

MINUTES OF THE MEETING
EDUCATION AND CULTURAL RESOURCES COMMITTEE
MONTANA STATE
HOUSE OF REPRESENTATIVES

February 8, 1985

The meeting of the House Education and Cultural Resources Committee was called to order by Chairman Dan Harrington at 3:30 p.m. on February 8, 1985 in Room 312-3 of the State Capitol.

ROLL CALL: All members were present.

CONSIDERATION OF H.B. 324: Representative Edward Grady, District #47, spoke as sponsor of H.B. 324. He said the three mile limit for busing students has been in effect since 1935 and there are definite problems occurring. The bill provides that the trustees of the school district approve, on an individual basis, transportation for students living within the three mile limit if the pupils are exposed to undue hazard. It provides for a process of appeal beyond the board. In regards to the fiscal note, Rep. Grady said he realized that the costs look high, but it is difficult to project figures and the concerns should be for the safety of the children. He offered for consideration the possibility of an amendment which would direct the bill at students in grades Kindergarten through eighth.

PROPONENTS: Mr. Wayne Buchanan with the Montana School Board's Association spoke in favor of the bill saying it would be of benefit if it were not only passed, but funded. He offered for consideration an amendment which would allow the district to charge a fee for the transportation. He felt that parents or groups can go before the school boards now to get transportation problems worked out. There was a concern with the lack of explicitness of the term "undue hazard".

Representative John Patterson, District #97, stood before the Committee and read a letter from the Superintendent at Shepherd Public Schools in relation to an on-going litigation. (See Exhibit 1) Rep. Patterson said state highways and railroad tracks are a definite hazard and the districts are already busing students in hazardous situations. This bill would give some state funding to what is already being done as the districts are going one step further than the state at present.

Richard Trerise from the Montana Association of County School Superintendents said the intent of the bill cannot be argued as it protects the safety of children. There were concerns of whether the conditions should be determined on an individual or area basis, and of the process of appeal. He questioned the conditions of approval as the bill did not cite the dangers.

Jim Koke, Superintendent of Schools in East Helena rose and spoke neither for nor against the bill. One concern was the financial impact it would have of the districts. In his district of 447 students, it would require two additional buses and it would double his present transportation budget of \$65,000. He felt the bill addressed a serious problem and supports the concept if the costs could be recouped.

Rod Johnson, Transportation Supervisor with the Great Falls School District, spoke as not being in complete favor of the bill as it is written. (See Exhibits 2 & 2A)

Mary Beth Waybles from East Helena spoke as PTA member and concerned parent to point out that the bill gives the school board the discretion to chose who should be bussed and does require a bus rather than a four wheel drive vehicle. She spoke in favor of the proposed amendment as grades K-8 or K-6 would be the ones most likely at risk.

Ms. Meskimen from East Helena rose in favor of the bill as a mother who drives kids to school and relayed that a child was hit by a car as there is no other place to walk but on the roads. She said that East Helena has a real problem.

Steve Granzo spoke as a concerned citizen from East Helena and said that he avoids driving at the times when school children are walking on the sides of the roads. He relayed that another school is being built in East Helena which will increase the hazard. He spoke in favor of transporting on a fee basis.

Gloria Malstrom spoke as a licensed day care provider. She passed out Exhibit 3 which is a signed petition gathered from the people of the Helena Valley.

Jesse Long with the School Administrators of Montana said that there is a great concern for children walking in these hazardous areas and it should be addressed, but funding is a major problem.

OPPONENTS: John Deeney with the Billings Public Schools submitted written testimony (See Exhibit 4).

Richard Nelson, Representative from District #6 opposed the bill as he felt it detracted from local option and control.

There being no further proponents and opponents, Chairman Harrington called for discussion from the Committee. Rep. Peck pointed out that no options were given as to approval of a pupil and may be an obligatory bill. It was also brought out by Rep. Eudaily that the bill, if passed, would impose financial hardships with the purchase of additional buses or busing contracts. The question of whether the board of trustees would be liable if they did not provide transportation and a student were injured was brought out by Rep. Sands.

