers that did not have a masters agreement.

Senator Mazurek asked why the amendment inserted that the contract not exceed two contract years. Eric Feaver of the MEA said that he had been present at the House Education Committee meeting when this language was discussed and Representative Eudaily suggested this language. The purpose was to not allow the possibility of a teacher being terminated in one school district and finding a job in another school district, teaching until eligible for tenure and then being recalled to a tenure position in the district of origin. He went on to explain that in this bill it is saying if there is a recall provision, tenure would only accrue for the teacher, up to two years. After two years tenure would only apply for up to two years for the recall provision by the statute. The House Education Committee was concerned that a teacher could be gone whether even to another state and/or another job indefinitely and then perhaps be recalled after a long period of time and still have tenure.

Closing by Sponsor:

REPRESENTATIVE ADDY closed by saying that he would oppose the amendment that was offered by Mr. Moerer for the reasons stated by Mr. Campbell. Tenure is a statutory right and should not be a subject for bargaining.

He pointed out that it is important to treat people fairly and "...in hard times when adverse decisions need to be made, it is even more important and depriving someone of their statutory rights is not an act of fairness or a wise public policy."

## DISPOSITION OF HB 561

Discussion:

Senator Farrell stated that he assumed with a contract the two year situation would be negotiated and he wondered if the amendment was valid.

Mr. Campbell explained that recall rights are for three years in the Missoula contracts and under this provision, tenure could be retained for only two years.

Dave Cogley stated that this was not clear in this bill. The employment rights relate to those which provide for tenure. If the duration of the recall provision is wanted to be separate from the continuation of tenure rights, this needs to be clarified.

Senator Farrell asked if it would be appropriate to strike "...that do not exceed two contract years."

Dave Cogley replied that this would take care of it and then there would not be any durational limitation and it would be left to the negotiated contract.

Amendments and Votes:

Senator Regan moved that the committee strike the language put in by the House on Page 6, Line 2 of HB 561, "...that do not exceed two contract years."

Senator Regan called for the question.

THE MOTION CARRIED TO STRIKE THE AMENDMENT.

Recommendation and Vote:

Senator Brown recommended that HB 561 be concurred in as amended.

Senator Farrell called for the question.

THE MOTION CARRIED UNANIMOUSLY.

Senator Farrell will carry HB 561 to the floor of the Senate.

DISPOSITION OF HB 455

Discussion:

Senator Regan asked if a two year sunset could be put on the bill to see if there would be problems and if it could be lived with for two years or if they discover there is a problem it will sunset and it will not have to be fought with. Otherwise then it could be renewed.

Dave Cogley stated that a sunset date of entering into a tuition agreement, and a separate date for the payment of tuition under the agreement would need to be included. This would be two different dates. He said this could be taken care of in amending HB 455.

Amendments and Votes:

Senator Regan moved to amend HB 455, with an automatic two year sunset of June 30, 1992.

Senator Nathe called for the question.

THE MOTION TO AMEND HB 455 CARRIED UNANIMOUSLY.

Recommendation and Vote:

Senator Regan moved that HB 455 do pass as amended.

THE MOTION THAT HB 455 BE CONCURRED IN AS AMENDED, CARRIED UNANIMOUSLY.

Senator Regan will carry HB 455 to the floor of the Senate.

ADJOURNMENT

Adjournment At: 2:15 pm

  
Senator H. W. Hammond, Chairman

HH/jh

Senmin.313



ADJOURNMENT

Adjournment At: 2:15 pm

  
Senator H. W. Hammond, Chairman

HH/jh

Senmin.313



**SENATE STANDING COMMITTEE REPORT**

March 13, 1989

MR. PRESIDENT:

We, your committee on Education and Cultural Resources, having had under consideration HB 324 (third reading copy -- blue), respectfully report that HB 324 be not concurred in.

Sponsor: Davis (Hammond)

BE NOT CONCURRED IN

Signed: *H. W. Hammond*  
H. W. Hammond, Chairman

SENATE STANDING COMMITTEE REPORT

March 14, 1989

MR. PRESIDENT:

We, your committee on Education and Cultural Resources, having had under consideration HB 561 (third reading copy -- blue), respectfully report that HB 561 be amended and as so amended be concurred in:

Sponsor: Addy (Farrell)

1. Page 2, lines 6 and 7.

Strike: "THAT DO NOT EXCEED 2 CONTRACT YEARS"

AND AS AMENDED BE CONCURRED IN

Signed: *H. W. Hammond*  
H. W. Hammond, Chairman

3-14-89  
10:30  
ej  
SCRHB561.314

SENATE STANDING COMMITTEE REPORT

March 14, 1989

MR. PRESIDENT:

We, your committee on Education and Cultural Resources, having had under consideration HB 455 (third reading copy -- blue), respectfully report that HB 455 be amended and as so amended be concurred in:

Sponsor: Zook (Regan)

1. Title, line 9.

Following: "DATE"


Insert: "; AND A TERMINATION DATE"

2. Page 4.

Following: line 24

Insert: "NEW SECTION. Section 3. Termination. [This act] terminates June 30, 1992, and no tuition agreement providing for tuition because of the requirement of [this act] may be entered after June 30, 1991.

AND AS AMENDED BE CONCURRED IN

Signed: 

H. W. Hammond, Chairman

3-14-89  
SCRHB455.314

John Campbell, Montana Association of School Business Officials  
H.S. 324

House Bill 324 is to resolve a long standing problem that School District Clerks have. They interpret subsection 1 of Section 20-9-208 (the amended language) as a prohibition on transfers between appropriation items within the same fund without board of trustee approval action. The clerks will not overspend an appropriation item. At the same time we wish to "do business" with the vendors on a current basis.

Board of Trustees generally meet on a monthly or semi-monthly basis. Their approval of appropriation transfers do not lead to doing business on a current basis with vendors or paying employees on the same basis.

This bill provides a permissive alternative to the board of trustees if they feel that business should be conducted on a current basis. The Board of Trustees may delegate authority to the Clerk of the District to determine when appropriation transfers are necessary and to give effect to the transfer on the records of the school district. Thus, the clerk will be able to do business on a current basis.

Please note that subsection 2 is not amended except for a little verbiage change on line 23. Thus, transfers cannot be made between different funds of the district.

This proposed amendment will not change the present law on limitation of fund expenditures to the total amount of the budget!

