

PROXY VOTE

I, the undersigned, hereby authorize Senator Mangan to

vote my proxy on any issue before the Senate Education

Committee held on 2/18/05, 2005.

SB 333 - AVE	SB 460 - AVE
SB 363 - AVE	SB 419 - AVE
SB 414 TRIPLE - AVE	SB 12 - AVE
SB 468 - AVE	SB 388 - AVE
SB 445 - AVE	SB 335 - AVE

[Signature]
SENATOR
STATE OF MONTANA
SB 359 - AVE

SB 263 - NO



SENATE STANDING COMMITTEE REPORT

February 21, 2005

Page 1 of 1

Mr. President:

We, your committee on Education and Cultural Resources recommend that Senate Bill 363 (first reading copy -- white) do pass as amended.

Signed: _____

Handwritten signature of Don Ryan in cursive.

Senator Don Ryan, Chair

And, that such amendments read:

1. Page 4, line 4.

Following: "(4)"

Insert: "(a)"

2. Page 4.

Following: line 6

Insert: "(b) Programs established pursuant to subsection (4) (a) do not obligate the state or a school district to offer regular educational programs to a similar age group unless specifically provided by law."

- END -

Committee Vote:
Yes 11, No 0.

420931SC.sjo

Handwritten initials, possibly "KR", in the bottom right corner.



SENATE STANDING COMMITTEE REPORT

February 19, 2005

Page 1 of 1

Mr. President:

We, your committee on **Education and Cultural Resources** recommend that **Senate Bill 333**
(first reading copy -- white) **do pass.**

Signed: _____

A handwritten signature in cursive script, appearing to read "Don Ryan".

Senator Don Ryan, Chair

- END -

Committee Vote:
Yes 11, No 0.

411128SC.ssc

Handwritten initials, possibly "KR", in the bottom right corner.



SENATE STANDING COMMITTEE REPORT

February 21, 2005

Page 1 of 1

Mr. President:

We, your committee on **Education and Cultural Resources** recommend that **Senate Bill 468** (first reading copy -- white) **do pass as amended.**

Signed: _____

A handwritten signature in cursive script, appearing to read "Don Ryan".

Senator Don Ryan, Chair

And, that such amendments read:

1. Title, line 5.

Following: "SUSPENSION"

Insert: "OR OTHER EXCLUSION"

2. Title, line 6.

Strike: "NOTICE AND"

3. Page 1, line 21.

Following: "suspension"

Insert: "or other exclusion"

4. Page 1, line 22.

Strike: "notice and"

- END -

Committee Vote:

Yes 11, No 0.

420932SC.sjo

Handwritten initials, possibly "KJ", in the bottom right corner.



SENATE STANDING COMMITTEE REPORT

February 21, 2005

Page 1 of 1

Mr. President:

We, your committee on **Education and Cultural Resources** recommend that **Senate Bill 460**
(first reading copy -- white) **do pass as amended.**

Signed: _____

Handwritten signature of Don Ryan in cursive.

Senator Don Ryan, Chair

And, that such amendments read:

1. Page 1, line 24.

Following: "two"

Insert: "or more"

- END -

Committee Vote:
Yes 11, No 0.

420934SC.sjo

Handwritten initials, possibly "KF", in the bottom right corner.



SENATE STANDING COMMITTEE REPORT

February 21, 2005

Page 1 of 2

Mr. President:

We, your committee on **Education and Cultural Resources** recommend that **Senate Bill 445** (first reading copy -- white) do **pass as amended**.

Signed: _____

Handwritten signature of Don Ryan in cursive.

Senator Don Ryan, Chair

And, that such amendments read:

1. Title, line 5.

Strike: "AND FEES"

Insert: "REGARDLESS OF THE AVAILABILITY OF OTHER WAIVERS"

Strike: "ACTIVE"

2. Title, line 6 through line 7.

Strike: "REPEALING" on line 6 through "MCA;" on line 7

3. Page 1, line 22.

Strike: subsection (i) in its entirety

Renumber: subsequent subsections

4. Page 2.

Following: line 11

Insert: "(e) waive tuition for up to 5,000 credits each academic year in accordance with the Montana national guard education benefit program provided for in 10-1-121."

5. Page 2, line 16.

Strike: section 2 in its entirety

Renumber: subsequent section

Committee Vote:

Yes 11, No 0.

420935SC.sjo

Handwritten initials, possibly "KJ", in the bottom right corner.

- END -



SENATE STANDING COMMITTEE REPORT

February 21, 2005

Page 1 of 1

Mr. President:

We, your committee on **Education and Cultural Resources** recommend that **Senate Bill 419** (first reading copy -- white) **do pass as amended.**

Signed: _____

Handwritten signature of Don Ryan in cursive.

Senator Don Ryan, Chair

And, that such amendments read:

1. Title, line 5.

Following: "CREATION"

Insert: "UNDER CERTAIN CIRCUMSTANCES"

2. Page 1, line 14.

Following: "K-12 district"

Insert: "only if:

(a) the nearest elementary school building is located at a distance of at least 35 miles from the nearest accessible high school; and

(b) the newly created K-12 district will enroll at least 25 high school students"

- END -

Committee Vote:
Yes 11, No 0.

420936SC.sjo

Handwritten initials, possibly "KJ", in the bottom right corner.



SENATE STANDING COMMITTEE REPORT

February 19, 2005

Page 1 of 1

Mr. President:

We, your committee on **Education and Cultural Resources** recommend that **Senate Joint Resolution 12** (first reading copy -- white) **do pass.**

Signed: _____

Don Ryan
Senator Don Ryan, Chair

- END -

Committee Vote:
Yes 9, No 2.

41118SC.ssc

KY



SENATE STANDING COMMITTEE REPORT

February 19, 2005

Page 1 of 2

Mr. President:

We, your committee on Education and Cultural Resources recommend that Senate Bill 383 (first reading copy -- white) do pass as amended.

Signed: _____

Handwritten signature of Don Ryan in cursive.

Senator Don Ryan, Chair

And, that such amendments read:

1. Title, line 4.
Following: "TO"
Insert: "NEWLY HIRED"
2. Title, page 1, line 5.
Following: "PATHOLOGISTS"
Insert: "AND AUDIOLOGISTS"
3. Page 1, line 10.
Following: "for"
Insert: "newly hired"
Following: "pathologists"
Insert: "and audiologists"
4. Page 1, line 11.
Following: "each"
Insert: "newly hired"
5. Page 1, line 12.
Following: "pathologist"
Insert: "or audiologist"
6. Page 1, line 13.
Following: "pathologist"
Insert: "or audiologist"
7. Page 1, line 14.

Committee Vote:

Yes 6, No 5.

411129SC.ssc

Handwritten initials, possibly "KA", in the bottom right corner.

