

MINUTES OF THE MEETING  
EDUCATION COMMITTEE  
MONTANA STATE SENATE

January 27, 1977

The eighth meeting of the Senate Education Committee was called to order by Senator Chet Blaylock, Chairman, on the above date in Room 402 of the State Capitol Building at 11:00 o'clock A. M.

ROLL CALL: All members were present.

CONSIDERATION OF SENATE BILL No. 108: Chairman Blaylock called upon Senator Allen Kolstad to present his testimony on Senate Bill No. 108.

Senator Allen Kolstad stated this Bill addresses itself to a problem of depreciation of school buses used for activities only, such as transportation to games, music or speech meets. At present, when the school district owns their own activity buses, they aren't allowed to set up a depreciation fund to replace a bus; then its a problem when the tax payer is hit with a large expense all at once. He introduced Con Murphy, Superintendent of Public Schools of Chester, Montana.

Mr. Murphy presented his position in writing, a copy of which is attached, and added that this Bill would not cost anyone any more or any less; it deals with setting up a depreciation reserve fund for the purpose of replacement of buses used for school activities. At present the districts are allowed a reserve fund for buses on a regular route and are allowed to depreciate them out, but there are no provisions allowing for reserve accounts for activities buses.

The Chairman called for any further proponents.

Mr. Robert Stockton, Office of the Superintendent of Public Instruction, stated the department was neutral but agreed a problem did exist. He stated many schools use over-the-road type coaches for this transportation and suggested the Bill should be amended to include these coaches.

The Chair called for opponents to the Bill; there being none, questions were called for.

Senator Warden questioned the age and state of repair of the buses now being used for this purpose, and Senator McCallum questioned the type and mileage of the buses used for activity transportation. Mr. Murphy explained that Chester School had a school bus about 4 years old and a Greyhound coach; that school buses are normally depreciated out at 5 years; that these buses were in fairly good repair and ran about 30,000 miles per year on activity trips.

Senator McCallum asked if the insurance rate would be affected, to which Mr. Stockton stated he didn't think there would be any difference.

A question was raised by Senator Murray regarding safety inspections; and Mr. Murphy answered that all buses, including new ones, are required to pass the State Highway inspection.

Senator Blaylock asked the age, cost and source of funds of the over-the-road coach. Mr. Murphy stated it was about 20 years old at present and the district paid about \$16,000.00, but new it would be about \$95,000.00 and explained they used funds from the regular school bus route depreciation reserve which was accumulated prior to the time they changed to contracting for regular school buses. He further explained that these funds are not available now as the school is using contracted school buses, and the law does not allow a reserve fund for depreciation of activity buses.

Mr. Murphy went on to explain in answer to a question by Senator Blaylock that he had looked into contracting for activity buses, but that 3 years ago, school buses were about \$0.35 per mile to contract and now are up to \$0.78; that he felt the school could run the activity buses cheaper as these were all highway miles and eliminated the need for full time mechanics and repair personnel.

Senator Murray commented that the taxpayers of the district would merely be making installment payments rather than one large payment all at once, and Mr. Murphy agreed.

There was discussion regarding the escalation of expenditure by school districts for activity transportation, after which the Chairman asked for any further questions. There being none, the hearing on Senate Bill No. 108 was closed.

CONSIDERATION OF SENATE BILL No. 17, referred back to Committee: Senator Blaylock stated he had pulled this Bill off the Board on third reading because of problems relating to the community colleges, and explained the amendments asked for on page 25 of the Bill.

A motion was made by Senator Blaylock to amend Senate Bill No. 17, which was seconded and carried by unanimous vote, as follows:

1. Amend page 25, section 14, line 9. Following: "elementary," Insert: ", "; Following: "elementary," Strike: "and"; Following: "~~and~~" Insert: "and"
2. Amend page 25, section 14, line 10. Following: "~~community-college~~" Insert: "community college"
3. Amend page 25, section 15, line 14. Following: line 13 Insert: "Section 15. Section 75-6702, R.C.M. 1947, is amended to read as follows:

"75-6702. General supervision of school budgeting system. The superintendent of public instruction ~~shall~~ ~~have~~ has general supervision over the school budgeting procedure and provisions, as they relate to elementary and high school districts, prescribed by law and shall have ~~the-duty-to~~ establish such ~~regulations~~ rules as are necessary to secure compliance with the school budgeting laws."

