

SENATE BILL NO. 168

INTRODUCED BY HAFHEY, B. BROWN

IN THE SENATE

January 19, 1985	Introduced and referred to Committee on Education and Cultural Resources.
February 5, 1985	Committee recommend bill do pass as amended. Report adopted.
February 6, 1985	Bill printed and placed on members' desks.
February 7, 1985	Second reading, do pass.
February 8, 1985	Considered correctly engrossed.
February 9, 1985	Third reading, passed. Ayes, 45; Noes, 4.
	Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Education and Cultural Resources.
March 19, 1985	Committee recommend bill be concurred in. Report adopted.
March 21, 1985	Second reading, concurred in. Segregated from Committee of the Whole report. On motion, taken from second reading and rereferred to Committee on Education and Cultural Resources.

March 29, 1985

On motion, taken from
Committee on Education and
Cultural Resources and
referred to second reading.

March 30, 1985

Second reading, concurred in
as amended.

April 1, 1985

Third reading, concurred in.

Returned to Senate with
amendments.

IN THE SENATE

April 1, 1985

Received from House.

April 3, 1985

Second reading, amendments
concurred in.

April 5, 1985

Third reading, amendments
concurred in. Ayes, 45;
Noes, 0.

Sent to enrolling.

Reported correctly enrolled.

1 Senate BILL NO. 168
 2 INTRODUCED BY W. J. Ray Bob Parnis
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT
 5 WHENEVER THE OFFICE OF COUNTY SUPERINTENDENT OF SCHOOLS IS
 6 CONSOLIDATED WITH ANOTHER COUNTY OFFICE, THE OFFICEHOLDER
 7 MUST CONTRACT FOR THE SERVICES OF ANOTHER COUNTY
 8 SUPERINTENDENT IF THE OFFICEHOLDER DOES NOT HAVE THE
 9 QUALIFICATIONS FOR THE OFFICE OF COUNTY SUPERINTENDENT;
 10 AMENDING SECTION 20-3-201, MCA."

11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 20-3-201, MCA, is amended to read:
 14 "20-3-201. Election and qualifications. (1) A county
 15 superintendent shall be elected in each county of the state
 16 unless a county manager form of government has been
 17 organized in the county. The county superintendent shall be
 18 elected at the general election preceding the expiration of
 19 the term of office of the incumbent.

20 (2) Any person shall be qualified to assume the office
 21 of county superintendent who:

- 22 (a) is a qualified elector;
- 23 (b) holds a valid teacher certificate issued by the
- 24 superintendent of public instruction; and
- 25 (c) has not less than 3 years of successful teaching

1 experience.
 2 (3) When the office of county superintendent of
 3 schools is consolidated with another county office within
 4 the county, the requirements of subsection (2) shall be
 5 waived. Unless the officeholder has the qualifications of
 6 subsection (2), he shall, with the approval of the governing
 7 body, contract for the services of ~~a person with those~~
 8 ~~qualifications to perform the duties required of county~~
 9 ~~superintendents in counties where the office has not been~~
 10 ~~consolidated another county superintendent, with approval of~~
 11 ~~the governing body of that county, to perform the duties~~
 12 ~~required of a county superintendent. The superintendent of~~
 13 ~~public instruction shall prescribe a contract form to be~~
 14 ~~used."~~

-End-

APPROVED BY COMM. ON EDUCATION
AND CULTURAL RESOURCES

SENATE BILL NO. 168

INTRODUCED BY HAPPEY, B. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT
WHENEVER THE OFFICE OF COUNTY SUPERINTENDENT OF SCHOOLS IS
CONSOLIDATED WITH ANOTHER COUNTY OFFICE, THE OFFICEHOLDER
MUST CONTRACT FOR THE SERVICES OF ANOTHER COUNTY
SUPERINTENDENT IF THE OFFICEHOLDER DOES NOT HAVE THE
QUALIFICATIONS FOR THE OFFICE OF COUNTY SUPERINTENDENT;
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 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 be
elected at the general election preceding the expiration of
the term of office of the incumbent.

(2) Any person shall be 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 3 years of successful teaching

experience.