Following: "pathologist"
Insert: "or audiologist"

8. Page 1, line 15.

Following: "pathologist"
Insert: "or audiologist"

9. Page 1, line 21.

Following: "pathologist"
Insert: "or audiologist"

10. Page 1, line 22.

Following: "pathologist"
Insert: "or audiologist"

Following: "is"

Insert: "newly hired by an entity listed in subsection (1)(c)
and"

11. Page 1, line 24.

Following: "pathologist"
Insert: "or audiologist"

12. Page 1, line 26.

Strike: "teacher"

Insert: "speech-language pathologist or audiologist"

13. Page 1, line 28.

Following: "pathologists"
Insert: "or audiologists"

14. Page 1, line 29.

Following: "pathologist"
Insert: "or audiologist"

- END -



SENATE STANDING COMMITTEE REPORT

February 19, 2005

Page 1 of 1

Mr. President:

We, your committee on **Education and Cultural Resources** recommend that **Senate Bill 335** (first reading copy -- white) **do pass as amended.**

Signed: _____

A handwritten signature in cursive script, appearing to read "Don Ryan".

Senator Don Ryan, Chair

And, that such amendments read:

1. Title, line 5 through line 6.

Strike: the first "AND" on line 5 through "INSTITUTIONS" on line 6

2. Page 1, line 30.

Following: "~~education.~~" on line 30

Insert: "State property for the purpose of this part does not include vocational institutions or institutions of higher education."

- END -

Committee Vote:

Yes 11, No 0.

411127SC.ssc

Handwritten initials, possibly "KR", in the bottom right corner.



SENATE STANDING COMMITTEE REPORT

February 19, 2005

Page 1 of 2

Mr. President:

We, your committee on Education and Cultural Resources recommend that Senate Bill 359 (first reading copy -- white) do pass as amended.

Signed: _____

A handwritten signature in cursive script, appearing to read "Don Ryan".

Senator Don Ryan, Chair

And, that such amendments read:

1. Page 7, line 2.

Strike: "at a site other than a school of the district"

Insert: "through any combination of onsite or offsite instruction"

2. Page 7, line 3.

Strike: "and is able to receive full"

3. Page 7.

Following: line 10

Insert: "(d) This subsection (10) may not be construed to require a school district to offer access to activities governed by an organization having jurisdiction over interscholastic activities, contests, and tournaments to a pupil who is not otherwise eligible under the rules of the organization."

4. Page 7, line 11.

Strike: "(a)"

5. Page 7, line 13.

Strike: "(i)"

Insert: "(a)"

6. Page 7, line 15.

Strike: "(ii)"

Insert: "(b)"

Committee Vote:

Yes 11, No 0.

411126SC.ssc

Handwritten initials, possibly "RJ", in the bottom right corner.

7. Page 7, line 18.

Strike: "(iii)"

Insert: "(c)"

8. Page 7, line 21.

Strike: "(iv)"

Insert: "(d)"

9. Page 7, line 24.

Strike: "(v)"

Insert: "(e)"

10. Page 7, line 25.

Strike: "(vi)"

Insert: "(f)"

11. Page 7, line 28.

Strike: "(vii) a resident of the district"

Insert: "(g)"

12. Page 8, line 1.

Strike: "attendance site"

Insert: "offsite instructional setting"

Following: "district"

Strike: " ; or "

Insert: ". The pupil shall:

(i) meet the residency requirements for that district as provided in 1-1-215;

(ii) live in the district and must be eligible for educational services under the Individuals With Disabilities Education Act or under 29 U.S.C. 794; or

(iii) attend school in the district under a mandatory attendance agreement as provided in 20-5-321."

13. Page 8, line 2.

Strike: "(viii)"

Insert: "(h)"

14. Page 8, line 4 through line 6.

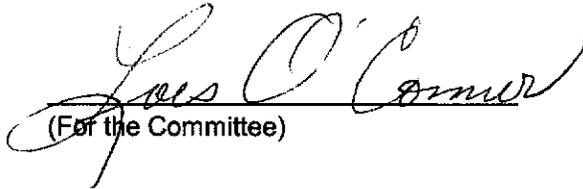
Strike: subsection (b) in its entirety

- END -

COMMITTEE FILE COPY

TABLED BILL

The **SENATE EDUCATION AND CULTURAL RESOURCES COMMITTEE** TABLED SB 263, SB 414, by motion, on **Friday, February 18, 2005**.


(For the Committee)

(Secretary of Senate)

_____/_____
(Time) (Date)

February 18, 2005

Lois A. O'Connor, Secretary

Phone: 4891

**MONTANA STATE SENATE
2005 LEGISLATURE**

VISITOR REGISTER

DATE 2-18-05

SENATE COMMITTEE ON Education

BILLS BEING HEARD TODAY: SB-333; SB-363; SB-419;
SB-445; SB-468; SB-460

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
TAYLOR MIDDLETON	995 5771	Big Sky Resort	SB419	✓	
Jessica Greenman	360-6048	ASUM	445		X
Davrell Rud	442-2510	SAM- M CASE	SB363	X	
David A. Severson	542-0041	Missoula Ed. Assoc.	419		X
Caroline Henley	975-4023	Big Sky Resident	419	✓	
Geary Macdonald	653-6247	Roosevelt Co	333	✓	
Jim Shanks	653-6249	Roosevelt Co	333	✓	
Dan Ryan	7-2629	WRA	All		
Joe Macurkek	457-2000	Loren Bangh	SB419	✓	
Bill Vogel	442-2188	Mt-DA	SB 333 SB 468 SB 419		
Katy Brown	444-3161	OPI	SB468	✓	
Rob Ryd	562-3508	HD R 17	419	✓	
Rick Christ	444-1963	OPI	460	✓	

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

**MONTANA STATE SENATE
2005 LEGISLATURE**

VISITOR REGISTER

DATE 2-18-05

SENATE COMMITTEE ON Education

BILLS BEING HEARD TODAY: SB-333; SB-363; SB-419;
SB-445; SB-468; SB-460

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
MIKE SCHOLZ	993-5230	Big Sky Resident	419	✓	
Hannah Bildahl	995-3239	Big Sky Student	419	✓	
Jiu Bonaparte	995-2255	Big Sky Resident	419	✓	
Barbara Raley	995-4464	Big Sky Resident	419	✓	
Gwyn Andersen	338-2915	Bevin Public	333	✓	
Pat McHugh	728-2400	Missoula MCPS	419		✓
Lynda Drannon	442-5599	Indian Impact Sch	333	✓	
Iwan Small	768-3408	Poplar Schools	333	✓	
Michael Dahlberg	721-1940	TISM	333	✓	
Dennis Henley	995-4023	Big Sky Resident	419	✓	
Mark Beckman	442-6010	Montana High School Assoc	468	✓	
HARRIS HIMES		MFC	445	✓	
Connie Semmes		ASMSU-B	445		✓

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

**MONTANA STATE SENATE
2005 LEGISLATURE**

VISITOR REGISTER

DATE 2-18-05

SENATE COMMITTEE ON Education

BILLS BEING HEARD TODAY: SB-333; SB-363; SB-419; SB-445;
SB-468; SB-460

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Eric Fearer	442-4250	MSA-MFT		SB333 SB363	SB419
Madalyn Quinlan	444-3168	OPI		SB333	
Bill Tash		SB 419 36		SB419	
Bob Runkel	444-4429	SB 363 OPI	SB363	X	
Megan Dumas	539-3983	SB 415			X
ROD SWANSTEDT	444-0319	SB 445			X

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

Ed.

