HOUSE BILL NO. 186

INTRODUCED BY NATHE

IN THE HOUSE

JANUARY 14, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
JANUARY 28, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 29, 1987	PRINTING REPORT.
JANUARY 30, 1987	SECOND READING, DO PASS.
JANUARY 31, 1987	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 94; NOES, 0.
	TRANSMITTED TO SENATE.
1	IN THE SENATE
FEBRUARY 2, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
FEBRUARY 2, 1987 MARCH 5, 1987	
•	ON EDUCATION & CULTURAL RESOURCES. COMMITTEE RECOMMEND BILL BE
MARCH 5, 1987	ON EDUCATION & CULTURAL RESOURCES. COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 5, 1987 MARCH 9, 1987	ON EDUCATION & CULTURAL RESOURCES. COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED. SECOND READING, CONCURRED IN. THIRD READING, CONCURRED IN.

MARCH 12, 1987

RECEIVED FROM SENATE.

SENT TO ENROLLING.

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duties or acts:

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district.

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2	INTRODUCED BY NATHA
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4	A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE NAME OF
5	THE HOUSING AND DORMITORY FUND TO THE LEASE OR RENTAL
6	AGREEMENT FUND; AND AMENDING SECTIONS 20-3-324, 20-9-201,
7	AND 20-9-509, MCA."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 20-9-509, MCA, is amended to read:
11	"20-9-509. Housinganddormitory Lease or rental
12	agreement fund. (1) The trustees of any district that
13	provides pupil or teacher housing in district-owned
14	buildings under a lease or rental agreement with pupils or
15	teachers or receives moneys under the provision of 20-6-607
16	may establish a housinganddormitory lease or rental
17	agreement fund. All moneys received from such lease or
18	rental agreements may be deposited with the county treasurer
19	to the credit of the housing-and-dormitory lease or rental
20	agreement fund, general fund, the debt service fund, or any
21	other appropriate fund. Whenever the end-of-the-year cash
22	balance of a housing-and-dormitory lease or rental agreement
23	fund is more than \$10,000, such cash balance in excess of
24	\$10,000 shall be transferred to the general fund of the

(2) Any expenditure of moneys from a housing-and
dormitory lease or rental agreement fund shall be made for
the maintenance and operation of the district-owned
buildings to which the lease or rental agreements apply or
for the acquisition of additional housing or dormitory
facilities. The financial administration of the housing-and
dormitory lease or rental agreement fund shall be in
accordance with the financial administration provisions of
this title for a nonbudgeted fund."
Section 2. Section 20-3-324, MCA, is amended to read:
"20-3-324. Powers and duties. As prescribed elsewhere

(1) employ or dismiss a teacher, principal, or other assistant upon the recommendation of the district superintendent, the county high school principal, or other principal as the board may deem necessary, accepting or rejecting such recommendation as the trustees shall in their sole discretion determine, in accordance with the provisions of Title 20, chapter 4;

in this title, the trustees of each district shall have the

power and it shall be their duty to perform the following

22 (2) employ and dismiss administrative personnel, 23 clerks, secretaries, teacher aides, custodians, maintenance 24 personnel, school bus drivers, food service personnel, 25 nurses, and any other personnel deemed necessary to carry LC 0613/01 LC 0613/01

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out the various services of the district;

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- 2 (3) administer the attendance and tuition provisions
 3 and otherwise govern the pupils of the district in
 4 accordance with the provisions of the pupils chapter of this
 5 title:
- (4) call, conduct, and certify the elections of the
 district in accordance with the provisions of the school
 elections chapter of this title;
- 9 (5) participate in the teachers' retirement system of 10 the state of Montana in accordance with the provisions of 11 the teachers' retirement system chapter of Title 19;
- 12 (6) participate in district boundary change actions in 13 accordance with the provisions of the districts chapter of 14 this title:
 - (7) organize, open, close, or acquire isolation status for the schools of the district in accordance with the provisions of the school organization part of this title;
 - (8) adopt and administer the annual budget or an emergency budget of the district in accordance with the provisions of the school budget system part of this title;
- 21 (9) conduct the fiscal business of the district in 22 accordance with the provisions of the school financial 23 administration part of this title;
- 24 (10) establish the ANB, foundation program, permissive 25 levy, additional levy, cash reserve, and state impact aid