Renumber: All subsequent sections

4. Amend page 25, section 15, line 19. Following: "~~or~~ any" Insert: "or any"
5. Amend page 25, section 15, line 20. Following: "~~community-college-district~~" Insert: "community college district"
6. Amend page 25, section 15, line 24. Following: "provisions" Insert: ", as they relate to elementary and high school districts,"

The Chairman called for questions; there were none.

Senator Smith moved to pass Senate Bill No. 17 as amended; the motion was seconded and carried unanimously.

CONSIDERATION OF SENATE BILL No. 57: Discussion was called for by the Chairman.

Senator McCallum commented this Bill would remove the county commissioners from having the power to consolidate county superintendent of schools offices, and Senator Smith agreed.

Senator Dunkle mentioned that House Bill 122 keeps coming up in relation to various bills now in various committees that, if passed, would make useless these other bills and this Bill appeared of the same kind, and he felt it was premature.

Discussion of consolidation of county offices and whether county commissioners had authority to cross county lines for consolidation purposes ensued.

Senator Smith moved that Senate Bill No. 57 do not pass; this motion was seconded and carried, with Senator Fasbender voting "no".

CONSIDERATION OF SENATE BILL No. 88: The Chairman announced that a fiscal note had not yet been received for this Bill.

Senator Dunkle moved that Senate Bill No. 88 be set aside until a fiscal note was provided; motion was seconded and carried unanimously.

CONSIDERATION OF SENATE BILL No. 68: Discussion was called for by the Chairman.

Senator McCallum commented that it was brought up that plumbers and other professional people are required to take examinations for their licenses and no such procedure for teachers was in this Bill, just a board set up to grant licenses, to which Senator Blaylock stated the board of licensure would recommend teacher education standards and programs to the accrediting schools, and the State Superintendent would see that these were complied with.

Senator Thomas asked if there was an objection to change in the board membership as he felt it wrong that it was dominated by teachers, and Senator Blaylock replied he did object.

Senator Smith asked if there was a separate charge for each subject a particular instructor might teach; Senator Blaylock answered that there was just one fee for a teacher's certificate that would be set from \$5.00 to \$10.00.

Senator Dunkle expressed a concern regarding only one member on the proposed board if school administrator certification is within the discretion of this board, questioning removing this portion pertaining to administrator certification from the Bill. Senator Blaylock commented that at present only administrators handle these functions but removing this section could be considered.

Provisions contained in section 18 of the proposed Bill were discussed with Senator Mathers commenting he felt this board should not be over the already established boards, but rather an advisory board. Senator Blaylock explaining further the portion pertaining to the board establishing education program standards and school accreditation.

The Chairman announced the Committee could vote on the question immediately or table the matter until all members could be present as some were excused to attend other hearings; upon agreement, the Bill was set aside for further discussion.

CONSIDERATION OF SENATE BILL No. 108: Discussion was called for by the Chairman.

Reference was made to section 1, line 14, with discussion to change the line deleting "school bus" to just "bus".

Senator Dunkle commented that if these buses are going to be used for school activities and funds used in this manner, it should probably be made legal.

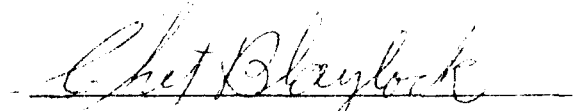
Senator Boylan made a motion to amend Senate Bill No. 108, which was seconded and carried by unanimous vote, as follows:

1. Amend page 1, section 1, line 14.  
Following: "a"  
Strike: "school"
2. Amend page 1, section 1, line 24.  
Following: "a"  
Strike: "school"

Senator Dunkle moved that this Bill do pass as amended; the motion was seconded and carried by unanimous vote.

ADJOURN:

There being no further business, the meeting adjourned at 12:40 P. M.