EDUCATION AND CULTURAL RESOURCES COMMITTEE

February 8, 1985

Page 3

Rep. Grady closed the hearing on this bill saying that the issue has not been addressed for a long time and there is inequality among the taxpayers. Amendments could be added for addressing grades K-6 and possibly a fee but he wanted to avoid a double taxing situation. The bill could be energy saving as it utilizes one bus rather than several automobiles as are being used now. There also is a very real threat of liability as mentioned. Rep. Grady said he did not want to affect the passage of the school Foundation Program funding, but asked support of Committee members for this bill.

CONSIDERATION OF H.B. 330: Representative Hal Harper, District #44, introduced this bill which requests that transportation controversies be heard before the County Superintendent rather than the County Transportation Committee. He relayed that the bill would provide for timely decisions on transportation matters as the committees may have to meet three times per issue and it is difficult to coordinate the gathering of perhaps five to eight people.

PROPONENTS: Richard Trerise with the Montana Association of County School Superintendents spoke of the formality of the committee meetings which require the presence of a court reporter, attorney, etc. The committee consists of mostly administrators and it is a costly item to free them from other duties for meetings. It is also difficult to obtain an agreeable meeting date with so many busy schedules.

Rick Bartos with the Office of Public Instruction spoke for the State Superintendent saying that the bill would insure a due process and fair hearing by the county superintendent.

John Deeney from the Billings Public Schools spoke in favor of the bill.

OPPONENTS: Wayne Buchanan with the Montana School Board's Association said he wasn't certain how to stand for this bill. It presents a problem as the superintendent is regulated to sit as chairman of the County Transportation Committee and passed out Exhibit 5, the MCA 20-10-131 requiring this. He felt the Transportation Committee represented various lay people and the bill was not needed.

Discussion ensued regarding the number of members of the transportation committee and the problems in getting them together. Rep. Harper closed the hearing saying that any decision made by the superintendent regarding a transportation problem could be appealed to the Office of Public Instruction as delineated in the bill.

CONSIDERATION OF H.B. 432: Representative Bob Gilbert from District #22 said he submitted this bill at the request of the Office of Public Instruction and it entitles the Superintendent

of Public Instruction to pay special education cooperatives directly from the State Special Revenue Fund.

PROPOSERS: Bob Stockton from the Office of Public Instruction spoke in support of the bill as it simplifies a difficult process.

Jesse Long with the School Administrators of Montana said the bill would reduce paperwork.

There being no opponents and no significant discussion, the Committee took ACTION ON H.B. 432: Rep. Williams made a motion of DO PASS to H.B. 432 and a voice vote showed it passed un-animously.

CONSIDERATION OF H.B. 416: Representative Vernon Keller, District #83, spoke on this bill at the request of the Office of Public Instruction, for whom it was sponsored. It calls for third class districts that do not have high schools to send a copy of their audits to the Superintendent of Public Instruction. At present audits are sent to them by the first and second class districts.

PROPOSERS: Bob Stockton, with the Office of Public Instruction spoke as the responsible agency for the accounting procedures and said it was an oversight that it was not in the statutes.

OPPOSERS: Ernie Jean from Opheim School District #9 opposed the bill as he felt it was not needed.

Rep. Keller closed the hearing on H.B. 416.

ACTION ON H.B. 416: Rep. Williams motioned that H.B. 416 DO PASS. The motion carried by unanimous voice vote.

ACTION ON H.B. 417: This bill was returned to the committee for further consideration. Representative Peck moved that the bill be TABLED, Rep. Hammond seconded the motion and it passed unanimously.

ACTION ON H.B. 397 & 399: Rep. Thomas moved to reconsider the action of creating a sub-committee to study these bills. The motion was seconded by Rep. Hammond. Voice vote indicated all in favor with the exceptions of Representatives Sands and Williams.

Rep. Kitselman proposed a substitute motion to TABLE H.B.'s 397 & 399, which passed with committee approval by voice, showing Representatives Hannah, Sands, and Mercer opposed to the substitute motion.

ACTION ON S.B. 18: Rep. Kitselman moved that S.B. 18 BE CONCURRED IN to which Rep. Brandewie offered a second. A voice vote showed that it passed with Rep. Hannah opposed.

EDUCATION AND CULTURAL RESOURCES COMMITTEE

February 8, 1985


Page 5

ACTION ON H.B. 305: Rep. Schye offered a motion of do pass to H.B. 305. Rep. Mercer substituted the motion with a DO NOT PASS which was seconded by Rep. Hannah and the motion carried with a voice vote and Rep. Schye dissenting.