- amount for the general fund of the district in accordance
 with the provisions of the general fund part of this title;
- 3 (11) establish, maintain, budget, and finance the 4 transportation program of the district in accordance with 5 the provisions of the transportation parts of this title;
 - (12) issue, refund, sell, budget, and redeem the bonds of the district in accordance with the provisions of the bonds parts of this title;
- 9 (13) when applicable. establish. financially administer, and budget for the tuition fund, retirement 10 11 fund, building reserve fund, adult education fund, nonoperating fund, school food services fund, miscellaneous 12 13 federal programs fund, building fund, housing-and-dormitory lease or rental agreement fund, traffic education fund, and 14 15 interlocal cooperative agreement fund in accordance with the provisions of the other school funds parts of this title; 16
 - (14) when applicable, administer any interlocal cooperative agreement, gifts, legacies, or devises in accordance with the provisions of the miscellaneous financial parts of this title;
- 21 (15) hold in trust, acquire, and dispose of the real 22 and personal property of the district in accordance with the 23 provisions of the school sites and facilities part of this 24 title;
 - (16) operate the schools of the district in accordance

- with the provisions of the school calendar part of this
 title:
- 3 (17) establish and maintain the instructional services
 4 of the schools of the district in accordance with the
 5 provisions of the instructional services, textbooks,
 6 vocational education, and special education parts of this
 7 title:
 - (18) establish and maintain the school food services of the district in accordance with the provisions of the school food services parts of this title;

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- (19) make such reports from time to time as the county superintendent, superintendent of public instruction, and board of public education may require;
- (20) retain, when deemed advisable, a physician or registered nurse to inspect the sanitary conditions of the school or the general health conditions of each pupil and, upon request, make available to any parent or guardian any medical reports or health records maintained by the district pertaining to his child;
- (21) for each member of the trustees, visit each school of the district not less than once each school fiscal year to examine its management, conditions, and needs;
- 23 (22) procure and display outside daily in suitable 24 weather at each school of the district an American flag 25 which shall be not less than 4 feet by 6 feet; and

- 1 (23) perform any other duty and enforce any other
 2 requirements for the government of the schools prescribed by
 3 this title, the policies of the board of public education,
 4 or the rules of the superintendent of public instruction."
 5 Section 3. Section 20-9-201, MCA, is amended to read:
 6 "20-9-201. Definitions and application. (1) As used in
 7 this title, unless the context clearly indicates otherwise,
 - "fund" means a separate detailed account of receipts and expenditures for a specific purpose as authorized by law.
- 10 Funds are classified as follows:

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- (a) A "budgeted fund" means any fund for which a budget must be adopted in order to expend any money from such fund. The general fund, transportation fund, bus depreciation reserve fund, elementary tuition fund, retirement fund, debt service fund, leased facilities fund, building reserve fund, adult education fund, nonoperating fund, postsecondary vocational-technical center fund, and any other funds so designated by the legislature shall be budgeted funds.
- (b) A "nonbudgeted fund" means any fund for which a budget is not required in order to expend any money on deposit in such fund. The school food services fund, miscellaneous federal programs fund, building fund, housing and—dormitory lease or rental agreement fund, traffic education fund, interlocal cooperative fund, and any other

- funds so designated by the legislature shall be nonbudgeted
 funds.
- 3 (2) The school financial administration provisions of this title apply to all money of any elementary or high 4 5 school district except the extracurricular money realized 6 from pupil activities. The superintendent of public 7 instruction has general supervisory authority over the school financial administration provisions, as they relate 8 to elementary and high school districts, as prescribed by 9 law and shall establish such rules as are necessary to 10 secure compliance with the law." 11

district.

APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

#8 BILL NO. 186 1 INTRODUCED BY NATHX 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE NAME OF 4 THE HOUSING AND DORMITORY FUND TO THE LEASE OF RENTAL 5 6 AGREEMENT FUND: AND AMENDING SECTIONS 20-3-324. 20-9-201. AND 20-9-509, MCA." 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 10 Section 1. Section 20-9-509, MCA, is amended to read: 11 "20-9-509. Housing--and--dormitory Lease or rental agreement fund. (1) The trustees of any district that 12 13 provides pupil or teacher housing in district-owned buildings under a lease or rental agreement with pupils or 14 15 teachers or receives moneys under the provision of 20-6-607 may establish a housing--and--dormitory lease or rental 16 17 agreement fund. All moneys received from such lease or rental agreements may be deposited with the county treasurer 18 to the credit of the housing-and-dormitory lease or rental 19 agreement fund, general fund, the debt service fund, or any 20 21 other appropriate fund. Whenever the end-of-the-year cash 22 balance of a housing-and-dormitory lease or rental agreement 23 fund is more than \$10,000, such cash balance in excess of \$10,000 shall be transferred to the general fund of the 24

dormitory lease or rental agreement fund shall be made for the maintenance and operation of the district-owned buildings to which the lease or rental agreements apply or for the acquisition of additional housing or dormitory facilities. The financial administration of the housing-and dormitory lease or rental agreement fund shall be in accordance with the financial administration provisions of this title for a nonbudgeted fund."

Section 2. Section 20-3-324, MCA, is amended to read:

"20-3-324. Powers and duties. As prescribed elsewhere
in this title, the trustees of each district shall have the
power and it shall be their duty to perform the following
duties or acts:

- 15 (1) employ or dismiss a teacher, principal, or other
 16 assistant upon the recommendation of the district
 17 superintendent, the county high school principal, or other
 18 principal as the board may deem necessary, accepting or
 19 rejecting such recommendation as the trustees shall in their
 20 sole discretion determine, in accordance with the provisions
 21 of Title 20, chapter 4;
- 22 (2) employ and dismiss administrative personnel, 23 clerks, secretaries, teacher aides, custodians, maintenance 24 personnel, school bus drivers, food service personnel, 25 nurses, and any other personnel deemed necessary to carry

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out the various services of the district:

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- (3) administer the attendance and tuition provisions and otherwise govern the pupils of the district in accordance with the provisions of the pupils chapter of this title:
- (4) call, conduct, and certify the elections of the district in accordance with the provisions of the school elections chapter of this title;
- 9 (5) participate in the teachers' retirement system of the state of Montana in accordance with the provisions of the teachers' retirement system chapter of Title 19;
- 12 (6) participate in district boundary change actions in 13 accordance with the provisions of the districts chapter of 14 this title:
 - (7) organize, open, close, or acquire isolation status for the schools of the district in accordance with the provisions of the school organization part of this title:
 - (8) adopt and administer the annual budget or an emergency budget of the district in accordance with the provisions of the school budget system part of this title;
 - (9) conduct the fiscal business of the district in accordance with the provisions of the school financial administration part of this title;
- 24 (10) establish the ANB, foundation program, permissive 25 levy, additional levy, cash reserve, and state impact aid

amount for the general fund of the district in accordance with the provisions of the general fund part of this title;

- 3 (11) establish, maintain, budget, and finance the transportation program of the district in accordance with the provisions of the transportation parts of this title;
 - (12) issue, refund, sell, budget, and redeem the bonds of the district in accordance with the provisions of the bonds parts of this title;
- 9 (13) when applicable, establish, financially 1.0 administer, and budget for the tuition fund, retirement 11 fund, building reserve fund, adult education fund, 12 nonoperating fund, school food services fund, miscellaneous 13 federal programs fund, building fund, housing-and-dormitory 14 lease or rental agreement fund, traffic education fund, and 15 interlocal cooperative agreement fund in accordance with the 16 provisions of the other school funds parts of this title;
- 17 (14) when applicable, administer any interlocal 18 cooperative agreement, gifts, legacies, or devises in accordance with the provisions of the miscellaneous 19 financial parts of this title:
- 21 (15) hold in trust, acquire, and dispose of the real 22 and personal property of the district in accordance with the 23 provisions of the school sites and facilities part of this 24 title;
- 25 (16) operate the schools of the district in accordance

with the provisions of the school calendar part of this
title;

