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INTRODUCED BY

*House* BILL NO. *263*  
*Daniel Nelson*

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE TRUSTEES OF A SCHOOL DISTRICT TO ENTER INTO A CONTRACT WITH THE TRUSTEES OF ANY SCHOOL DISTRICT WITHIN THE COUNTY OR WITH ANY SCHOOL DISTRICT IN AN ADJOINING COUNTY TO ISSUE BONDS FOR THE JOINT CONSTRUCTION OF A FACILITY; CLARIFYING THE INTERLOCAL AGREEMENTS LAW TO INCLUDE A REFERENCE TO JOINT BONDING AUTHORITY; AMENDING SECTIONS 7-11-104, 20-9-404, AND 20-9-405, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

**Section 1.** Section 7-11-104, MCA, is amended to read:

**"7-11-104. Authorization to create interlocal agreements -- issuance of bonds for joint construction.** ~~Any one~~ One or more public agencies may contract with any one or more other public agencies to perform any administrative service, activity, or undertaking, including the issuance of bonds for the joint construction of a facility under 20-9-404, which that any of ~~said the~~ public agencies entering into the contract is authorized by law to perform. ~~Such The~~ contract ~~shall~~ must be authorized and approved by the governing body of each party to ~~said the~~ contract. ~~Such The~~ contract ~~shall set forth~~ must outline fully the purposes, powers, rights, obligations, and responsibilities of the contracting parties."

**Section 2.** Section 20-9-404, MCA, is amended to read:

**"20-9-404. Contracts and bonds for joint construction.** The trustees of a school district may enter into a contract with the trustees of any school district within the county or with any school district in an adjoining county to provide for the joint construction of ~~vocational-technical-secondary schools~~ a facility upon ~~such~~ terms and conditions ~~as may be~~ mutually agreed upon between ~~such the~~ districts. The trustees of any district executing a contract in accordance with this section may levy taxes and issue bonds for the purpose of constructing the facilities authorized by this section."

**Section 3.** Section 20-9-405, MCA, is amended to read:

1           "20-9-405. Proportional joint ownership -- disposition of ~~moneys~~ Money. The ~~vocational-technical~~  
2 ~~secondary-school~~ facility constructed under 20-9-404 ~~shall~~ must be jointly owned by the school districts  
3 contributing to its construction in proportion to the contribution of each district. The sale or other  
4 disposition of a district's interest in the school ~~shall~~ must be made in accordance with 20-6-604. ~~Moneys~~  
5 Money received from the sale or disposition of a district's interest in a ~~vocational-technical-secondary~~  
6 ~~school~~ ~~shall~~ facility must be credited to the debt service fund, building fund, general fund, or any  
7 combination of these three funds, at the discretion of the trustees."

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9           NEW SECTION. Section 4. Applicability. [This act] applies to contracts entered into after [the  
10 effective date of this act].

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-END-

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INTRODUCED BY Donnell Nelson <sup>House</sup> BILL NO. 263

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE TRUSTEES OF A SCHOOL DISTRICT TO ENTER INTO A CONTRACT WITH THE TRUSTEES OF ANY SCHOOL DISTRICT WITHIN THE COUNTY OR WITH ANY SCHOOL DISTRICT IN AN ADJOINING COUNTY TO ISSUE BONDS FOR THE JOINT CONSTRUCTION OF A FACILITY; CLARIFYING THE INTERLOCAL AGREEMENTS LAW TO INCLUDE A REFERENCE TO JOINT BONDING AUTHORITY; AMENDING SECTIONS 7-11-104, 20-9-404, AND 20-9-405, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

**Section 1.** Section 7-11-104, MCA, is amended to read:

**"7-11-104. Authorization to create interlocal agreements -- issuance of bonds for joint construction.** ~~Any one~~ One or more public agencies may contract with any one or more other public agencies to perform any administrative service, activity, or undertaking, including the issuance of bonds for the joint construction of a facility under 20-9-404, ~~which that~~ any of said ~~the~~ public agencies entering into the contract is authorized by law to perform. ~~Such~~ The contract ~~shall~~ must be authorized and approved by the governing body of each party to ~~said the~~ contract. ~~Such~~ The contract ~~shall set forth~~ must outline fully the purposes, powers, rights, obligations, and responsibilities of the contracting parties."