FISCAL NOTE

Bill #: SB0333 **Title:** Revise laws relating to school retirement costs from certain federal funds

Primary Sponsor: Smith, F **Status:** As Introduced

<i>Frank Smith</i>		<i>David Ewer</i>	
_____ Sponsor signature	_____ Date	_____ David Ewer, Budget Director	_____ Date

Fiscal Summary

	<u>FY 2006 Difference</u>	<u>FY 2007 Difference</u>
Expenditures:		
General Fund	\$650,429	\$675,207
Revenue:		
General Fund	\$0	\$0
Net Impact on General Fund Balance:	(\$650,429)	(\$675,207)

- | | |
|---|--|
| <input type="checkbox"/> Significant Local Gov. Impact | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts |
| <input type="checkbox"/> Dedicated Revenue Form Attached | <input checked="" type="checkbox"/> Needs to be included in HB 2 |

Fiscal Analysis

ASSUMPTIONS:

1. Retirement benefits include employer contributions to Teachers' Retirement System (TRS), Public Employees' Retirement System (PERS), unemployment insurance, social security and Medicare.
2. Under current law, school districts must use the Federal Impact Aid money to pay the employer's share of retirement contributions for employees paid using Federal Impact Aid money. Likewise, special education cooperatives must use their Medicaid receipts to pay the employer's retirement contributions for employees paid using Medicaid funds.
3. Under SB 333, school districts that pay an employee's salary and health-related benefits using Federal Impact Aid money, and special education cooperatives who pay salary and health benefits using Medicaid funds, would have the option to charge the employer's share of retirement contributions to the retirement fund for those employees.
4. In FY 2004, salaries for employees paid using special education cooperative Medicaid funds totaled \$320,865 and salaries using school district Impact Aid Funds totaled \$12,506,376.
5. Impact Aid funds are estimated to increase 1% in each year of the biennium. Of those increases, 80% will be spent on salaries, consistent with school district spending patterns.
6. Medicaid paid to schools will remain constant during the biennium.

Fiscal Note Request SB0333, As Introduced
(continued)

7. Based upon historical trends in FY 2003 and FY 2004, salaries will increase by 3% each year of the biennium.
 8. Estimated salaries paid from Special Education Cooperative Medicaid funds and district Impact Aid funds:

		<u>Estimated Salaries</u>	<u>Calculations</u>
FY 2005	Coop Medicaid	330,490	[FY04 Salaries 320,865 X 1.03]
FY 2005	Impact Aid	<u>12,984,620</u>	[FY 04 Salaries 12,506,376 x ((1% X .80)+1)] x 1.03
FY 2005	Total	13,315,110	
FY 2006	Coop Medicaid	340,405	[FY 05 Salaries 330,490 x 1.03]
FY 2006	Impact Aid	<u>13,481,152</u>	[FY 05 Salaries 12,984,620 x ((1% X .80)+1)] x 1.03
FY 2006	Total	13,821,557	
FY 2007	Coop Medicaid	350,617	[FY 06 Salaries 340,405 x 1.03]
FY 2007	Impact Aid	<u>13,996,671</u>	[FY 06 Salaries 13,481,152 x ((1% X .80)+1)] x 1.03
FY 2007	Total	14,347,288	

7. Retirement contribution rate will be about 15%:

	<u>Certified Staff</u>	<u>Classified Staff</u>
Teachers' Rmt	7.47 %	
PERS		6.90 %
FICA	6.20%	6.20%
Medicare	1.45%	1.45%
Unemployment	<u>0.02%</u>	<u>0.02%</u>
Totals	15.14%	14.57%

9. Under SB 333, retirement contributions will increase by \$2,073,234 in FY 2006 and by \$2,152,093 in FY 2007. Counties will increase their countywide retirement fund budgets and levy to pay the increased costs. The county retirement funds are subsidized by the state through guaranteed tax base subsidies (GTB). The state share varies between 0 and 56 percent but averages about 27 percent. (The salary calculations below were done by school district and totaled by county. The state share was calculated by county. Since the federal revenue to school districts is not equally distributed, the average costs of this calculation are not equal to the statewide average percentage.)

10. Estimated cost to the state and county:

<u>Year</u>	<u>Est. Medicaid and Impact Aid Salaries</u>	<u>Est. Retmt Contrib. Rate</u>	<u>Cost for Retirement Fund</u>	<u>State GTB Cost</u>	<u>County Retirement Levy Cost</u>
FY 2005	13,315,110	15%	1,997,267		
FY 2006	13,821,557	15%	2,073,234	650,429	1,422,804
FY 2007	14,347,288	15%	2,152,093	675,207	1,476,886

Fiscal Note Request SB0333, As Introduced
(continued)

FISCAL IMPACT:

	<u>FY 2006 Difference</u>	<u>FY 2007 Difference</u>
<u>Expenditures:</u>		
Local Assistance	\$650,429	\$675,207
<u>Funding of Expenditures:</u>		
General Fund (01)	\$650,429	\$675,207
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>		
General Fund (01)	(\$650,429)	(\$675,207)

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

School districts will respond to SB 0333 in two ways. Most districts and cooperatives will shift the retirement cost to the retirement fund, which will increase county property taxes and state GTB payments to counties. Some districts and cooperatives will choose to continue to pay the retirement contributions using the Medicaid or Impact Aid Funds.

Net county property taxes for retirement budgets are projected to increase by \$1.42 million in FY 2006 and by \$1.48 million in FY 2007.

Ed.

FISCAL NOTE

Bill #: SB0414

Title: Retirement incentive for teachers

Primary Sponsor: Gillan, K

Status: As Introduced

Sponsor signature	Date	David Ewer, Budget Director	Date
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Fiscal Summary

	<u>FY 2006 Difference</u>	<u>FY 2007 Difference</u>
Expenditures:		
General Fund	\$9,617,000	\$9,617,000
Revenue:		
Other	\$35,620,000	\$36,730,000
Net Impact on General Fund Balance:	(\$9,617,000)	(\$9,617,000)

- | | |
|---|--|
| <input checked="" type="checkbox"/> Significant Local Gov. Impact
<input checked="" type="checkbox"/> Included in the Executive Budget
<input type="checkbox"/> Dedicated Revenue Form Attached | <input checked="" type="checkbox"/> Technical Concerns
<input type="checkbox"/> Significant Long-Term Impacts
<input checked="" type="checkbox"/> Needs to be included in HB 2 |
|---|--|

Fiscal Analysis

ASSUMPTIONS:

1. SB 414 allows a school district to pay for retirement incentives from retirement fund reserves or any other fund available. Under current law, the operating reserve for the retirement fund is limited to 35 percent of the budget. The average retirement fund reserve in FY 2005 was 31.85 percent.
2. It is assumed all school districts will spend 50 percent of the reserves on retirement incentives in FY 2006 and FY 2007. School districts will ask the counties to increase their countywide retirement fund budgets and levy to replace the reserves each year. The county retirement funds are subsidized by the state through guaranteed tax base aid (GTB). The state share varies between 0 and 56 percent but averages about 27 percent.
3. The FY 2005 retirement budgets are projected to increase by 3 percent in FY 2006 and FY 2007 to match estimated increases in salary raises. The retirement budgets totaled \$106.5 million in FY 2005. The estimated budget for FY 2006 is \$109.7 million and \$113.0 million in FY 2007.
4. The reserves to be replaced in FY 2006 are estimated at $\$109.7 \times .35 \times .5 = \19.2 million.
5. The reserves to be replaced in FY 2007 are estimated at $\$113.0 \times .35 \times .5 = \19.8 million.