ACTION ON H.B. 324: Rep. Kitselman moved that H.B. 324 be tabled. Rep. Hammond substituted the motion with a DO NOT PASS, to which Rep. Peck offered a second. The motion carried by voice with Rep. Thomas and Brandewie voting against.

The sub-committee appointed to study H.B. 79 and 211 will meet after the regular committee meeting on Monday, February 11, 1985, as relayed by Rep. Ray Peck, Chairman of the sub-committee.

There being no further business, the meeting adjourned at 5:10 p.m.


DAN HARRINGTON, Chairman

crf

DAILY ROLL CALL

EDUCATION COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 2-8-85

NAME	PRESENT	ABSENT	EXCUSED
Dan Harrington	✓		
Ralph Eudaily	✓		
Ray Brandewie	✓		
William Glaser	✓		
Joe Hammond	✓		
Thom Hannah	✓		
Raymond Harbin	✓		
Roland Kennerly	✓		
Les Kitselman	✓		
John Mercer	✓		
John Montayne	✓		
Richard Nelson	✓		
Jerry Nisbet	✓		
Ray Peck	✓		
Jack Sands	✓		
Ted Schye	✓		
Fred Thomas	✓		
Mel Williams	✓		

STANDING COMMITTEE REPORT

FEBRUARY 2

1905

MR. SPEAKER

We, your committee on EDUCATION & CULTURAL RESOURCES

having had under consideration SENATE Bill No. 18

THIRD reading copy (BLUE)
color

**PROVIDE TEACHER WITH NOTICE AND HEARING PRIOR TO DISMISSAL UNDER
CONTRACT**

Respectfully report as follows: That SENATE Bill No. 18

BE CONCURRED IN

~~BE CONCURRED IN~~

~~DO PASS~~

STANDING COMMITTEE REPORT

.....FEBRUARY 8..... 19 35.....

MR. SPEAKER.....

We, your committee onEDUCATION AND CULTURAL RESOURCES.....

having had under considerationHOUSE..... Bill No.305.....

FIRST reading copy (WHITE)
color

**TO REIMBURSE A PARENT FOR 2 TRIPS A DAY TO BRING PUPILS TO
SCHOOL OR A BUS**

Respectfully report as follows: ThatHOUSE..... Bill No.305.....

DO NOT PASS

DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 9

19 35

MR. SPEAKER

We, your committee on EDUCATION AND CULTURAL RESOURCES

having had under consideration HOUSE Bill No. 416

FIRST reading copy (WHITE)
color

**SUPERINTENDENT OF PUBLIC INSTR. TO RECEIVE COPY OF SCHOOL DISTRICTS
AUDITS**

Respectfully report as follows: That HOUSE Bill No. 416

DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 9

19 35

MR. SPEAKER

We, your committee on EDUCATION AND CULTURAL RESOURCES

having had under consideration HOUSE Bill No. 432

FIRST reading copy (WHITE)
color

ALLOW OPI TO PAY SPECIAL EDUCATION COOPS FROM EQUALIZATION FUNDS

Respectfully report as follows: That HOUSE Bill No. 432

DQ PASS

Cross-References

Conflicts of interest, letting contracts, calling for bids, 20-9-204.

Trustees to execute all contracts, 20-9-213.

20-10-125. Bid letting for contract bus — payments under transportation contract. (1) Before any contract with a private party for the provision of school bus transportation is awarded, the trustees shall:

(a) secure bids by publishing during a period of 21 days at least three calls for bids in a newspaper of the county that will give notice to the largest number of people of the district or in the official newspaper of the county; the trustees shall let the contract to the lowest responsible bidder, and the trustees shall have the right to reject any and all bids; or

(b) negotiate a new contract with the current school bus contractor, provided the negotiated contract costs do not exceed by more than 12% per year the basic costs of the previous year's contract. Such a negotiated contract can be entered into only at a public meeting of the trustees at which meeting the patrons of the district may appear and be heard. Notice of the meeting must have been published in a newspaper of wide circulation within the district at least 1 week prior to the meeting.

(2) The provisions of this section for awarding a contract for school bus transportation shall be subject to the provisions of 20-9-204.