**Section 2.** Section 20-9-404, MCA, is amended to read:

**"20-9-404. Contracts and bonds for joint construction.** The trustees of a school district may enter into a contract with the trustees of any school district within the county or with any school district in an adjoining county to provide for the joint construction of ~~vocational-technical secondary schools~~ a facility upon ~~each~~ terms and conditions ~~as may be~~ mutually agreed upon between ~~such~~ the districts. The trustees of any district executing a contract in accordance with this section may levy taxes and issue bonds for the purpose of constructing the facilities authorized by this section."

**Section 3.** Section 20-9-405, MCA, is amended to read:





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House BILL NO. 263  
*Dwight Nelson*

INTRODUCED BY \_\_\_\_\_  
A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE TRUSTEES OF A SCHOOL DISTRICT TO ENTER INTO A CONTRACT WITH THE TRUSTEES OF ANY SCHOOL DISTRICT WITHIN THE COUNTY OR WITH ANY SCHOOL DISTRICT IN AN ADJOINING COUNTY TO ISSUE BONDS FOR THE JOINT CONSTRUCTION OF A FACILITY; CLARIFYING THE INTERLOCAL AGREEMENTS LAW TO INCLUDE A REFERENCE TO JOINT BONDING AUTHORITY; AMENDING SECTIONS 7-11-104, 20-9-404, AND 20-9-405, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

Section 1. Section 7-11-104, MCA, is amended to read:

"7-11-104. Authorization to create interlocal agreements -- issuance of bonds for joint construction. ~~Any one~~ One or more public agencies may contract with any one or more other public agencies to perform any administrative service, activity, or undertaking, including the issuance of bonds for the joint construction of a facility under 20-9-404, ~~which that~~ any of ~~said the~~ public agencies entering into the contract is authorized by law to perform. ~~Such The~~ contract shall ~~must~~ be authorized and approved by the governing body of each party to ~~said the~~ contract. ~~Such The~~ contract shall set forth ~~must outline~~ fully the purposes, powers, rights, obligations, and responsibilities of the contracting parties."

Section 2. Section 20-9-404, MCA, is amended to read:

"20-9-404. Contracts and bonds for joint construction. The trustees of a school district may enter into a contract with the trustees of any school district within the county or with any school district in an adjoining county to provide for the joint construction of ~~vocational technical secondary schools~~ a facility upon ~~such~~ terms and conditions ~~as may be~~ mutually agreed upon between ~~such the~~ districts. The trustees of any district executing a contract in accordance with this section may levy taxes and issue bonds for the purpose of constructing the facilities authorized by this section."

Section 3. Section 20-9-405, MCA, is amended to read:



1           "20-9-405. **Proportional joint ownership -- disposition of ~~monye~~ Money.** The ~~vocational-technical~~  
2 ~~secondary-school~~ facility constructed under 20-9-404 ~~shall~~ must be jointly owned by the school districts  
3 contributing to its construction in proportion to the contribution of each district. The sale or other  
4 disposition of a district's interest in the school ~~shall~~ must be made in accordance with 20-6-604. ~~Monye~~  
5 Money received from the sale or disposition of a district's interest in a ~~vocational-technical-secondary~~  
6 ~~school~~ ~~shall~~ facility must be credited to the debt service fund, building fund, general fund, or any  
7 combination of these three funds, at the discretion of the trustees."

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9           **NEW SECTION. Section 4. Applicability.** [This act] applies to contracts entered into after [the  
10 effective date of this act].

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-END-

## HOUSE BILL NO. 263

INTRODUCED BY DOWELL, NELSON

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE TRUSTEES OF A SCHOOL DISTRICT TO ENTER INTO A CONTRACT WITH THE TRUSTEES OF ANY SCHOOL DISTRICT WITHIN THE COUNTY OR WITH ANY SCHOOL DISTRICT IN AN ADJOINING COUNTY TO ISSUE BONDS FOR THE JOINT CONSTRUCTION OF A FACILITY; CLARIFYING THE INTERLOCAL AGREEMENTS LAW TO INCLUDE A REFERENCE TO JOINT BONDING AUTHORITY; AMENDING SECTIONS 7-11-104, 20-9-404, AND 20-9-405, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

**Section 1.** Section 7-11-104, MCA, is amended to read:

"7-11-104. **Authorization to create interlocal agreements -- issuance of bonds for joint construction.** ~~Any one~~ One or more public agencies may contract with any one or more other public agencies to perform any administrative service, activity, or undertaking, including the issuance of bonds for the joint construction of a facility under 20-9-404, which that any of ~~said~~ the public agencies entering into the contract is authorized by law to perform. ~~Such~~ The contract ~~shall~~ must be authorized and approved by the governing body of each party to ~~said~~ the contract. ~~Such~~ The contract ~~shall set forth~~ must outline fully the purposes, powers, rights, obligations, and responsibilities of the contracting parties."

