

SENATE BILL NO. 89
INTRODUCED BY B. BROWN

IN THE SENATE

JANUARY 9, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
	FIRST READING.
JANUARY 16, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 17, 1989	PRINTING REPORT.
JANUARY 18, 1989	SECOND READING, DO PASS.
JANUARY 19, 1989	ENGROSSING REPORT.
JANUARY 20, 1989	THIRD READING, PASSED. AYES, 48; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 21, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
FEBRUARY 20, 1989	FIRST READING.
MARCH 2, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 4, 1989	SECOND READING, CONCURRED IN.
MARCH 6, 1989	THIRD READING, CONCURRED IN. AYES, 92; NOES, 1.
	RETURNED TO SENATE.

IN THE SENATE

MARCH 7, 1989	RECEIVED FROM HOUSE.
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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. 89
2 INTRODUCED BY Bob Brown

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE FEES FOR
5 TEACHER CERTIFICATION AND EMERGENCY AUTHORIZATION OF
6 EMPLOYMENT; AMENDING SECTIONS 20-4-109 AND 20-4-111, MCA;
7 AND PROVIDING AN EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 **Section 1.** Section 20-4-109, MCA, is amended to read:

11 "20-4-109. Fees for teacher and specialist
12 certificates. (1) Each person applying for the issuance or
13 renewal of a teacher or specialist certificate shall pay a
14 fee not to exceed \$4 \$5 for each school fiscal year that the
15 certificate will be valid. In addition to this fee, each
16 person who has never held any class of Montana teacher or
17 specialist certificate or for whom an emergency
18 authorization of employment has never been issued shall pay
19 a filing fee of \$4 \$5. Such fees shall be paid to the
20 superintendent of public instruction, who shall deposit the
21 fees with the state treasurer in the following manner:

22 (a) \$2 \$3 to the credit of the state special revenue
23 fund created in subsection (2);

24 (b) \$2 to the general fund.

25 (2) There is an account in the state special revenue

1 fund. Money from fees for teacher or specialist certificates
2 required in subsection (1) must be deposited in the account.
3 The money in the account is statutorily appropriated, as
4 provided in 17-7-502, to the board of public education for
5 expenses for the certification standards and practices
6 advisory council created in 2-15-1522."

7 **Section 2.** Section 20-4-111, MCA, is amended to read:

8 "20-4-111. Emergency authorization of employment. (1)

9 Any district may request from the superintendent of public
10 instruction an emergency authorization of employment for a
11 person who is not the holder of a valid teacher or
12 specialist certificate as an instructor of pupils when such
13 district cannot secure the services of a person holding a
14 valid certificate. The person shall have previously held a
15 valid teacher or specialist certificate or shall meet the
16 standards of preparation prescribed by the policies of the
17 board of public education for and during such emergency.

18 Such emergency authorization of employment shall indicate:

19 (a) the district to which such authorization is
20 issued;

21 (b) the person whom the district is authorized to
22 employ;

23 (c) the endorsement for elementary or secondary
24 instruction and the specific subject fields for which
25 authorization to employ such person is given; and

1 (d) the school fiscal year for which such emergency
2 authorization of employment is given.

3 (2) Emergency authorization of employment of a person
4 shall be valid for the school fiscal year identified on such
5 authorization and may be renewed in accordance with the
6 board of public education policies. A fee of \$2 \$5 and, if
7 no teacher or specialist certificate or emergency
8 authorization of employment has ever been issued for such
9 person, a filing fee of \$2 \$5 shall be paid for the issuance
10 of an emergency authorization of employment. The
11 superintendent of public instruction shall deposit the fees
12 with the state treasurer to the credit of the general fund.

13 (3) Emergency authorization of employment of a person
14 may be revoked for good cause in accordance with the
15 provisions of 20-4-110."

16 NEW SECTION. **Section 3.** Extension of authority. Any
17 existing authority to make rules on the subject of the
18 provisions of [this act] is extended to the provisions of
19 [this act].

20 NEW SECTION. **Section 4.** Effective date. [This act] is
21 effective July 1, 1989.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB089, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act entitled: "An Act To Revise Fees For Teacher Certification and Emergency Authorization of Employment; amending Sections 20-4-109 and 20-4-111, MCA; and providing an effective date."

ASSUMPTIONS:

1. Approximately 5,594 certificates will be issued in FY90, as well as FY91, the same as issued in FY88.
2. OPI will not receive any revenues from the increase in fees; the \$1 increase will be remitted to the Board of Education for the Certification Standards and Practices Advisory Council.

FISCAL IMPACT:

	Current	FY90 Proposed		Current	FY91 Proposed	
	Law	Law	Difference	Law	Law	Difference
Revenues:						
General Fund (OPI)	\$ 53,564	\$ 53,564	\$ -0-	\$ 53,564	\$ 53,564	\$ -0-
State Special Rev. (Bd. Of Education)	53,564	80,346	26,782	53,564	80,346	26,782
	\$107,128	\$133,910	\$ 26,782	\$107,128	\$133,910	\$ 26,782
Expenditures:						
OPI	\$132,000	\$132,250	\$ 250	\$132,000	\$132,000	\$ -0-
Bd. Of Education	48,204	67,500	19,296	48,223	67,500	19,277
	\$180,204	\$199,750	\$ 19,546	\$180,223	\$199,500	\$ 19,277

LONG RANGE EFFECTS:

The revenue generated by this bill will allow the council to fullfill its legislative responsibilities.



1/16/89

RAY SHACKLEFORD, BUDGET DIRECTOR DATE
OFFICE OF BUDGET AND PROGRAM PLANNING



BOB BROWN, PRIMARY SPONSOR

DATE

Fiscal Note for SB089, as introduced

SB 89

APPROVED BY COMM. ON EDUCATION
AND CULTURAL RESOURCES

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16 person who has never held any class of Montana teacher or
17 specialist certificate or for whom an emergency
18 authorization of employment has never been issued shall pay
19 a filing fee of \$4 \$5. Such fees shall be paid to the
20 superintendent of public instruction, who shall deposit the
21 fees with the state treasurer in the following manner:

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23 fund created in subsection (2);

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25 (2) There is an account in the state special revenue

1 fund. Money from fees for teacher or specialist certificates
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3 The money in the account is statutorily appropriated, as
4 provided in 17-7-502, to the board of public education for
5 expenses for the certification standards and practices
6 advisory council created in 2-15-1522."

7 **Section 2.** Section 20-4-111, MCA, is amended to read:

8 "20-4-111. Emergency authorization of employment. (1)
9 Any district may request from the superintendent of public
10 instruction an emergency authorization of employment for a
11 person who is not the holder of a valid teacher or
12 specialist certificate as an instructor of pupils when such
13 district cannot secure the services of a person holding a
14 valid certificate. The person shall have previously held a
15 valid teacher or specialist certificate or shall meet the
16 standards of preparation prescribed by the policies of the
17 board of public education for and during such emergency.
18 Such emergency authorization of employment shall indicate:

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20 issued;

21 (b) the person whom the district is authorized to
22 employ;

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24 instruction and the specific subject fields for which
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12 with the state treasurer to the credit of the general fund.

13 (3) Emergency authorization of employment of a person
14 may be revoked for good cause in accordance with the
15 provisions of 20-4-110."

16 NEW SECTION. **Section 3.** Extension of authority. Any
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