- (17) establish and maintain the instructional services of the schools of the district in accordance with the provisions of the instructional services, textbooks, vocational education, and special education parts of this title:
- (18) establish and maintain the school food services of the district in accordance with the provisions of the school food services parts of this title;
- (19) make such reports from time to time as the county superintendent, superintendent of public instruction, and board of public education may require;
- (20) retain, when deemed advisable, a physician or registered nurse to inspect the sanitary conditions of the school or the general health conditions of each pupil and, upon request, make available to any parent or guardian any medical reports or health records maintained by the district pertaining to his child;
- (21) for each member of the trustees, visit each school of the district not less than once each school fiscal year to examine its management, conditions, and needs;
- 23 (22) procure and display outside daily in suitable
 24 weather at each school of the district an American flag
 25 which shall be not less than 4 feet by 6 feet; and

- (23) perform any other duty and enforce any other requirements for the government of the schools prescribed by this title, the policies of the board of public education, or the rules of the superintendent of public instruction."

 Section 3. Section 20-9-201, MCA, is amended to read:

 "20-9-201. Definitions and application. (1) As used in this title, unless the context clearly indicates otherwise,

 "fund" means a separate detailed account of receipts and expenditures for a specific purpose as authorized by law.

 Funds are classified as follows:
- (a) A "budgeted fund" means any fund for which a budget must be adopted in order to expend any money from such fund. The general fund, transportation fund, bus depreciation reserve fund, elementary tuition fund, retirement fund, debt service fund, leased facilities fund, building reserve fund, adult education fund, nonoperating fund, postsecondary vocational-technical center fund, and any other funds so designated by the legislature shall be budgeted funds.
- (b) A "nonbudgeted fund" means any fund for which a budget is not required in order to expend any money on deposit in such fund. The school food services fund, miscellaneous federal programs fund, building fund, housing and-dormitory lease or rental agreement fund, traffic education fund, interlocal cooperative fund, and any other

funds so designated by the legislature shall be nonbudgeted
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(2) The school financial administration provisions of this title apply to all money of any elementary or high school district except the extracurricular money realized from pupil activities. The superintendent of public instruction has general supervisory authority over the school financial administration provisions, as they relate to elementary and high school districts, as prescribed by law and shall establish such rules as are necessary to secure compliance with the law."

district.

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2	INTRODUCED BY MAINE
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4	A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE NAME OF
5	THE HOUSING AND DORMITORY FUND TO THE LEASE OR RENTAL
6	AGREEMENT FUND; AND AMENDING SECTIONS 20-3-324, 20-9-201,
7	AND 20-9-509, MCA."
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11	"20-9-509. Housinganddormitory Lease or rental
12	agreement fund. (1) The trustees of any district that
13	provides pupil or teacher housing in district-owned
14	buildings under a lease or rental agreement with pupils or
15	teachers or receives moneys under the provision of 20-6-607
16	may establish a housing-and-dormitory lease or rental
17	agreement fund. All moneys received from such lease or
18	rental agreements may be deposited with the county treasurer
19	to the credit of the housing-and-dormitory lease or rental
20	agreement fund, general fund, the debt service fund, or any
21	other appropriate fund. Whenever the end-of-the-year cash
22	balance of a housing-and-dormitory lease or rental agreement
23	fund is more than \$10,000, such cash balance in excess of
24	\$10,000 shall be transferred to the general fund of the

1	(2) Any expenditure of moneys from a housingand
2	dormitory lease or rental agreement fund shall be made for
3	the maintenance and operation of the district-owner
4	buildings to which the lease or rental agreements apply or
5	for the acquisition of additional housing or dormitory
6 .	facilities. The financial administration of the housing-and
7	dormitory lease or rental agreement fund shall be in
8	accordance with the financial administration provisions of
9	this title for a nonbudgeted fund."