  
Chet Blaylock, Chairman

ROLL CALL

EDUCATION COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date Jan. 27, 1977

NAME	PRESENT	ABSENT	EXCUSED
Senator Chet Blaylock, Chairman	✓		
Senator Ed Smith, Vice Chairman	✓		
Senator George McCallum	✓		
Senator Bill Mathers	✓		
Senator William E. Murray	✓		
Senator Frank Dunkle	✓		
Senator Paul Boylan	✓		
Senator Larry Fasbender	✓		
Senator Bill Thomas	✓		
Senator Margaret Warden	✓		

DATE January 27, 1977COMMITTEE ON EDUCATIONSENATE BILL NO. 108

## VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppose
Mr. Alfred K. Thompson	Farmers Union		
Offord M. Thompson	Farmers Union		
Mr. Thompson	Farmers Union		
Howard E. Hall	Farmers Union		
Edward B. Hall	Farmers Union		
Alvinia Trevick	Farmers Union	<input checked="" type="checkbox"/>	
Mr. Murphy	Cheshire Public Schools		
Rich. Smith	OSPT		<input checked="" type="checkbox"/>
Dona Hearn			
Margaret Hearn			
Margaret Smith			
Stanley R. Smith			
James Brock	Farmers Union		
Mr. Mrs. Alan Salda	Farmers Union		
Dick Negus			
Raymond	MEA		
Thomas	NPEA		

NAME Senator Helen Kolstad

Bill No. SB 108

ADDRESS \_\_\_\_\_

Date 1-27-77

WHOM DO YOU REPRESENT? \_\_\_\_\_

SUPPORT ☒ **OPPOSE** ☐ **AMEND** ☐

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:



NAME Joe Murphy Bill No. 2308

ADDRESS Albany Date 1/27/71

WHOM DO YOU REPRESENT? Albany Public Schools

SUPPORT ☒ OPPOSE ☐ AMEND ☐

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

# Chester Public Schools

C.E. Murphy  
Superintendent  
Rod Holden  
Clerk Business Manager

District No. 33, Liberty County  
Chester, Montana 59522  
phone 406 - 759-5108

Robert Chvilicek  
High School Principal  
Richard B. McCreo  
Elementary Principal

Subject: SB 108 - Changes in the Bus Depreciation Reserve Fund to include activity trips (75-7024)

From: C.E."Con" Murphy, Superintendent, Chester Public Schools, Chester, Montana

## Rationale:

Under 75-7001 RCM -- Transportation is defined as "a district's conveyance of a pupil by a school bus between his legal residence and the school designated by the trustees for his attendance."

Under 75-7024 RCM -- The trustees of any district owning a school bus or two-way radio used for transportation purposes may establish a bus depreciation reserve fund for the purpose of replacing such bus or radio.

The problem that our school district and other districts in the state have, is that we do not have school owned buses currently being used on bus routes, but are only used for activity and school related trips such as field trips, athletics, music, speech and other educational activity transportation for students.

Because of the interpretation of transportation being only from a pupil's residence to and from school, we are unable to depreciate a bus out over a 5 year period of time and replace the bus through the bus depreciation reserve fund. This means that we must place a levy for the total cost of the bus on the taxpayers all in one year, rather than having the cost prorated over a 5 year period of time.

School districts, in the state, who use the buses both on the routes and for activity trips are able to use the bus depreciation reserve fund, since they have fulfilled the present definition of transportation. The bus depreciation reserve fund is financed by local district funds and involves no state monies, hence the utilization of the bus depreciation reserve fund is a decision of the local school district board of trustees.

We do not feel the present law is equitable in the restrictions it has placed on our school district and encourage the changes as proposed in Senate Bill 108.