Fiscal Note Request SB0414, As Introduced
(continued)

6. The employer retirement contribution rates are as follows:

	Certified Staff	Classified Staff
Teachers' Rmt	7.47 %	
PERS		6.90 %
FICA	6.20%	6.20%
Medicare	1.45%	1.45%
Unemployment	0.02%	0.02%
Totals	15.14%	14.57%

7. Section 19-20-716, MCA, provides teachers' retirement employees three options with termination pay. The most advantageous option to persons retiring with a retirement bonus is Option 1.

(a) Option 1--The member may use the total termination pay in the calculation of the member's average final compensation. The member and the employer shall pay contributions to the retirement system as determined by the board to adequately compensate the system for the additional retirement benefit. The contributions must be made at the time of termination.

Teachers' Retirement states the employer contribution on a \$10,000 termination pay incentive under Option 1 would result in an average additional employer contribution of \$9,450 for an effective rate of 95 percent.

8. It is assumed that 90 percent of retirements are TRS retirements.

**Estimated cost to the State and County under Teachers' Retirement Termination Option 1
95% on Incentive Pay**

	Replace Retirement Reserves	Calculation	Additional Contribution on Incentive	Total Cost	State Cost 27%	County Cost 73%
FY 06	\$19,200,000	[109.7 million x 35% x 50%]	\$16,420,000	\$35,620,000	\$9,617,000	\$26,003,000
FY 07	\$19,800,000	[112.9 million x 35% x 50%]	\$16,930,000	\$36,730,000	\$9,917,000	\$26,813,000

9. It is assumed that the maximum retirement incentive will average \$15,000 plus benefits.

10. Teachers' Retirement estimates that there are 6,341 eligible retirees at December 31, 2004. The number of eligible school district retirees under PERS totals 153 retirees. There are no retirement options under PERS. The termination pay would be subject to normal contributions. Retiree data is not available by school district or by county.

FISCAL IMPACT:

	FY 2006 Difference	FY 2007 Difference
<u>Expenditures:</u>		
Local Assistance – K-12 Schools	\$9,617,000	\$9,617,000
<u>Funding of Expenditures:</u>		
General Fund (01)	\$9,617,000	\$9,617,000

Fiscal Note Request SB0414, As Introduced
(continued)

Revenues:

Other- Pension Trust (09)	\$35,620,000	\$36,730,000
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Net Impact to Fund Balance (Revenue minus Funding of Expenditures):

General Fund (01)	(\$9,617,000)	(\$9,617,000)
Other	35,620,000	36,730,000

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

School districts that elect to provide a retirement incentive to its employees must provide eligible employees with a payment equal to up two times the employee and employer contributions based on the individual's compensation. It is difficult to determine how many and which school districts will elect to participate. It is also difficult to determine how many employees of those school districts will choose the incentive or will be involuntarily terminated due to a reduction in force.

The county retirement levies across the state would increase substantially. The estimated increase in county levies is \$26.0 million in FY 2006 and \$26.8 million in FY 2007.

TECHNICAL NOTES:

Section 20-9-501, MCA, sets the retirement fund reserve at 35 percent. This fund is supported primarily with property taxes received in November and May. The traditional use of the reserves is to provide operating cash between tax collections. It is unusual to consider reserves as a funding source for expenditures.

Ed.

FISCAL NOTE

Bill #: SB0419

Title: Revise moratorium on creation of new school districts

Primary Sponsor: Ryan, D

Status: As Introduced

Don Ryan
Sponsor signature _____ Date _____

David Ewer 2/19/05
David Ewer, Budget Director _____ Date _____

Fiscal Summary

	<u>FY 2006</u> <u>Difference</u>	<u>FY 2007</u> <u>Difference</u>
Expenditures:		
General Fund	\$0	\$0
Revenue:		
General Fund	\$0	\$0
Net Impact on General Fund Balance:	\$0	\$0

- | | |
|---|---|
| <input type="checkbox"/> Significant Local Gov. Impact
<input type="checkbox"/> Included in the Executive Budget
<input type="checkbox"/> Dedicated Revenue Form Attached | <input type="checkbox"/> Technical Concerns
<input checked="" type="checkbox"/> Significant Long-Term Impacts
<input type="checkbox"/> Needs to be included in HB 2 |
|---|---|

Fiscal Analysis

ASSUMPTIONS:

Office of Public Instruction (OPI)

1. Two school districts in the state have expressed interest in applying this bill to their circumstances: Lockwood Elementary/Billings High School in Yellowstone County and Ophir Elementary/Bozeman High School in Gallatin County.
2. The ANB at Billings High School who live within the Lockwood Elementary district in FY 2006 is estimated at 531 and 566 ANB in FY 2007. The ANB at Bozeman High School who live within the Ophir Elementary district is estimated at 68 for FY 2006 and 60 in FY 2007.
3. Ophir Elementary and Bozeman Elementary schools in Gallatin County are not eligible to guaranteed tax base aid in FY 2006 or FY 2007.
4. A portion of the Bozeman High School territory would transfer to Ophir K-12 (Taxable valuation = \$14.05 million) and Billings High School territory would transfer to Lockwood K-12 (Taxable valuation = \$13.87 million).
5. The high schools the ANB is moved from does not lose the ANB until the second year, but the new high school will receive ANB for the same ANB. Therefore, for the first year of the new schools, ANB is counted twice.

Fiscal Note Request SB0419, As Introduced
(continued)

6. If these two districts were to convert to K-12 districts immediately, the increased direct state aid would be \$1.64 million in FY 2006 and \$0.28 million in FY 2007; increased guaranteed tax base aid would be \$1.40 million in FY 2006 and \$0.19 million in FY 2007.
7. The new high school district at Ophir would not be eligible to debt service facilities reimbursement for bonding. However, the new high school district at Lockwood would be eligible to \$0.24 million. This would have no fiscal impact to the state because the facilities reimbursement is a set allocation, which is prorated to eligible districts.

LONG-RANGE IMPACTS:

School personnel at Lockwood have indicated that the Lockwood district would not be in a position to open a new high school in the 2007 biennium. For the purposes of this fiscal note, it is assumed that no elementary district will complete the process of converting to a K-12 district and opening a new high school before the end of the 2007 biennium therefore no fiscal impact in the current biennium. Significant long term state and local costs will occur if school districts use the provisions of this bill to create new high school districts.