**Section 2.** Section 20-9-404, MCA, is amended to read:

"20-9-404. **Contracts and bonds for joint construction.** The trustees of a school district may enter into a contract with the trustees of any school district within the county or with any school district in an adjoining county to provide for the joint construction of ~~vocational-technical-secondary schools~~ a facility upon ~~such~~ terms and conditions ~~as may be~~ mutually agreed upon between ~~such~~ the districts. The trustees of any district executing a contract in accordance with this section may levy taxes and issue bonds for the purpose of constructing the facilities authorized by this section."

**Section 3.** Section 20-9-405, MCA, is amended to read:

1           "20-9-405. **Proportional joint ownership -- disposition of ~~moneys~~ money.** The ~~vocational-technical~~  
2 ~~secondary school~~ facility constructed under 20-9-404 ~~shall~~ must be jointly owned by the school districts  
3 contributing to its construction in proportion to the contribution of each district. The sale or other  
4 disposition of a district's interest in the ~~school~~ FACILITY ~~shall~~ must be made in accordance with 20-6-604.  
5 ~~Moneys~~ Money received from the sale or disposition of a district's interest in a ~~vocational-technical~~  
6 ~~secondary school~~ facility ~~shall~~ must be credited to the debt service fund, building fund, general fund, or any  
7 combination of these three funds, at the discretion of the trustees."

8

9           NEW SECTION. **Section 4. Applicability.** [This act] applies to contracts entered into after [the  
10 effective date of this act].

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-END-



HOUSE BILL NO. 263

INTRODUCED BY DOWELL, NELSON

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE TRUSTEES OF A SCHOOL DISTRICT TO ENTER INTO A CONTRACT WITH THE TRUSTEES OF ANY SCHOOL DISTRICT WITHIN THE COUNTY OR WITH ANY SCHOOL DISTRICT IN AN ADJOINING COUNTY TO ISSUE BONDS FOR THE JOINT CONSTRUCTION OF A FACILITY; CLARIFYING THE INTERLOCAL AGREEMENTS LAW TO INCLUDE A REFERENCE TO JOINT BONDING AUTHORITY; AMENDING SECTIONS 7-11-104, 20-9-404, AND 20-9-405, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

Section 1. Section 7-11-104, MCA, is amended to read:

"7-11-104. Authorization to create interlocal agreements -- issuance of bonds for joint construction. ~~Any one~~ One or more public agencies may contract with any one or more other public agencies to perform any administrative service, activity, or undertaking, including the issuance of bonds for the joint construction of a facility under 20-9-404, ~~which that~~ any of ~~said~~ the public agencies entering into the contract is authorized by law to perform. ~~Such~~ The contract ~~shall~~ must be authorized and approved by the governing body of each party to ~~said~~ the contract. ~~Such~~ The contract ~~shall set forth~~ must outline fully the purposes, powers, rights, obligations, and responsibilities of the contracting parties."

Section 2. Section 20-9-404, MCA, is amended to read:

"20-9-404. Contracts and bonds for joint construction. The trustees of a school district may enter into a contract with the trustees of any school district within the county or with any school district in an adjoining county to provide for the joint construction of ~~vocational-technical secondary schools~~ a facility upon ~~such~~ terms and conditions ~~as may be~~ mutually agreed upon between ~~such~~ the districts. The trustees of any district executing a contract in accordance with this section may levy taxes and issue bonds for the purpose of constructing the facilities authorized by this section."

Section 3. Section 20-9-405, MCA, is amended to read:

REFERENCE BILL  
AS AMENDED



1           "20-9-405. Proportional joint ownership -- disposition of ~~moneys~~ money. The ~~vocational-technical~~  
2 ~~secondary school~~ facility constructed under 20-9-404 ~~shall~~ must be jointly owned by the school districts  
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7 combination of these three funds, at the discretion of the trustees."

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