HOUSE BILL NO. 54

INTRODUCED BY L. NELSON, HOCKETT, HANSEN, CODY,
R. DEBRUYCKER, STEPPLER, MCCARTHY, NATHE, MADISON, DAVIS,
CONNELLY, GRADY, HOFFMAN, J. DEBRUYCKER, WHALEN, PECK,
KADAS, HALLIGAN, YELLOWTAIL, HAMMOND, WEEDING, BENEDICT,
DEVLIN, BACHINI, O'KEEFE, MCCAFFREE

IN THE HOUSE

2.1	1110 110000
DECEMBER 29, 1990	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
JANUARY 7, 1991	FIRST READING.
JANUARY 15, 1991	ON MOTION, ADDITIONAL SPONSORS ADDED.
JANUARY 16, 1991	ON MOTION, ADDITIONAL SPONSORS ADDED.
JANUARY 18, 1991	ON MOTION, REREFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
FEBRUARY 11, 1991	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 12, 1991	PRINTING REPORT.
FEBRUARY 13, 1991	SECOND READING, DO PASS AS AMENDED.
FEBRUARY 14, 1991	ENGROSSING REPORT.
FEBRUARY 15, 1991	THIRD READING, PASSED. AYES, 94; NOES, 3.
	TRANSMITTED TO SENATE.
IN	THE SENATE
FEBRUARY 16, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
	FIRST READING.
MARCH 7, 1991	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 8, 1991	SECOND READING, CONCURRED IN.
MARCH 9, 1991	THIRD READING, CONCURRED IN. AYES, 48; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 11, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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23 24

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1	ROUSE BILL NO. 34
2	INTRODUCED BY L. NELSON
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A COUNTY THAT
5	CONSOLIDATES THE OFFICE OF COUNTY SUPERINTENDENT OF SCHOOLS
6	WITH ANOTHER OFFICE TO CONTRACT WITH A PERSON RESIDING IN
7	THE COUNTY WHO MEETS STATUTORY QUALIFICATIONS; AND AMENDING
8	SECTION 20-3-201, MCA."
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Section 20-3-201, MCA, is amended to read:
12	"20-3-201. Election and qualifications. (1) A county
13	superintendent shall must be elected in each county of the
14	state unless a county manager form of government has been
15	organized in the county. The county superintendent shall
16	must be elected at the general election preceding the
17	expiration of the term of office of the incumbent.
18	(2) Any A person shall-be is qualified to assume the
19	office of county superintendent who:
20	(a) is a qualified elector;

(b) holds a valid teacher certificate issued by the

(c) has not--less--than at least 3 years of successful

(3) (a) When the office of county superintendent of

superintendent of public instruction; and

teaching experience.

1	schools is consolidated with another county office withi
2	the county, the officeholder shall must have the
3	qualifications of $\underline{\text{listed in}}$ subsection (2) or \mathbf{he} shall, wit
4	the approval of the governing body, contract for th
5	servicesof-another-county-superintendent;-with-approval-o
6	thegoverningbodyofthatcounty,toperform th
7	performance of the duties required of a count
8	superintendent in 20-3-207 and 20-3-210- The officeholde
9	may-contract-for-the-services-of with:
10	(i) another county superintendent, with the approval o
11	the governing body of that county; or
12	(ii) a person residing in the county who meets th
13	qualifications listed in subsection (2) to-perform-other
14	duties-required-by-law-of-a-county-superintendent.
15	(b) The superintendent of public instruction shall
16	prescribe a contract form to be used."

-End-

HB 54

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2	INTRODUCED BY L. NELSON, HOCKETT, HANSEN, CODY,
3	R. DEBRUYCKER, STEPPLER, MCCARTHY, NATHE, MADISON, DAVIS,
4	CONNELLY, GRADY, HOFFMAN, J. DEBRUYCKER, WHALEN, PECK,
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10	WITH ANOTHER OFFICE TO CONTRACT WITH A PERSON RESIDENSIN
11	THE COUNTY WHO MEETS STATUTORY QUALIFICATIONS; AND AMENDING
12	SECTION 20-3-201, MCA; AND PROVIDING AN EFFECTIVE DATE."
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14	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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16	"20-3-201. Election and qualifications. (1) A county
17	superintendent shall must be elected in each county of the
18	state unless a county manager form of government has been
19	organized in the county. The county superintendent shall
20	must be elected at the general election preceding the
21	expiration of the term of office of the incumbent.
22	(2) Any \underline{A} person shall-be is qualified to assume the
23	office of county superintendent who:
24	(a) is a qualified elector;
25	(b) holds a valid teacher certificate issued by the

1	superintendent of public instruction; and
2	(c) has notlessthan at least 3 years of successful
3	teaching experience.
4	(3) (a) When the office of county superintendent of
5	schools is consolidated with another county office within
6	the county, the officeholder shall must have the
7	qualifications of $\underline{\text{listed in}}$ subsection (2) or he shall, with
8	the approval of the governing body, contract for the
9	${\tt servicesof-another-county-superintendent_7-with-approval-of}$
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15	the governing body of that county; or
16	(ii) a person residinginthecountywhomeetsthe
17	qualifications-listed-in-subsection-(2) WHO:
18	(A) IS A QUALIFIED ELECTOR;
19	(B) HOLDS A VALID ADMINISTRATIVE CERTIFICATE AS
20	PROVIDED IN 20-4-106(1)(C);
21	(C) TAKES THE OATH OF OFFICE IN 20-1-202;
22	(D) IS BONDED IN THE MANNER PROVIDED FOR COUNTY
23	OFFICERS IN TITLE 2, CHAPTER 9, PART 7; AND
24	(E) ATTENDS INSTRUCTIONAL TRAINING IN THE DUTIES OF A
25	COUNTY SUPERINTENDENT AS OFFERED BY THE SUPERINTENDENT OF
	SECOND DEADING

HB 0054/02

- 1 <u>PUBLIC INSTRUCTION</u> to-perform-other-duties-required-by-law 2 of-a-county-superintendent.
- 3 (b) WHENEVER A GOVERNING BODY CONTRACTS WITH A PERSON
- 4 FOR PERFORMANCE OF THE DUTIES REQUIRED OF A COUNTY
- 5 SUPERINTENDENT UNDER THE PROVISIONS OF SUBSECTION
- 6 (3)(A)(II), THE CONTRACT MUST BE FOR AT LEAST THE DURATION
- 7 OF 1 SCHOOL FISCAL YEAR.
- 8 (C) The superintendent of public instruction shall
- 9 prescribe a contract form to be used."
- 10 NEW SECTION. SECTION 2. EFFECTIVE DATE. [THIS ACT] IS
- 11 EFFECTIVE JULY 1, 1991.

-End-

1

2	INTRODUCED BY L. NELSON, HOCKETT, HANSEN, CODY,
3	R. DEBRUYCKER, STEPPLER, MCCARTHY, NATHE, MADISON, DAVIS,
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HOUSE BILL NO. 54

1	superintendent of public instruction; and
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16	(II) A FORMER COUNTY SUPERINTENDENT; OR
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HB 54

HB 0054/03

1	COUNTY SUPERINTENDENT AS OFFERED BY THE SUPERINTENDENT OF
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-End-

11.

EFFECTIVE JULY 1, 1991.

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25

2

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-End-

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