Section 2. Section 20-3-324, MCA, is amended to read:

"20-3-324. Powers and duties. As prescribed elsewhere
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(1) employ or dismiss a teacher, principal or other

15 (1) employ or dismiss a teacher, principal, or other
16 assistant upon the recommendation of the district
17 superintendent, the county high school principal, or other
18 principal as the board may deem necessary, accepting or
19 rejecting such recommendation as the trustees shall in their
20 sole discretion determine, in accordance with the provisions
21 of Title 20, chapter 4;

(2) employ and dismiss administrative personnel, clerks, secretaries, teacher aides, custodians, maintenance personnel, school bus drivers, food service personnel, nurses, and any other personnel deemed necessary to carry

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out the various services of the district;

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- 2 (3) administer the attendance and tuition provisions
 3 and otherwise govern the pupils of the district in
 4 accordance with the provisions of the pupils chapter of this
 5 title:
 - (4) call, conduct, and certify the elections of the district in accordance with the provisions of the school elections chapter of this title;
- 9 (5) participate in the teachers' retirement system of 10 the state of Montana in accordance with the provisions of 11 the teachers' retirement system chapter of Title 19;
- 12 (6) participate in district boundary change actions in 13 accordance with the provisions of the districts chapter of 14 this title:
 - (7) organize, open, close, or acquire isolation status for the schools of the district in accordance with the provisions of the school organization part of this title;
 - (8) adopt and administer the annual budget or an emergency budget of the district in accordance with the provisions of the school budget system part of this title;
 - (9) conduct the fiscal business of the district in accordance with the provisions of the school financial administration part of this title;
- 24 (10) establish the ANB, foundation program, permissive 25 levy, additional levy, cash reserve, and state impact aid

- amount for the general fund of the district in accordance with the provisions of the general fund part of this 'title;
- 3 (11) establish, maintain, budget, and finance the 4 transportation program of the district in accordance with 5 the provisions of the transportation parts of this title;
 - (12) issue, refund, sell, budget, and redeem the bonds of the district in accordance with the provisions of the bonds parts of this title;
- establish. financially 9 (13) when applicable. administer, and budget for the tuition fund, retirement 10 11 fund, building reserve fund, adult education fund, nonoperating fund, school food services fund, miscellaneous 12 13 federal programs fund, building fund, housing-and-dormitory 14 lease or rental agreement fund, traffic education fund, and 15 interlocal cooperative agreement fund in accordance with the 16 provisions of the other school funds parts of this title;
- 17 (14) when applicable, administer any interlocal 18 cooperative agreement, gifts, legacies, or devises in 19 accordance with the provisions of the miscellaneous 20 financial parts of this title;
 - (15) hold in trust, acquire, and dispose of the real and personal property of the district in accordance with the provisions of the school sites and facilities part of this title;
- 25 (16) operate the schools of the district in accordance

with the provisions of the school calendar part of this
title;

3 (17) establish and maintain the instructional services
4 of the schools of the district in accordance with the
5 provisions of the instructional services, textbooks,
6 vocational education, and special education parts of this
7 title;

(18) establish and maintain the school food services of the district in accordance with the provisions of the school food services parts of this title;

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- 11 (19) make such reports from time to time as the county
 12 superintendent, superintendent of public instruction, and
 13 board of public education may require;
- 14 (20) retain, when deemed advisable, a physician or 15 registered nurse to inspect the sanitary conditions of the 16 school or the general health conditions of each pupil and, 17 upon request, make available to any parent or guardian any 18 medical reports or health records maintained by the district 19 pertaining to his child;
- 20 (21) for each member of the trustees, visit each school
 21 of the district not less than once each school fiscal year
 22 to examine its management, conditions, and needs;
- 23 (22) procure and display outside daily in suitable 24 weather at each school of the district an American flag 25 which shall be not less than 4 feet by 6 feet; and

1 (23) perform any other duty and enforce any other 2 requirements for the government of the schools prescribed by this title, the policies of the board of public education. 3 or the rules of the superintendent of public instruction." 4 5 Section 3. Section 20-9-201, MCA, is amended to read: "20-9-201. Definitions and application. (1) As used in 6 this title, unless the context clearly indicates otherwise, 7 8 "fund" means a separate detailed account of receipts and 9 expenditures for a specific purpose as authorized by law.