(3) The trustees shall not expend any moneys of the district for school bus transportation by a private party or for individual transportation unless:

(a) a contract for such transportation services has been completed; and
(b) such contracted services for school bus transportation by a private party have been actually furnished except that the failure to perform may be excused by the trustees for reasons not under the control of the contractor; or

(c) such contracted services for individual transportation have been actually furnished as confirmed by the actual attendance of school by the eligible transportees and recorded on the school attendance records or, in the case of a supervised correspondence course or supervised home study, as confirmed by the trustees; except that the contracted services furnished one way on any school day shall be reimbursed at one-half the daily contract amount.

History: En. 75-7013 by Sec. 290, Ch. 5, L. 1971; amd. Sec. 1, Ch. 362, L. 1973; R.C.M. 1947, 75-7013; amd. Sec. 1, Ch. 349, L. 1979; amd. Sec. 1, Ch. 97, L. 1981.

Compiler's Comments

1981 Amendment: In (1)(b), increased the maximum percentage by which negotiated contract costs may exceed the basic costs of the previous year's contract from 8% to 12%; at the end of the first sentence of (1)(b), deleted "and provided the duration of the negotiated contract is no longer than the duration of the previous contract".

Cross-References

Open meetings, Title 2, ch. 3, part 2.
Conflict of interest, 20-1-205.
Meetings and quorum, 20-3-322.
Supervised correspondence or home study — exception to compulsory enrollment, 20-5-102.
Supervised correspondence study, 20-7-116.
Trustees to execute all contracts, 20-9-213.

20-10-126 through 20-10-130 reserved.

20-10-131. County transportation committee membership. (1) To coordinate the orderly provision of a uniform transportation program within a county, under the transportation law, board of public education transportation policies, and the transportation rules of the superintendent of

public instruction, there shall be a county transportation committee created in each county of the state of Montana. The membership of the county transportation committee shall be:

(a) the county superintendent;

(b) the chairman of the board of county commissioners or a member of such board designated by the chairman;

(c) a trustee or district employee designated by the trustees of each high school district of the county;

(d) one representative from each high school district of the county who is a trustee of an elementary district encompassed within the high school district and who has been selected at a meeting of the trustees of such elementary districts; and

(e) a representative of a district of another county when the transportation services of such a district are affected by the actions of the transportation committee, but such a representative shall have a voice only in matters affecting transportation within such district or by such district.

(2) The county transportation committee shall have at least five members, and if this minimum membership cannot be realized in the manner prescribed in subsections (1)(a) through (1)(d) above, the county superintendent shall appoint a sufficient number of members to satisfy the minimum membership requirement.

(3) The county superintendent shall be the chairman of the county transportation committee, and a quorum shall consist of a majority of the membership. The county transportation committee shall meet on the call of the chairman or any three members of such committee.

History: En. 75-7014 by Sec. 291, Ch. 5, L. 1971; R.C.M. 1947, 75-7014.

20-10-132. Duties of the county transportation committee. (1) It shall be the duty of the county transportation committee to:

(a) establish the transportation service areas within the county, without regard to district boundary lines, which will define the geographic area of responsibility for school bus transportation for each district that operates a school bus transportation program;

(b) approve, disapprove, or adjust the school bus routing submitted by the trustees of each district in conformity with the transportation service areas established in subsection (1)(a);

(c) approve, disapprove, or adjust applications, approved by the trustees, for increased reimbursements for individual transportation due to isolated conditions of the eligible transportee's residence; and

(d) conduct hearings to establish the facts of transportation controversies which have been appealed from the decision of the trustees and act on such appeals on the basis of the facts established at such hearing.

(2) After a fact-finding hearing and decision on a transportation controversy, the trustees or a patron of the district may appeal such decision to the superintendent of public instruction who shall render a decision on the basis of the facts established at the county transportation committee hearing.

(3) The trustees of any district which objects to a particular school bus route or transportation service area to which it has been assigned may request a transfer to another school bus route or transportation service area.