Fiscal Note Request SB0445, As Introduced
(continued)

FISCAL IMPACT:

	<u>FY 2006 Difference</u>	<u>FY 2007 Difference</u>
<u>Expenditures:</u>		
Transfers	\$1,816,000	\$2,753,000
TOTAL		
<u>Funding of Expenditures:</u>		
General Fund (01)	\$1,816,000	\$2,753,000
<u>Revenues:</u>		
General Fund (01)	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>		
General Fund (01)	(\$1,816,000)	(2,753,000)

LONG-RANGE IMPACTS:

The National Guard estimates that more Guard personnel would be interested in pursuing higher education opportunities after the war.

TECHNICAL NOTES:

The bill does not define what "qualified member" of the National Guard means. The bill repeals a section of statute that currently defines the Guard personnel who qualify for the National Guard Education Program.

Fiscal Note Request SB0383, As Introduced

(continued)

Montana public schools. Therefore, the annual turn over of speech language pathologists who would become eligible for the one-time stipend is difficult to project. A rough estimate would be 20 per year of the full time positions being filled by full time individuals who had not previously received the one-time stipend. FY 2007 and each subsequent year cost: 20 stipends X \$3,000 = \$60,000.

7. Many speech pathologists have reached, or are nearing eligibility for retirement. It is unknown whether this could result in an increase in future years beyond the 20 stipends generated as a result of the turn over estimated in assumption 6.
8. The schools and the OPI will absorb the costs, using existing budgets and staff, to collect documentation verifying an individual's eligibility for the stipend and dispersing the stipends accordingly.

FISCAL IMPACT:

	<u>FY 2006</u> <u>Difference</u>	<u>FY 2007</u> <u>Difference</u>
<u>Expenditures:</u>		
Personal Services	\$423,000	\$60,000
<u>Funding of Expenditures:</u>		
General Fund (01)	\$423,000	\$60,000
<u>Revenues:</u>		
General Fund (01)	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>		
General Fund (01)	(\$423,000)	(\$60,000)

TECHNICAL NOTES:

1. We presume that the reference to "funding" on page 1 line 27 means the annual general fund appropriation. If the number of individuals eligible for the stipend in each of the two fiscal years deviates from the estimate, the prorating on page 1 line 28 could result in significant variation in the size of the stipend between the two fiscal years.
2. An appropriation will be needed in HB 2 to fund the stipends created by SB 383.

Deborah Greene
P.O. Box 160997
Big Sky, MT 59716
406/995-4850

February 16, 2005

Senator Jim Elliot
Montana Senate
P.O. Box 200500
Helena, MT 59620-0500

Dear Senator Elliot:

I'm a mother of three children and my husband and I own a construction company in Big Sky. I support Senate Bill #419 because I would like my children to continue growing up in Big Sky and I would like to see our community grow and flourish.

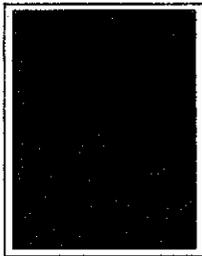
When we moved to Big Sky, nearly seven years ago, our oldest daughter was entering kindergarten and our twins were just turning 1 year old. We knew we were moving to a town without a high school, but at that time high school seemed like a lifetime away.

Now our oldest daughter is in 6th grade and the decision of what our family will do when she goes to high school looms closer everyday. Our children are five years apart. So when our oldest daughter begins high school our twins will only be in fourth grade. We don't want them to have to leave Ophir School. But we are also adamant about keeping our family together despite having no other option for high school except an hour away in Bozeman.

We've seen many families face this challenge before us: They've split apart on the weekdays; bought homes in Bozeman; sent their kids to boarding school; had children stay with friends or family in Bozeman during the week; and even let kids drive themselves to school through the canyon. None of these options seem to support a strong, united family that is actively involved in their children's lives. These options can only divide families and put unnecessary stress and strain on them.

At a time when parents need to show a strong united front and be aware and involved in their children's choices we're faced with breaking up our family or letting our child attend school an hour from our home. How can we be active and involved parents when we're not there?

Everything we want to make our lives complete is in Big Sky - except a high school. All of our construction work is here. We love our community and we don't want to leave just because our oldest daughter is entering high school. Ophir is a wonderful school filled with teachers and staff that know every student's name and care deeply about the path each student is taking. I wonder how our family will ever feel a part of the high school in Bozeman or of the community when we live so far away. I worry that my child will just become another face in a sea of faces just because of the sheer number of students that attend Bozeman High School.



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February 12, 2005

Senator Jim Elliot
Montana Senate
P.O. Box 200500

Helena, MT 59620-0500

Dear Senator Elliot,

I am writing to you as a local Big Sky businessman as well as a father of two small children. I support bill # 419 because as a local contractor I have witnessed many families decide not to settle in Big Sky due to the fact that there is no high school.

Most importantly I dread the day my children are shipped off some fifty miles to another community on a road that is inundated with contractor traffic, delivery vehicles and constant extremely dangerous driving conditions.

The school day for my children will begin at 6:30 AM and end at 5PM; the time for them to be laughing, hiking and skiing in their community is non existent because of this ludicrous bus route.

The disruption and hardship for me and my family is spelled out clearly in data relating to the detrimental effects of this disjointed bus ride and schooling elsewhere.

I moved to Big Sky from California so my children would have an upbringing that is consistent with the values provided by a small community with great local activities. The disruptions to travel to and from a city for events that take place right here in our own back yard is an undue hardship that deserves serious attention.

In closing I must mention the capital investment, my family ranch, the twenty five years of family investment in the community, and my one of a kind workshop. The construction growth in this community that sustains my business and other businesses, and that intense growth that begs the question; Where is Big Sky High?

Thanks in advance for your time.

Regards,

JOHN QUACKENBUSH
THE NEW DEVON WORKSHOP, LLC

David & Katherine Alvin
PO Box 160821, Big Sky, MT 59716

Senator Jim Elliot
Montana Senate
P.O. Box 200500
Helena, MT 59620-0500

Dear Senator Elliot,

I am writing to you on behalf of my family and my community to request your support for Senate Bill 419. I am a resident of Big Sky and a mother of two young children, the oldest of which will enter high school in about ten years. Both my husband and I are small business owners with strong work and volunteer ties in this community, and we have lived here for fifteen and twelve years respectively.

I support SB419 and believe that it is vital for you to support it as well. **The most important reason for you to support this bill is to provide our community the opportunity to discuss the high school issue and come to a decision about secondary education that makes sense for all of us.** Without the option to expand our school district, a dialogue is meaningless.

I am sure you are already familiar with the many compelling reasons to open up this opportunity. What I want to be sure you understand is that **this issue is critical to address if middle class working families in Big Sky are to be able to continue living in Big Sky without causing undo hardship to their children throughout the high school years.** The standard alternatives that some wealthier Big Sky residents employ are not options for middle class families like us. We have a caretaking arrangement that provides us housing, and my husband's business has a client base exclusively located in Big Sky. We cannot move to Bozeman. Nor do we have the financial means to buy or rent an additional home or apartment in Bozeman for six years. In the absence of the opportunity to build a public high school in Big Sky, a private school will surely fill the vacuum. The majority of Big Sky working families do not have the resources to send their children to private school. **In the absence of any other solutions, we are faced with having to send our children off to school at 6:30 in the morning, knowing they will be spending three hours of their day sitting on a bus--a good portion of that commute traveling along one of the most dangerous highways in the state.**

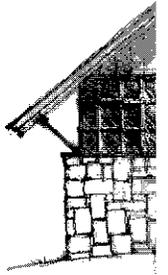
I thank you genuinely for taking time to hear my concerns. I urge you to support SB419 and give Big Sky residents the opportunity to discuss solutions to this problem. As Albert Einstein said, "In the middle of difficulty lies opportunity." Without creating possibilities for change we will cripple opportunities for growth. Thank you for your consideration of these thoughts.