(3) When the office of county superintendent of
schools is consolidated with another county office within
the county, the requirements of subsection (2) shall be
waived. Unless the officeholder has the qualifications of
subsection (2), he shall, with the approval of the governing
body, contract for the services of ~~a person with those~~
~~qualifications to perform the duties required of county~~
~~superintendents in counties where the office has not been~~
~~consolidated~~ another county superintendent, with approval of
the governing body of that county, to perform the duties
required of a county superintendent. The superintendent of
public instruction shall prescribe a contract form to be
used."

NEW SECTION. SECTION 2. TRANSITION. THE AMENDMENT TO
20-3-201 MADE BY THIS ACT IS EFFECTIVE IN EACH COUNTY IN
WHICH, PRIOR TO THE EFFECTIVE DATE OF THIS ACT, THE OFFICE
OF COUNTY SUPERINTENDENT OF SCHOOLS HAD BEEN CONSOLIDATED
WITH ANOTHER OFFICE UPON:

(1) THE BEGINNING OF THE NEXT TERM OF OFFICE AFTER THE
EFFECTIVE DATE OF THIS ACT OF THE COUNTY OFFICER WITH WHICH
THE OFFICE OF THE COUNTY SUPERINTENDENT OF SCHOOLS HAS BEEN
CONSOLIDATED; OR

(2) IF A CONTRACT WAS ENTERED INTO UNDER THE
PROVISIONS OF 20-3-201, AS IT READ PRIOR TO ITS AMENDMENT BY

SB 0168/02

1 THIS ACT, AND THE CONTRACT EXTENDS INTO THE NEXT TERM OF THE
2 OFFICER SET FORTH IN SUBSECTION (1), THEN UPON THE
3 EXPIRATION OF SUCH CONTRACT.

-End-

SENATE BILL NO. 168

INTRODUCED BY HAFPEY, B. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT WHENEVER THE OFFICE OF COUNTY SUPERINTENDENT OF SCHOOLS IS CONSOLIDATED WITH ANOTHER COUNTY OFFICE, THE OFFICEHOLDER MUST CONTRACT FOR THE SERVICES OF ANOTHER COUNTY SUPERINTENDENT IF THE OFFICEHOLDER DOES NOT HAVE THE QUALIFICATIONS FOR THE OFFICE OF COUNTY SUPERINTENDENT; 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 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 be elected at the general election preceding the expiration of the term of office of the incumbent.

(2) Any person shall be 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 3 years of successful teaching

experience.

(3) When the office of county superintendent of schools is consolidated with another county office within the county, the requirements of subsection (2) shall be waived. Unless the officeholder has the qualifications of subsection (2), he shall, with the approval of the governing body, contract for the services of a person with these qualifications to perform the duties required of county superintendents in counties where the office has not been consolidated another county superintendent, with approval of the governing body of that county, to perform the duties required of a county superintendent. The superintendent of public instruction shall prescribe a contract form to be used."

NEW SECTION. SECTION 2. TRANSITION. THE AMENDMENT TO 20-3-201 MADE BY THIS ACT IS EFFECTIVE IN EACH COUNTY IN WHICH, PRIOR TO THE EFFECTIVE DATE OF THIS ACT, THE OFFICE OF COUNTY SUPERINTENDENT OF SCHOOLS HAD BEEN CONSOLIDATED WITH ANOTHER OFFICE UPON:

(1) THE BEGINNING OF THE NEXT TERM OF OFFICE AFTER THE EFFECTIVE DATE OF THIS ACT OF THE COUNTY OFFICER WITH WHICH THE OFFICE OF THE COUNTY SUPERINTENDENT OF SCHOOLS HAS BEEN CONSOLIDATED; OR

(2) IF A CONTRACT WAS ENTERED INTO UNDER THE PROVISIONS OF 20-3-201, AS IT READ PRIOR TO ITS AMENDMENT BY



SB 0168/02

1 THIS ACT, AND THE CONTRACT EXTENDS INTO THE NEXT TERM OF THE
2 OFFICER SET FORTH IN SUBSECTION (1), THEN UPON THE
3 EXPIRATION OF SUCH CONTRACT.