EXHIBIT 4
H.B. 324
2-8-85

BILLINGS PUBLIC SCHOOLS
BILLINGS, MONTANA, 59102
FEBRUARY 8, 1985

THE HONORABLE
HOUSE OF REPRESENTATIVES
HOUSE EDUCATION COMMITTEE
CAPITOL STATION
HELENA, MONTANA 59620

DEAR REPRESENTATIVE;

THE BILLINGS PUBLIC SCHOOLS OPPOSE HOUSE BILL 324 CONCERNING
THE TRANSPORTATION OF STUDENTS LIVING LESS THAN 3 MILES FROM THE
NEAREST ELEMENARTY SCHOOL.

OPPOSITION TO THIS BILL IS BASED THE FOLLOWING:

1. DESCRETIONARY BUSSING FOR HARZARDIOUS AREAS HAS BEEN A CONCERN OF OUR SCHOOL DISTRICT FOR MANY YEARS AND OUR DISTRICT HAS AND IS CURRENTLY ADDRESSING THE ISSUE. PRESENTLY, OUR DISTRICT OFFERS BUS SERVICE ON A FEE BASIS TO ALL STUDENTS ATTENDING BENCH AND BITTERROOT K-6 UNITS AS WELL AS A FEW OTHER SPECIAL AREAS.
2. THE DESIGNATION OF A HAZARDOUS ROUTE TO AND FROM SCHOOL IN AN URBAN AREA IS NOT A SIMPLE ISSUE DUE TO THE VARIOUS ROUTES AVAILABLE TO STUDENTS.
3. WE ARE NOT EQUATING DOLLARS WITH THE SAFTEY OF STUDENTS, BUT FEEL THAT OUR DISTICT IS HANDLING THE ISSUE ON A REASONALBE BASIS. IF HB 324 WAS PASSED IN THE FORM PRESENTLY AVAILABLE TO US, THE RESULTS WOULD BE:
 - A. ADD A "MINIMUM" OF 20 BUSES AT A COST OF \$16234. EACH FOR A TOTAL OF \$324,680. TO SERVE APPROXIMATELY 1,460 MORE STUDENTS IN GRADES K-6. A SMALL NUMBER OF THESE STUDENTS WOULD BE RIDING EXISTING BUSES.
 - B. UNDER CURRENT STATE REIMBUSEMENT SCHEDULES OUT DISTRICT WOULD NOT RECEIVE ANY FUNDING BECAUSE OF THE SCHEDULE REDUCING THE TOTAL MILES BY 2 TIMES THE 3 MILE ZONE. IF THE STATE SCHEDULE WAS CHANGED TO NOT DEDUCT THE 6 MILES AND ALLOW THE \$1.22 PER SCHEDULE MILE, OUR DISTRICT WOULD RECEIVE ABOUT 66% OF THE SCHEDULED AMOUNT OF \$26.644. IN ORDER FOR THE DISTRICT TO RECOVER FULL COSTS, THE \$1.22 RATE WOULD HAVE TO BE INCREASED TO ABOUT \$12.49 PER MILE.
4. THE ADDITION OF 20 MORE BUSES IN THE HEAVY TRAFFIC PERIOD WILL INCREASE THE HAZARDS TO PEDESTRIANS AND VEHICLES.

FOR THE ABOVE STATED REASONS, THE BILLINGS PUBLIC SCHOOL
DISTRICTS OPPOSE HB 324.

RESPECTFULLY SUBMITTED

A handwritten signature in cursive script, appearing to read "John B. Deeney".

JOHN B. DEENEY
ASSISTANT SUPERINTENDENT FOR BUSINESS
BILLINGS PUBLIC SCHOOLS

EXHIBIT 3
H.B. 324
2-8-85

Gloria Malstrom
7420 Green Meadow Dr.
Helena, MT 59601
February 8, 1985

Dear Rep. Grady and
Members of the Education Committee

Ref: HB 324

I would like to point out a few facts regarding the three-mile bus situation at the Jim Darcy School located in the Helena Valley.

At present, there are approximately 360 students enrolled at Jim Darcy. Of those, 120 live beyond three miles of the school and ride one of two buses which are paid for by School District #3. The remaining 240 children live within three miles of the school and either ride a private bus (each parent paying \$99 per child per year) or are carpooled to school. There are only a handful of children who live within one mile of the school and walk to school.

Since a bus will hold only about 60 children, the private bus is making two runs each morning and evening and (because of time) is only accommodating approximately 80 children. Therefore, there are approximately 160 children being driven to school in private cars each day. Can you imagine the traffic problem at the school being created by this situation and the danger this poses to the children.