Funds are classified as follows:

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- (a) A "budgeted fund" means any fund for which a 11 budget must be adopted in order to expend any money from 12 13 such fund. The general fund, transportation fund, bus depreciation reserve fund, elementary tuition fund, retirement fund, debt service fund, leased facilities fund, 15 16 building reserve fund, adult education fund, nonoperating 17 fund, postsecondary vocational-technical center fund, and 18 any other funds so designated by the legislature shall be 19 budgeted funds.
 - (b) A "nonbudgeted fund" means any fund for which a budget is not required in order to expend any money on deposit in such fund. The school food services fund, miscellaneous federal programs fund, building fund, housing and-dermitory lease or rental agreement fund, traffic education fund, interlocal cooperative fund, and any other

- funds so designated by the legislature shall be nonbudgeted
 funds.
- 3 (2) The school financial administration provisions of this title apply to all money of any elementary or high 5 school district except the extracurricular money realized from pupil activities. The superintendent of public 6 instruction has general supervisory authority over the 7 8 school financial administration provisions, as they relate 9 to elementary and high school districts, as prescribed by law and shall establish such rules as are necessary to 10 11 secure compliance with the law."

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6	AGREEMENT FUND; AND AMENDING SECTIONS 20-3-324, 20-9-201,
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11	"20-9-509. Housinganddormitory Lease or rental
12	agreement fund. (1) The trustees of any district that
13	provides pupil or teacher housing in district-owned
14	buildings under a lease or rental agreement with pupils or
15	teachers or receives moneys under the provision of 20-6-607
16	may establish a housinganddormitory lease or rental
17	agreement fund. All moneys received from such lease or
18	rental agreements may be deposited with the county treasurer
19	to the credit of the housing-and-dormitory lease or rental
20	agreement fund, general fund, the debt service fund, or any
21	other appropriate fund. Whenever the end-of-the-year cash
22	balance of a housing-and-dormitory lease or rental agreement
23	fund is more than \$10,000, such cash balance in excess of
24	\$10,000 shall be transferred to the general fund of the
25	district.

HOUSE BILL NO. 186

1	(2) Any expenditure of moneys from a housingan
2	dormitory lease or rental agreement fund shall be made fo
3	the maintenance and operation of the district-owner
4 :	buildings to which the lease or rental agreements apply o
5	for the acquisition of additional housing or dormitor
6	facilities. The financial administration of the housing-and
7	dormitory lease or rental agreement fund shall be in
8	accordance with the financial administration provisions of
9	this title for a nonbudgeted fund."
10	Section 2. Section 20-3-324, MCA, is amended to read:

"20-3-324. Powers and duties. As prescribed elsewhere

in this title, the trustees of each district shall have the

power and it shall be their duty to perform the following

- 14 duties or acts: (1) employ or dismiss a teacher, principal, or other 15 assistant upon the recommendation of the district 16 superintendent, the county high school principal, or other 17 principal as the board may deem necessary, accepting or 18 rejecting such recommendation as the trustees shall in their 19 sole discretion determine, in accordance with the provisions 20 21 of Title 20, chapter 4;
 - (2) employ and dismiss administrative personnel, clerks, secretaries, teacher aides, custodians, maintenance personnel, school bus drivers, food service personnel, nurses, and any other personnel deemed necessary to carry

out the various services of the district;

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- 2 (3) administer the attendance and tuition provisions 3 and otherwise govern the pupils of the district in 4 accordance with the provisions of the pupils chapter of this 5 title;
- 6 (4) call, conduct, and certify the elections of the 7 district in accordance with the provisions of the school 8 elections chapter of this title;
- 9 (5) participate in the teachers' retirement system of 10 the state of Montana in accordance with the provisions of 11 the teachers' retirement system chapter of Title 19;
- 12 (6) participate in district boundary change actions in accordance with the provisions of the districts chapter of 13 14 this title;
- 15 (7) organize, open, close, or acquire isolation status 16 for the schools of the district in accordance with the 17 provisions of the school organization part of this title;
 - (8) adopt and administer the annual budget or an emergency budget of the district in accordance with the provisions of the school budget system part of this title;
- 21 (9) conduct the fiscal business of the district in 22 accordance with the provisions of the school financial administration part of this title;
- 24 (10) establish the ANB, foundation program, permissive 25 levy, additional levy, cash reserve, and state impact aid

amount for the general fund of the district in accordance with the provisions of the general fund part of this title;