Sincerely,



Katherine Alvin

O P U S I N K
A R C H I T E C T U R E



February 14, 2005

Senator Jim Elliot
Montana Senate
P.O. Box 200500
Helena, MT 59620-0500

Dear Senator Elliot:

My husband, Michael, and I own and operate a small architecture firm, Opus Ink Architecture, in Big Sky. We are also the parents of two children aged 7 (1st grade) and 4 (preschool).

We are urging you to support Senate Bill # 419 as much as we do. We moved to Big Sky from Livingston (and before that, Bozeman), in order to be in a growing economic environment, an environment which could support a new business like ours. Our only hesitation to move here was the fact that there was not a high school. We told ourselves that if we decided to make the move to Big Sky we would be resolved to help support a high school if the opportunity presented itself. Well here it is. The time is ripe for Montana to allow the current Ophir School district to expand from K-8 to K-12.

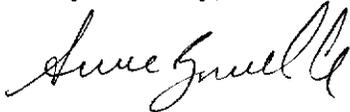
The reasons we support SB 419 are many. First of all, there is a 50 mile gap between our house and Bozeman High School. That distance equates to nearly one hour each way, if and only if roads are clear. Gallatin Canyon is a dangerous road and is getting busier as Bozeman and Big Sky grow. Imagining our children riding the bus 5 days a week past all of the crosses (marking that stretch of road's deaths) make us as parents cringe.

Second, I am a trained Montana School teacher for English and PE. I realize that in order to participate in many extra-curricular activities, children must stay after academic hours. While teaching I saw the amazing benefits to children who could participate in sports like football and soccer and clubs like math and yearbook. Unfortunately most Big Sky students don't reap the same rewards. There is no activities bus which could bring children back to Big Sky after activities (or to school for first period). Is it fair to limit a child's participation in activities based on the area where they live? I would guess not in a public school district. We pay proportionally the same taxes as other students' parents, yet our children will be denied equal opportunity for participation.

Third, we have spoken to many parents of Big Sky children who have relocated to Bozeman to send their children to high school. Furthermore I have even spoken to families who have decided to move to other states instead of to Big Sky due to the lack of a high school. In other words, the lack of a high school here is inherently stunting the growth of our area and of Montana. Sending families to other states who would rather live in ours (but who leave for educational reasons) seems absurd, and only hurts the economy of Montana. Montana tries to attract new small businesses. Big Sky is a ripe area for that, but its potential will not be met without an opportunity to educate children of small business owners.

To summarize we support SB 419. The current high school status for Big Sky students needs to change. The bus commute on State highway 191 is extremely dangerous and long, opportunities for all students to participate in activities are not democratic, and the lack of a high school here is bad business for Montana. Thank you for your ear and hopefully for your support.

Very Sincerely,



Anne Brunelle



Mike Brunelle

February 17, 2005

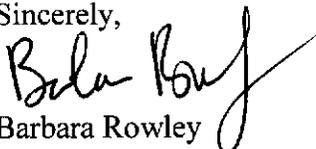
Dear Senator Elliott:

I am writing to you to express my support for SB#419 for the following reasons:

1. As a mother of two children, four years apart in age, I am currently facing the prospect of having at least one member of our family attending school out of our town for eight years. If my daughters are to have any chance to participate in extra-curricular activities, a regular social life, or athletics, I will also have to be separated from my family in Big Sky in order to transport them to these things and oversee their life in town. I do not look forward to almost a decade of stress and separation from each other and from my spouse.
2. The teen years are full of issues that parents need to be able to oversee. With my daughters over two hours round trip away, in a town where we have no support structure of friends or family, it will be challenging if not impossible to be fully in touch with my daughter's social and academic life.
3. The bus ride through the canyon is too long and too dangerous. It is simply inappropriate to bus children this much on one of the most dangerous roads in the state.
4. Bozeman is a good high school, but it is an inappropriate 'next step' for children from rural schools like Ophir as their poor graduation rates attest.
5. Big Sky needs a high school to become a real community. Big Sky is a growth center for the state, and as such needs and deserves to be supported in its efforts to become a real community by the state.
6. When the government fails to provide a service, or a quality service, the private sector steps in. I worry that if this effort fails, the wealthy in our community will simply create a private school, forever dividing our town between the haves and the have nots.

For the reasons of safety, hardship, family stress, educational quality and fairness and community building, among others, I implore you to support this legislation or find other ways to help Big Sky and other growing communities like it to have the secondary school options they and their children deserve.

Sincerely,



Barbara Rowley
P.O. Box 160626
Big Sky, MT 59716

GREENE

CONSTRUCTION
OF BIG SKY, INC.

February 16, 2005

Senator Jim Elliot
Montana Senate
P.O. Box 200500
Helena, MT 59620-500

Dear Senator Elliot:

I am the owner of a construction company established in Big Sky for over six years. I'm also the father of three children ages 7 and 11. I support Senate Bill 419 as a business owner and father.

All the homes I build are located in Big Sky. My work never takes me out of this area. We have considered relocating our family to Bozeman when our daughter enters high school but because I own our company I put in a lot of hours and that would keep me away from the family for most of the work week. My wife and I have always believed in the importance of living together as a family and not putting the stress of separation due to commuting on ourselves.

To those working and living in Big Sky, it is a warm, welcoming place. When we moved here we chose this town as our home not Bozeman. We don't want to be forced to relocate our family simply because we don't have a high school.

I've also talked to many clients and employees who would love to relocate to Big Sky but are constantly deterred by our lack of high school. Hundreds of people commute to our town each day for employment but other than a paycheck, Big Sky doesn't offer them a long term home for their families with out a high school. It is hard as a business owner to try to help a community grow when a huge portion of the population is not welcome here because we can't accommodate their needs without a high school.

Our family is faced with an incredible obstacle as our daughter nears high school age. We don't want to leave Big Sky or Montana, for that matter, but we are definitely considering all of our options. We only wish the decision would be taken out of our hands by you allowing us to pursue the possibility of having a high school in Big Sky. Please vote for Bill 419.

Sincerely,


Joshua Greene
Owner/General Contractor

Petter & Julie Barve
PO Box 161436
13 Beartooth Court
Big Sky, MT 59716

Montana Senate
P.O. Box 200500
Helena, MT 59620-0500

February 15, 2005

Dear Senator Jim Elliot:

My wife Julie and I have lived in the Big Sky area for a little less than one year. We have two daughters whom currently attend 1st and 4th grade. We think your Senate Bill #419 is vital for several reasons including long and dangerous bus rides, the impact on the educational future particularly with the growth of Big Sky, and the disruption and difficulty of a quality family lifestyle.