Because Jim Darcy is located in a fairly new and rapidly growing area, and because our school district depends on a tax base of only \$5 million, and because 30% of our district's budget is already being spent on transportation to carry our 7th and 8th grade children uptown to C.R. Anderson Junior High, our Board of Trustees feels they cannot justify any more money to be spent on transportation. They are, therefore, unwilling to do anything to alleviate this problem.

The enclosed signatures were gathered from the Helena Valley where the lack of busing for children has created a real problem. We appeal to you to vote in favor of HB 324 which would provide the opportunity for school districts to seek funding to safely transport children who live in hazardous areas within three miles of their school.

Sincerely,

Gloria G. Malstrom
Gloria Malstrom

Enc.

We, the undersigned, are interested in seeing a change made in the Three-Mile Bus Limit Law to make bus servicing in our area more fair and reasonable. We will live within three miles of the Jim Darcy School and either have children riding the private bus paying \$11 per month per student or provide a ride in a private car for our children.

NAME	ADDRESS	PHONE
John J. Cook	1040 Erickson	458-9274
Kathy L. Cunningham	1145 Erickson	458-5257
Anne M. Young	1130 Terrence Rd.	458-9200
Marcia Lathrop	1616 Lincoln Rd E.	458-5862
Tommy L. Lathrop	1616 Lincoln Rd E.	" "
Michael Lathrop	985 Erickson Rd	458-5819
Theresa Lathrop	1077 Erickson Rd	458-5819
Donald F. Lathrop	1120 Erickson Rd	458-9666

We, the undersigned, are interested in seeing a change made in the Three-Mile Bus Limit Law to make bus servicing in our area more fair and reasonable. We all live within three miles of the ^{Rossiter} ~~Highway~~ School and either have children riding the private bus paying \$11 per month per student or provide a ride in a private car for our children.

NAME

ADDRESS

PHONE

Suzanne Giletti	5766 Shannon Ct	458-6104
Dennis Collett	5766 Shannon Ct	458 6104
Col Anne Canney	5625 Empire Ct.	458-5039✓
Donna Sedlak	5605 Empire Ct.	458-5654
Tim Hunsicker	5725 Shannon Ct	458-7730
Adrienne Brown	5675 Quartz Ct	458-6396
Carol Phelan	5665 Quartz Ct.	458-6409
Marla Cowan	5645 Quartz Ct	458-9831
Homer Christopher	5605 Quartz Ct	458-5087
Kathy Paul	5626 Quartz Ct	458-5757
Trudy Howe	5725 Shannon Ct.	458-5279
Harvey H. Lynde	5706 Shannon Ct	458-9067
Jean R French	5676 Empire Ct	458-5073
Jacquie Lipson	5666 Empire Ct	458-6155
Tom Kula	5626 Empire Court	458-5027
Leona Zaharka	5606 Empire Court	458-5244
R. William Zaharka	5606 Empire Ct	458-5244
Timothy Zaharka	5606 Empire Ct	458-5096

We, the undersigned, are interested in seeing a change made in the Three-Mile Bus Limit Law to make bus servicing in our area more fair and reasonable. We all live within three miles of the Jim Darcy School and either have children riding the private bus paying \$11 per month per student or provide a ride in a private car for our children.

NAME	ADDRESS	PHONE
Ever Kieping	1290 Linda Dr	458-9632
Lois Leonard	1290 Linda Dr.	458-9632
Tom Joy Duper	1010 Toucan Rd.	458-5309
G. Joy Duper	1070 Toucan Rd.	458-6179
Mafine Lloyd	1070 Toucan Rd	458-6322
Harold Lloyd	1070 Toucan Rd.	458-6322
Jack Kilpatrick	1039 Darter Rd	458-5151
Mary Elwood	1019 Darter Rd	458-6269
Steve Elwood	1019 Darter Rd	458-6269
Lynn R. Noon	295 Estate Dr	458-9338
Balena J. Washell	250 Yellow Springs Rd.	458-5233
Nolan & Gloria Whittem	7420 Sun Meadow	458-5469

Stone

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We, the undersigned, are interested in seeing a change made in the Three-Mile Bus Limit Law to make bus servicing in our area more fair and reasonable. We all live within three miles of the Jim Darcy School and either have children riding the private bus paying \$11 per month per student or provide a ride in a private car for our children.