NAME Bob Stoltz Bill No. B-108

ADDRESS OSPT Date \_\_\_\_\_

WHOM DO YOU REPRESENT? OSPT

SUPPORT \_\_\_\_\_ OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

# STANDING COMMITTEE REPORT

January 27, 1977

MR. President

We, your committee on EDUCATION

having had under consideration SENATE Bill No. 17

Respectfully report as follows: That SENATE Bill No. 17

Third Reading, be amended as follows:

1. Amend page 25, section 14, line 9.

Following: "elementary"

Insert: "and"

Following: "elementary"

Strike: "and"

Following: "and"

Insert: "and"

2. Amend page 25, section 14, line 10.

Following: "community-college"

Insert: "community college"

3. Amend page 25, section 15, line 14.

Following: line 12

Insert: Section 15. Section 75-6702, R.C.M. 1947, is amended to read as follows:

DO PASS

34

January 27, 1977

"75-6702. General supervision of school budgeting system. The superintendent of public instruction shall have ~~has~~ general supervision over the school budgeting procedure and provisions, as they relate to elementary and high school districts, prescribed by law and shall have ~~the duty to establish such regulations rules~~ as are necessary to secure compliance with the school budgeting laws."

Renumber: All subsequent sections

4. Amend page 25, section 15, line 19.

Following: "~~or-any~~"

Insert: "or any"

5. Amend page 25, section 15, line 20.

Following: "~~community-college-district~~"

Insert: "community college district"

6. Amend page 25, section 15, line 24.

Following: "provisions"

Insert: ", as they relate to elementary and high school districts,"

AND AS SO AMENDED, DO PASS

*P.A.*

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Chairman

SENATE COMMITTEE EDUCATION

Date January 27, 1977 Senate Bill No. 17 Time

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman	✓	
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle	✓	
Senator Paul Boylan	✓	
Senator Larry Fasbender	✓	
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind  
Secretary

Chet Blaylock  
Chairman

Motion: Senator Blaylock moved to amend Senate Bill 17 on page 25 to reinsert reference to community colleges and add a new Section 15; motion was seconded and carried. Senator Ed Smith moved to pass Senate Bill No. 17 as amended; this was seconded and carried by unanimous vote.

(include enough information on motion--put with yellow copy of committee report.)

# STANDING COMMITTEE REPORT

January 27 1977

MR. President

We, your committee on EDUCATION

having had under consideration SENATE Bill No. 57

Respectfully report as follows: That SENATE Bill No. 57

Introduced Bill.

DO PASS

DO NOT PASS

SENATE COMMITTEE EDUCATION

Date January 27, 1977 Senate Bill No. 57 Time

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman	✓	
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle	✓	
Senator Paul Boylan	✓	
Senator Larry Fasbender		✓
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind  
Secretary

Chet Blaylock  
Chairman

Motion: Senator Ed Smith moved that Senate Bill No. 57  
do not pass; motion was seconded and carried;  
one opposing vote was recorded.

(include enough information on motion--put with yellow copy of committee report.)



# STANDING COMMITTEE REPORT

January 27 1977

MR. President

We, your committee on **EDUCATION**

having had under consideration **SENATE** Bill No. **109**

Respectfully report as follows: That **SENATE** Bill No. **109**

Introduced Bill be amended as follows:

1. Amend page 1, section 1, line 14.

Following: "a"  
Strike: "school"

2. Amend page 1, section 1, line 24.

Following: "a"  
Strike: "school"

**DO PASS** AND AS SO AMENDED, DO PASS



SENATE COMMITTEE EDUCATION

Date January 27, 1977 Senate Bill No. 108 Time

NAME	YES	NO
Senator Chet Blaylock, Chairman	✓	
Senator Ed Smith, Vice Chairman	✓	
Senator George McCallum	✓	
Senator Bill Mathers	✓	
Senator William E. Murray	✓	
Senator Frank Dunkle	✓	
Senator Paul Boylan	✓	
Senator Larry Fasbender	✓	
Senator Bill Thomas	✓	
Senator Margaret Warden	✓	

Jennie Lind  
Secretary

Chet Blaylock  
Chairman

Motion: Senator Paul Boylan moved to amend Senate Bill 108 as follows:

1. Amend page 1, section 1, line 14.  
Following: "a"  
Strike: "school"
2. Amend page 1, section 1, line 14. Following: "a"  
Strike: "school". Motion carried. Senator Frank Dunkle moved for a do pass as amended; motion seconded and unanimously carried.  
(include enough information on motion--put with yellow copy of committee report.)