-End-

COMMITTEE OF THE WHOLE AMENDMENT

3301415P.CW
3301246B-EW-

HOUSE

3-30-85
DATE
2:15
12+46-
TIME

MR. CHAIRMAN: I MOVE TO AMEND Senate Bill No. 168

third reading copy (blue) as follows:
Color

1. Title, line 7.
Following: "FOR"
Strike: "THE"
Insert: "CERTAIN"

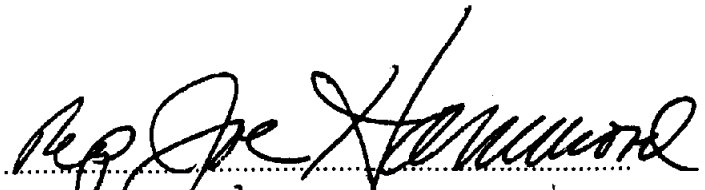
2. Page 2, lines 4 and 5.
Following: "county,"
Strike: remainder of line 4 through "Unless" on
line 5.
Following: "officeholder" on line 5.
Strike: "has"
Insert: "shall have"

3. Page 2, line 6.
Following: "subsection (2),"
Insert: "or"

4. Page 2, line 12.
Following: "superintendent"
Insert: "in 20-3-207 and 20-3-210. The officeholder
may contract for the services of another county
superintendent to perform other duties required by law of a
county superintendent"

MC

ADOPT
REJECT


Rep. Hammond

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6 CONSOLIDATED WITH ANOTHER COUNTY OFFICE, THE OFFICEHOLDER
7 MUST CONTRACT FOR THE CERTAIN SERVICES OF ANOTHER COUNTY
8 SUPERINTENDENT IF THE OFFICEHOLDER DOES NOT HAVE THE
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19 the term of office of the incumbent.

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24 superintendent of public instruction; and

25 (c) has not less than 3 years of successful teaching

1 experience.

2 (3) When the office of county superintendent of
3 schools is consolidated with another county office within
4 the county, ~~the requirements of subsection (2) shall be~~
5 ~~waived, unless the officeholder has~~ SHALL HAVE the
6 qualifications of subsection (2), OR he shall, with the
7 approval of the governing body, contract for the services of
8 ~~a person with those qualifications to perform the duties~~
9 ~~required of county superintendents in counties where the~~
10 ~~office has not been consolidated~~ another county
11 superintendent, with approval of the governing body of that
12 county, to perform the duties required of a county
13 superintendent IN 20-3-207 AND 20-3-210. THE OFFICEHOLDER
14 MAY CONTRACT FOR THE SERVICES OF ANOTHER COUNTY
15 SUPERINTENDENT TO PERFORM OTHER DUTIES REQUIRED BY LAW OF A
16 COUNTY SUPERINTENDENT. The superintendent of public
17 instruction shall prescribe a contract form to be used."

18 NEW SECTION. SECTION 2. TRANSITION. THE AMENDMENT TO
19 20-3-201 MADE BY THIS ACT IS EFFECTIVE IN EACH COUNTY IN
20 WHICH, PRIOR TO THE EFFECTIVE DATE OF THIS ACT, THE OFFICE
21 OF COUNTY SUPERINTENDENT OF SCHOOLS HAD BEEN CONSOLIDATED
22 WITH ANOTHER OFFICE UPON:

23 (1) THE BEGINNING OF THE NEXT TERM OF OFFICE AFTER THE
24 EFFECTIVE DATE OF THIS ACT OF THE COUNTY OFFICER WITH WHICH
25 THE OFFICE OF THE COUNTY SUPERINTENDENT OF SCHOOLS HAS BEEN

REFERENCE BILL
SB 168

1 CONSOLIDATED; OR

2 (2) IF A CONTRACT WAS ENTERED INTO UNDER THE
3 PROVISIONS OF 20-3-201, AS IT READ PRIOR TO ITS AMENDMENT BY
4 THIS ACT, AND THE CONTRACT EXTENDS INTO THE NEXT TERM OF THE
5 OFFICER SET FORTH IN SUBSECTION (1), THEN UPON THE
6 EXPIRATION OF SUCH CONTRACT.

-End-