Hearin
 Fri. 8:30
 at 3:00
 in Room
 312-30
 the capitol

NAME

ADDRESS

PHONE

- We are in favor of HB 324

P. J. Cramer
 1126 DARTON RD.

Lauren Talbert	1748 Lincoln Rd. E.	458-9209
Thomas Blount	431 Valley View Rd	458-5784

David Thompson	7128 N. Montana	458-9907
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John Casfield	1155 Emerson Rd	458-5583
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John Ray Wacker	6890 Applegate Lnk	
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Shirley Lassus	1120 Erickson Rd.	458-9606
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Sally Marting	1150 Toucan Rd	458-5880
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Mohammed	1119 Daquell	458-5761
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Cornie Foster	7736 N. Montana	458-9755
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John Longman	5809 Elmer Rd	458-9694
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Ray Nena	7950 Applegate	458-5930
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Alfred M. ...	7416 ...	458-6182
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Tom Ferguson	995 ERICKSON RD	458-5901
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Walter ...	1666 ...	
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Robert A. Kamin

1660 Seaside Rd.

Shirley A. Gilbert

380 Hope Rd

458-5289

Leta Paces

1740 Seaside Rd.

~~—~~

Gay Davis

1740 Seaside Rd.

~~—~~

Joni Peterson

1120 Seagull

458-5785

Karen Ballard

773 Seaside Rd W.

Little Drum

50 Lincoln Rd. W.

458-6340

Steve Hancock

277 Thomas Ct

458-5429

Rod & Patty Matthews

7920 Applegate Dr.

458-9385

Steve & Karen Jordan

880 Terrace Rd.

458-9877

2-8-85

H.B. 324

HOUSE BILL 324

The proposal has merit in theory in that the intent is to protect the students living in areas which could constitute a walking hazard. However, a law of this nature could be detrimental to the school districts involved. There are so many ramifications to this that it will be difficult to list them all.

1. I would hazard a guess that most districts, (certainly Great Falls district) is already giving this service.
2. If the districts are forced by law to grant this service it ceases to be voluntary and then it is mandatory.
3. In many cases the "hazardous" areas can be neutralized by re-aligning boundaries or placing crossing guards in strategic locations.
4. The very real possibility of a transportation nightmare is evident in this bill. For instance; Great Falls has two elementary schools currently without bus service - that is all the students are within walking distance of one mile. For argument sake, let's say that both have, in the opinion of the parents, an area of hazardous walking conditions. The district would have to purchase two buses, minimum, to transport less than two miles per day each. Also, in this bill there is no minimum distance to transport; so theoretically we would have to provide service across the street from the school for even a senior in high school.
5. This bill could tie up our systems of local control from the school board to the office of public instruction with requests and appeals.
6. The reimbursement from the State would not be worth the paper work to submit it.

In the above case we would request two miles per day per bus. However, we must pay 35 miles per bus as a contract guarantee 1.73 per mile, or \$121.00 per day, or \$22,404.00 per year. We would receive \$3.20 per day or \$592.00 reimbursement, a \$21,812.00 district outlay.

If the State is going to mandate this type of legislation then I fully believe the state should take burden of the lions share of the cost. And I don't know how anyone could budget for it.

*Paul Johnson - Supervisor Transp
Great Falls Public Schools*

*1-28-85 791-2265
Phone →*

TESTIMONY by ROD JOHNSON
TRANSPORTATION SUPERVISOR
GREAT FALLS PUBLIC SCHOOLS
on HOUSE BILL 324

February 8, 1985

I was here Friday, January 28, to testify on this bill prior to it's amendment to exclude high school age students. I copied and asked for a distribution of my testimony among the committee members and most of that testimony remains in tact even though the bill qualifies an eligible transportee as an elementary child.

As ridiculous as it may sound, there are communities in our state where children would qualify under this proposal who live across the street from the school. If it becomes law, it could theoretically force a district to send a school bus to a child's home to carry him or her across the street. One such community I have in mind is in Representative Grady's own county, Lincoln, Montana. Another is Lolo and Florence, Montana; probably any community which has a highway running thru it and the school is located on that highway.

