

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

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.

HOUSE BILL NO. 54

INTRODUCED BY L. NELSON

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A COUNTY THAT CONSOLIDATES THE OFFICE OF COUNTY SUPERINTENDENT OF SCHOOLS WITH ANOTHER OFFICE TO CONTRACT WITH A PERSON RESIDING IN THE COUNTY WHO MEETS STATUTORY QUALIFICATIONS; AND AMENDING SECTION 20-3-201, MCA."

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

Section 1. Section 20-3-201, MCA, is amended to read:

"20-3-201. Election and qualifications. (1) A county superintendent shall must be elected in each county of the state unless a county manager form of government has been organized in the county. The county superintendent shall must be elected at the general election preceding the expiration of the term of office of the incumbent.

(2) Any A person shall-be is qualified to assume the office of county superintendent who:

(a) is a qualified elector;

(b) holds a valid teacher certificate issued by the superintendent of public instruction; and

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

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

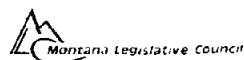
schools is consolidated with another county office within the county, the officeholder shall must have the qualifications of listed in subsection (2) or he shall, with the approval of the governing body, contract for the services--of-another-county-superintendent,-with-approval-of the--governing--body--of--that--county,---to---perform the performance of the duties required of a county superintendent in 20-3-207 and 20-3-210--The-officeholder may-contract-for-the-services-of with:

(i) another county superintendent, with the approval of the governing body of that county; or

(ii) a person residing in the county who meets the qualifications listed in subsection (2) to-perform-other duties-required-by-law-of-a-county-superintendent.

(b) The superintendent of public instruction shall prescribe a contract form to be used."

-End-



APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

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(a) is a qualified elector;

(b) holds a valid teacher certificate issued by the

superintendent of public instruction; and

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

(3) (a) When the office of county superintendent of schools is consolidated with another county office within the county, the officeholder shall must have the qualifications of listed in subsection (2) or he shall, with the approval of the governing body, contract for the services--of-another-county-superintendent,-with-approval-of the-governing-body-of--that--county,-to--perform the FULL performance of the duties required of a county superintendent in 20-3-207 and 20-3-210.--The-officeholder may-contract-for-the-services-of with:

(i) another county superintendent, with the approval of the governing body of that county; or

(ii) a person residing--in--the--county--who--meets--the qualifications-listed-in-subsection-(2) WHO:

(A) IS A QUALIFIED ELECTOR;

(B) HOLDS A VALID ADMINISTRATIVE CERTIFICATE AS PROVIDED IN 20-4-106(1)(C);

(C) TAKES THE OATH OF OFFICE IN 20-1-202;

(D) IS BONDED IN THE MANNER PROVIDED FOR COUNTY OFFICERS IN TITLE 2, CHAPTER 9, PART 7; AND

(E) ATTENDS INSTRUCTIONAL TRAINING IN THE DUTIES OF A COUNTY SUPERINTENDENT AS OFFERED BY THE SUPERINTENDENT OF

SECOND READING



1 PUBLIC INSTRUCTION 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-

HOUSE BILL NO. 54

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

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(i) another county superintendent, with the approval of the governing body of that county; or

(II) A FORMER COUNTY SUPERINTENDENT; OR

(iii)(III) a person residing-in-the-county-who-meets--the qualifications-listed-in-subsection-(2) WHO:

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THIRD READING

HB 54

AS AMENDED



1 COUNTY SUPERINTENDENT AS OFFERED BY THE SUPERINTENDENT OF
2 PUBLIC INSTRUCTION to-perform-other-duties-required-by-law
3 of-a-county-superintendent.

4 (b) WHENEVER A GOVERNING BODY CONTRACTS WITH A PERSON
5 FOR PERFORMANCE OF THE DUTIES REQUIRED OF A COUNTY
6 SUPERINTENDENT UNDER THE PROVISIONS OF SUBSECTION
7 (3)(A)(II), THE CONTRACT MUST BE FOR AT LEAST THE DURATION
8 OF 1 SCHOOL FISCAL YEAR.

9 (c) The superintendent of public instruction shall
10 prescribe a contract form to be used."

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