The Ophir School District, located in the Big Sky area, is combined with the Bozeman School District for purposes of Grades 9-12. Bozeman is about 50 miles from Big Sky with considerable traffic and other related contingencies facing our children for 180 days of the school year; moreover, with extracurricular educational activities, both academic and athletic, in summer and on weekends the travel issues are exacerbated. The bus ride, our personal transportation and even the child as driver is fraught with travel expense, danger and a considerable time factor (a minimum of one hour each way). If driving is not an option, some parents have opted to purchase or lease a residence in Bozeman. We are not willing to maintain a second residence just to attend the district high school.

Much of the strength of the community is regularly lost to Bozeman when families like ours have children attending school at Bozeman High School. As small communities around Montana know, a high school is the center of a town. Without a high school, it is questionable whether Big Sky will ever be able to reach its true potential.

Sincerely,

A handwritten signature in black ink, appearing to read 'Petter & Julie Barve', with a large, sweeping flourish above the name.

Petter and Julie Barve



YELLOWSTONE CLUB

February 15, 2005

Montana Senate
P.O. Box 200500
Helena, MT 59620-0500

Re: Senate Bill 419

Dear Senator Jim Elliot:

The Yellowstone Club has been greatly supportive in the educational efforts of the Ophir School District #72, elementary grades K-8, located in the Big Sky area, in funding through donations and in parental and community involvement. The school has grown considerably in the last 10 years. The extensive and aggressive growth in the Gallatin County (Bozeman and Big Sky specifically), the crowding at the current high school in Bozeman, the dangerous drive along Highway 191, and many other educational factors support the need for an assessment of expanding the existing elementary school district to include high school grades 9-12.

The Ophir School District is combined with the Bozeman School District for purposes of Grades 9-12. Bozeman is about 50 miles from Big Sky with considerable traffic and other related contingencies facing parents and children for 180 days of the school year; moreover, with extracurricular educational activities, both academic and athletic, in summer and on weekends the travel issues are exacerbated. The bus ride, the parental transportation and even the child as driver is fraught with travel expense, danger and a considerable time factor (a minimum of one hour each way). If driving is not an option, some parents have opted to purchase or lease a residence in Bozeman. Obviously having to maintain a second residence just to attend the district high school creates a commuting issue and a considerable additional expense for those parents as well.

Parents for many years have wrestled with these challenges of living in Big Sky and having the district High School in Bozeman, so the issue of a local high school for our area is a real one. To say that we are dealing with an "inconvenience" factor is simply not correct. With college entry education enveloping not only academics but outside activities (sports, speech and debate and a student's community involvement) added pressure on Big Sky parents and children to succeed in Bozeman for college entry, becomes an overwhelming difficulty when applying for colleges of choice.

Re: Senate Bill 419

The issue of a High School to service the greater Big Sky community has been discussed with the Bozeman School District many times resulting in no aggressive changes. The State imposed a moratorium on new high schools which further inhibited consideration of this potential. We firmly believe that we should be given the option for the creation and expansion of our elementary district to include a high school district. Bill 491 retains the process for the leaving high school trustees and the entering community to assess the funding and educational requirements of creating a new high school district. By lifting the moratorium for creating a new high school, it simply gives both districts the process and the right to create an equitable educational opportunity for the students of Big Sky.

Please carefully consider this bill that gives us a right and a means by which we can build an education for our children.

Sincerely,

A handwritten signature in cursive script that reads "Tim and Edra Blixseth". The signature is written in black ink and includes a small circular mark at the end of the line.

Timothy and Edra Blixseth
Owners, Yellowstone Mountain Club



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Cypress Mountain, British Columbia

February 16, 2005

Senator Jim Elliot
Montana Senate
P.O. Box 200500
Helena, MT 59620-0500

Dear Senator Elliot:

On behalf of Boyne USA, I am writing to ask you for your support of SB#419 to change state law and allow Big Sky to vote on a local high school. Our company has been operating the Big Sky Resort for 30 years, and has seen the area develop into one of the cornerstones of tourism and economic growth in the state.

We have been active in the development of Big Sky as a community as well as a resort, and have put our efforts behind many initiatives to see Big Sky grow as a town. We believe the current move to create a high school in the area is an important next step.

As small towns across the country can attest, the loss of a high school is often the death knell for a community. In the case of Big Sky, we believe the lack of a high school may be the element that keeps the town from fully maturing.

We support the efforts to have a high school for business and community reasons, and on behalf of our 350 full-time employees, many of who have begun to have families. We don't want to lose these employees, or have their lives and families be stressed by what can only be described as an onerous commute to Bozeman.

Thank you for your support on this important topic both for Big Sky, and the state, which certainly stands to benefit as Big Sky grows.

Sincerely,

Stephen Kircher

Principal, Boyne USA

**J. MARK & MARIE GOODE
SADDLE RIDGE W-1
P.O. BOX 161157
BIG SKY, MT 59716-1157
(406) 995-2892**

February 16, 2005

Senator Jim Elliot
Montana State Senate
P.O. Box 200500
Helena, MT 59620-0500

Dear Senator Elliot,

I am the father of three school-aged children living in Big Sky. I strongly support your Senate Bill #419. I think this bill is vital because the absence of a high school in Big Sky directly effects me, my family and the Big Sky community as a whole for the following reasons:

1. The bus ride from Big Sky to Bozeman High School is long and dangerous. Our children face limited educational extra-curricular activities due to the long bus commute. The route along Highway 191 is very dangerous.
2. The absence of a high school in Big Sky greatly limits the growth of the community. Many employers have difficulty finding and adequate staff for their business.
3. There is undue hardship forced upon families and students in Big Sky. Many families have taken extreme measures to meet the needs of their high school aged children such as sending them away to boarding school, purchasing a second home or apartment in Bozeman or uprooting and moving their families.

Please seriously consider Senate Bill 419 for the sake of families in Big Sky.

Thank you,



J. Mark Goode

**Anne Marie Mistretta, Ph.D.
Gerald M. Mistretta
Educational Consultants
P.O. Box 161399
Big Sky, Montana 59716**

406-995-2685

Email: gammist@3rivers.net FAX: 406-995-4808

Senator Jim Elliot
P.O. Box 200500
Helena, MT 5920-0500

RE: SENATE BILL NO. 419

INTRODUCED BY D. RYAN

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MORATORIUM ON NEW SCHOOL DISTRICTS TO ALLOW CREATION OF A HIGH SCHOOL DISTRICT SOLELY FOR THE PURPOSE OF EXPANDING AN ELEMENTARY DISTRICT INTO A K-12 SCHOOL DISTRICT; ESTABLISHING PROCEDURES FOR CREATION BY PETITION OR TRUSTEE RESOLUTION; AMENDING SECTION 20-6-104, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE

I am writing to support Senate Bill Number 419 intended to extend the Ophir School District #72 from a K through 8 school district to one that includes a high school. My wife and I are former Connecticut educators with over 70 years combined experience: I was a high school principal for 20 years; my wife retired as an assistant superintendent of schools and returned for a seven month stint as an interim superintendent. We retired to Big Sky, a community with which we have been affiliated for 15 years, so we speak to you with an expansive background of experience as well as sincerity about the possibility of a high school in our community.

