

## LEGISLATIVE BILL 540

Approved by the Governor May 31, 1977

Introduced by Appropriations Committee, Warner, 25, Chmn.; Bereuter, 24; Cope, 36; Fowler, 27; Goodrich, 20; Hasebroock, 18; S. Marsh, 29; Rumery, 42; Savage, 10

AN ACT to amend sections 79-1247.07 and 79-1286, Reissue Revised Statutes of Nebraska, 1943, and section 79-1281, Revised Statutes Supplement, 1976, relating to schools; to increase certificate and permit fees; to revise expenditures from the Teachers' Certification Fund; to establish a Professional Practices Commission Fund; to provide for expenditures from the Professional Practices Commission Fund; to provide that fees shall be nonrefundable; to repeal the original sections; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 79-1247.07, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1247.07. (1) All certificates and permits provided for in section 79-1247.05 shall be issued by the commissioner upon application therefor on forms to be prescribed and provided by him, and upon the payment by the applicant of a nonrefundable fee of eight ten dollars, except as provided in subsection (4) of this section, for each application for a certificate or permit. ~~7-of-which-fee-two-dollars-may-not-be-refunded.~~

(2) Each such certificate or permit issued by the commissioner shall indicate the grade levels, subjects, subject fields, or areas of specialization for which the holder was specifically prepared by a standard institution of higher education or authorized by the board to teach, counsel, supervise, and administer. During the term of any certificate or permit issued by the commissioner, additional endorsements may be made thereon for a nonrefundable fee of five dollars, which additional endorsements shall indicate only the grade levels, subjects, subject fields, or areas of specialization for which the holder was specifically prepared by a standard institution of higher education or authorized by the State Board of Education pursuant to section 79-1247.05.

(3) ~~Of each such~~ Any fee received by the department under the provisions of this section; ~~except as provided in subsection (4) of this section, six dollars shall be deposited in the state treasury to the credit of the Teachers' Certification Fund which is hereby created for use by the department in paying the costs of administering the provisions of this section and sections 79-1247.07 to 79-1247.13, except that five dollars and fifty cents of the ten dollar fee, as provided for in subsection (1) of this section, shall be deposited to the credit of the Professional Practices Commission Fund which is hereby created for use by the department to pay for the provisions of sections 79-1280 to 79-1286. If the application for a certificate is denied, the six dollars shall be refunded to the applicant.~~ Any money in the Teachers' Certification Fund or the Professional Practices Commission Fund available for investment shall be invested by the state investment officer pursuant to the provisions of sections 72-1237 to 72-1259.

(4) Since nonpublic schools and their teachers do not receive the benefits of sections 79-1280 to 79-1286, a special certificate or permit restricted to use in nonpublic schools only shall be issued upon payment of a nonrefundable fee of two four dollars and fifty cents. Such certificate or permit shall have plainly stamped or otherwise written on its face the words nonpublic school only. Upon surrender of such a certificate or permit and the payment of eight dollars the fee provided in subsection (1) of this section by the holder thereof, a regular certificate or permit shall be issued and six dollars such fee shall be deposited as directed in subsection (3) of this section.

(5) Upon payment by the applicant of a nonrefundable fee of five dollars, a duplicate certificate or permit to which the holder is entitled may be issued by the commissioner.

Sec. 2. That section 79-1281, Revised Statutes Supplement, 1976, be amended to read as follows:

79-1281. The Governor shall appoint a Professional Practices Commission of twelve members nominated by the teaching profession and existing teachers professional organizations. Members shall be representative of elementary classroom teachers, secondary classroom teachers, school administrators, and higher education. Initial appointments shall be four for three years, four for two years and four for one year. Successors shall be appointed for a term of three years. No member may succeed himself more than once. Members of

the commission shall be reimbursed for their actual and necessary expenses on the same basis and subject to the same conditions as full-time state employees. The commission shall meet on call of the chairman of the commission. Compensation of members of the commission who are public employees shall not be reduced by the agency or body by which they are regularly employed for any absence from service occasioned by attendance upon the business of the commission, its committees or subcommittees. Each school district which employs a member of the commission and which is required to employ a person to replace such member during his attendance at meetings of the commission or any committee or subcommittee thereof, shall be reimbursed from the Teachers'-Certification Professional Practices Commission Fund for the expense it incurs from employing a replacement.

Sec. 3. That section 79-1286, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1286. All costs and expenses incurred by the commission in administering the provisions of sections 79-1247.07 and 79-1280 to 79-1286 shall be paid from the Teachers'-Certification Professional Practices Commission Fund created by section 79-1247.07. The commission shall develop its own budget which shall be included as a program in the general budget of the State Department of Education.

Sec. 4. That original sections 79-1247.07 and 79-1286, Reissue Revised Statutes of Nebraska, 1943, and section 79-1281, Revised Statutes Supplement, 1976, are repealed.

Sec. 5. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.