- (11) establish, maintain, budget, and finance the 3 transportation program of the district in accordance with 5 the provisions of the transportation parts of this title;
- (12) issue, refund, sell, budget, and redeem the bonds 6 of the district in accordance with the provisions of the bonds parts of this title;
- applicable, establish, financially 9 (13) when 10 administer, and budget for the tuition fund, retirement fund, building reserve fund, adult education fund, 11 12 nonoperating fund, school food services fund, miscellaneous 1.3 federal programs fund, building fund, housing-and-dormitory 14 lease or rental agreement fund, traffic education fund, and 15 interlocal cooperative agreement fund in accordance with the provisions of the other school funds parts of this title; 16
- 17 (14) when applicable, administer any interlocal cooperative agreement, gifts, legacies, or devises in 18 accordance with the provisions of the miscellaneous 19 financial parts of this title; 20
- 21 (15) hold in trust, acquire, and dispose of the real 22 and personal property of the district in accordance with the 23 provisions of the school sites and facilities part of this 24 title;
- (16) operate the schools of the district in accordance 25

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with the provisions of the school calendar part of this
title;

- 3 (17) establish and maintain the instructional services
 4 of the schools of the district in accordance with the
 5 provisions of the instructional services, textbooks,
 6 vocational education, and special education parts of this
 7 title;
- 8 (18) establish and maintain the school food services of 9 the district in accordance with the provisions of the school 10 food services parts of this title;
- 11 (19) make such reports from time to time as the county 12 superintendent, superintendent of public instruction, and 13 board of public education may require;

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- (20) retain, when deemed advisable, a physician or registered nurse to inspect the sanitary conditions of the school or the general health conditions of each pupil and, upon request, make available to any parent or guardian any medical reports or health records maintained by the district pertaining to his child;
- (21) for each member of the trustees, visit each school of the district not less than once each school fiscal year to examine its management, conditions, and needs;

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23 (22) procure and display outside daily in suitable 24 weather at each school of the district an American flag 25 which shall be not less than 4 feet by 6 feet; and (23) perform any other duty and enforce any other requirements for the government of the schools prescribed by this title, the policies of the board of public education, or the rules of the superintendent of public instruction."

Section 3. Section 20-9-201, MCA, is amended to read:

"20-9-201. Definitions and application. (1) As used in this title, unless the context clearly indicates otherwise,

"fund" means a separate detailed account of receipts and expenditures for a specific purpose as authorized by law.

(a) A "budgeted fund" means any fund for which a 11 12 budget must be adopted in order to expend any money from such fund. The general fund, transportation fund, bus 13 depreciation reserve fund, elementary tuition fund, 14 15 retirement fund, debt service fund, leased facilities fund. building reserve fund, adult education fund, nonoperating fund, postsecondary vocational-technical center fund, and 17 any other funds so designated by the legislature shall be 18 budgeted funds. 19

Funds are classified as follows:

(b) A "nonbudgeted fund" means any fund for which a budget is not required in order to expend any money on deposit in such fund. The school food services fund, miscellaneous federal programs fund, building fund, housing and-dormitory lease or rental agreement fund, traffic education fund, interlocal cooperative fund, and any other

нв 186 -6- нв 186

HB 0186/02

funds so designated by the legislature shall be nonbudgeted
funds.

(2) The school financial administration provisions of 3 this title apply to all money of any elementary or high 4 school district except the extracurricular money realized 5 from pupil activities. The superintendent of public 6 instruction has general supervisory authority over the 7 8 school financial administration provisions, as they relate 9 to elementary and high school districts, as prescribed by law and shall establish such rules as are necessary to 10 secure compliance with the law." 11