I think it would be impossible to estimate the cost of this bill, and just as bad to try to budget for, because each board of trustees would have to act on each petition as they are received. If this bill were to become law, the boards of trustees would have no choice but to put on another school bus.

Now granted, we have buses moving less than full loads, but I hope this committee realizes that not all schools start and stop at the same time. We utilize our buses to the maximum by staggered times. There just isn't time to make the extra runs this bill would force. Therefore, any added transportation burden would mean new buses pure and simple.

In Great Falls we are now doing this job of transporting out of "hazardous" areas but we are not as liberal as this bill would call for. We at least have a say in the matter.

If the fiscal note on this bill is eleven million dollars, can you imagine what the local costs would be where we would have to lay out over \$22,000 for two buses and receive 1/3 of \$592.00 which would be the states share of the reimbursement. That is a ratio of 110 to 1 -- so if the State lays out \$11 million the districts would put out an unbelievable amount. Agreed those figures are for the most part, far fetched, but it is true if we had to put on two new buses we would pay out over \$22,000 and receive only \$200 from the State.



Shepherd Public Schools

District No. 37
Shepherd, Montana 59079

EXHIBIT 1
H.B. 324
2-8-85
Robert S. Sindelar
Superintendent
Phone 373-5300
Karen Cook
District Clerk
Phone 373-5516
Pete Williams
High School Principal
Phone 373-5300
Joe Spivey
Elementary Principal
Phone 373-5516

February 4, 1985

Representative Grady
Capitol Station, State Capitol
Helena, MT 59620

Dear Representative Grady:

Shepherd School District #37 would go on record of supporting House Bill 324, as amended, to provide busing in unsafe locations for pupils under three miles of school. As I understand this has been amended down to include only K-6 students.

We are currently in litigation concerning a lower grade student who was hit by a car on the way home from school. The child lived about 3/10 of a mile from school and bussing was not provided at that time because of overcrowded busses. Currently board policy is to assign every student a bus to ride regardless of distance to school.

Reimbursement for students under three miles would be helpful as it would lower our district transportation costs.

Thank you.

Sincerely,

Robert S. Sindelar
Superintendent

RSS:dm

cc John Patterson, Representative
Esther Bengston, Senator

Proposed Amendment to HB 324 (introduced copy)

1. Page 3

Following: Line 11

Insert: "(5) Nothing in this section will prevent a school district from charging a fee per pupil for transportation, not to exceed the difference between the state reimbursement and the actual cost of providing the transportation."

VISITOR'S REGISTER

HOUSE _____

EDUCATION _____

COMMITTEE _____

BILL 324--GRADY - PROVIDE BUSING IN UNSAFE
LOCATIONS FOR PUPILS WITHIN 3 MILES

DATE 2-8-85

SPONSOR _____

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
JIM KOKE	EAST HELENA	SCHOOL DIST. NO 9.		✓
Det Meskimen	EAST Helena	-Mothers who drive kid to school - Montana PTA		
Mary Beth Wayles	East Helena	Concerned Parent	✓	
Pat Treise	Helena	MACSS	✓	
ERNIE JEAN	Opheim	School Dist No 9		✓
Rod Johnson	Great Falls	Dist 14A		✓
Chuck Smith	Helena	School Dist 1		✓
Wayne Buchanan	Helena	MSBH	✓	
Gene Rice	Helena	Jessie Dist #2	✓	
John McCune	Bozeman	S.D. 2		✓
Maria McIntyre	Helena	\$	✓	
Linda Sobel	Helena			
JOHN PATTERSON	Custer, Mont.	HD 97	✓	
TODD HUDAK		MT. MEN OF COURAGE		
Mr. Nelson	Helena	Sch. Dist #5		✓
James Long	Helena	SAM	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE EDUCATION COMMITTEE

BILL 330--HARPER--TRANSPORTATION CONTROVERSIES DATE 2-8-85

TO BE HEARD BEFORE COUNTY SUPERINTENDENT

SPONSOR _____

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE

EDUCATION

COMMITTEE

BILL 432--GILBERT--OPI TO PAY SP. ED. COOPS.
FOR EQUALIZATION FUNDS

DATE 2-8-85

SPONSOR

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE EDUCATION COMMITTEE

Superintendent of Public Inst.

BILL 416-- KELLER - To Receive Copy of Audits DATE 2-8-85

SPONSOR

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.