We believe that a high school here is quite workable. Big Sky would join a large number of small Montana communities with a viable high school. In retirement, my wife and I have supervised student teachers from Montana State University – Bozeman. These student teachers are often placed in small high schools. As a result of my close observations of high schools in Manhattan and West Yellowstone, I initiated contact with superintendents in several other communities with small high schools. They report that their students are quite successful and that there has been no difficulty in attracting highly qualified teachers. Surely, Big Sky deserves to educate its students in a superlative high school right here in our community.

Others will speak to the undue stress that travel through the canyon places on families. Certainly, I am aware of this, since as an adult I must travel through the canyon once a week to observe student teachers. My focus here will be the quality of education that our Big Sky youngsters receive once they get to the end of that daily ride. It has been difficult for us to

Amy & Christian Johnsen
PO Box 160847
Big Sky, MT 59716
(401) 995-3966

February 16, 2005

Dear Senator Elliott:

We are a young family with two small daughters, ages 2 and 5, who own the local bakery, The Blue Moon, in Big Sky. We have chosen to live in Big Sky because of the small town lifestyle as well as the business opportunities here. We believe both of these attributes would only be enhanced by the passage of SB#419.

We want our daughters to have the opportunity to attend high school in the community in which they are growing up. Currently the only option after 8th grade for our daughters is to be shipped off on a 2 hour bus ride each way on Highway 191, one of the most dangerous roads in the state.

In addition to the safety issues, we feel that it is vital to be very involved in our daughters' lives throughout their high school years, both in their education as well as their extra-curricular activities. We feel that being two hours away in Big Sky operating our business would be a serious obstacle to our involvement as parents.

Our town is a vibrant and rapidly growing community. We feel that the passage of SB#419 would help us preserve the character of our small town. As business people, we also believe that having the option of a local high school would enhance the economic opportunities in this area.

Thank you in advance for your attention and support.

Sincerely,



Christian Johnsen



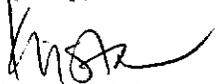
Amy Johnsen

Dear Senator Jim Elliot:

My husband and I are raising our family in Big Sky, where her practices physical therapy and we own and operate a health and fitness center. Our home and business are here, and we want our daughters to be here as well. That is why we are so supportive of SB#419.

We ask that you support this important legislation that will allow Big Sky residents to keep their families together, rather than sending them away from home down a long and dangerous road to Bozeman for High School. As our girls are three years apart in age, we face seven years of our family being separated between Big Sky and Bozeman. We find this unacceptable. Please support SB#419.

Sincerely,



Krista and John Boersma
PO Box 160431
Big Sky, MT 59716

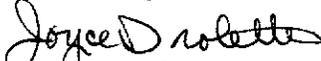
Big Sky Preschool
45465 Gallatin Rd
Gallatin Gateway, MT 59730

Dear Senator Elliot:

I am the owner and director of the only preschool in Big Sky. I opened five years ago, and have experienced a level of growth in my business that is almost overwhelming. I opened with four students five years ago; now I have over 40 and am looking to expand. I can testify through my personal experience that many of my students might not have stayed in Big Sky had there not been a preschool, while others decided to move here because there is a preschool.

Because of my experience, I support SB#419. I feel certain that my experience would be replicated at the high school level, but with certainly greater numbers as parents learn that there is a secondary education option in Big Sky. I also believe that it is unfair for Big Sky students to have to leave home to attend school in a community which is not their own. Big Sky is not a bedroom community or suburb of Bozeman; our students do not know people in town. A high school serving our own community is a good thing for our children, for our town and for our community as a whole.

Sincerely,


Joyde Drolette

LA LUNA

Mexican Restaurant

February 15, 2005

Senator Jim Elliot
P.O. Box 200500
Helena, Montana 59620-0500

Dear Senator Elliot:

Our names are Victor and Stephanie Sarmiento. We are writing in support of senate bill 419. We are the parents of two girls age 5 and 7. We own and operate La Luna Mexican Restaurant in Big Sky and we have resided in Big Sky for over two years. I, Stephanie have been a secondary teacher for 9 years.

We support this bill for the following reasons:

- We fear for the safety of our children commuting over two hours a day on highway 191.
- The daily long commute creates problems of: sleep deprivation and exhaustion.
- The distance creates discrimination against my children having as many choices in extra curricular activities as the Bozeman students because there is not a commuting option for my children after 3:00pm.
- We are actively involved in our children's education; therefore, it is paramount that we are available for parent teacher conferences, volunteer work and supporting their activities. (Sporting events, productions, shows etc). Research has shown that student's whose parents are involved in their children's education do better academically, socially and are less apt to try drugs/alcohol. In order to avoid the dangerous commute and for our children to enjoy all the benefits of high school (after school activities) we would experience personal and professional economic hardship. We would be forced to acquire a second home or commute five days a week to Bozeman (making one or both of us unavailable to attend to our business). It is unfair that these choices are imposed on us in order for us to be involved parents and for our children to have all the benefits of high school.
- Having residency in two locations so that our children are healthy and happy with their education would cause stress, frustration and anxiety living apart.
- We feel a high school in our community will help nurture the economic growth of Big Sky by more residents choosing to live here full time. This benefits local businesses year round, instead of experiencing economic downturns during our "off-seasons".
- A K-12 district in Big Sky would help foster a stronger sense of community and parental involvement.
- Research has shown that there are many benefits to small classroom size and small schools. These benefits include: lower incidence of truancy, drug/alcohol abuse, higher rates of graduation rates and better academic performance.
- We would prefer to have a k-12 school in Big Sky so that our children can attend a high school within our community with a safe commute, where we are involved in our children's education, we are an intact family, we won't be separated from our business and we enjoy quality of life.

Thank you for your consideration of bill 419.

Sincerely,



Victor and Stephanie Sarmiento



BIG SKY OWNERS ASSOCIATION

February 16, 2005

Senator Jim Elliott
Montana Senate
POB 200500
Helena, MT 59620-0500

Subject: Senate Bill 419 - "An Act Revising the Moratorium on New School Districts to Allow Creation of a High School District Solely for the Purpose of Expanding an Elementary District into a K-12 School District; Establishing Procedures For Creation By Petition Or Trustee Resolution; Amending Section 20-6-104, MCA; and Providing An Immediate Effective Date and an Applicability Date"

Dear Senator Elliott:

The Big Sky Owners Association mission statement is to protect, maintain, and enhance the quality of life of our membership and property values.

We support SB 419, and believe that allowing the local community the discretion to expand the Ophir School district to include secondary education in Big Sky supports our mission as a homeowners association.

Thank you for your support of the subject legislation.

Sincerely,

Steve Barrett
Chair, BSOA Board



Ophir School District #72
45465 Gallatin Road, Gallatin Gateway, Mt. 59730
406-995-4281 (fax) 406-995-2161

February 16, 2005

Senator Jim Elliott
Montana Senate
PO Box 200500
Helena, MT 59620-0500

Dear Senator Elliott,

This is in regard to my support of Senate Bill 419. In my position as District Clerk at Ophir School I have received numerous phone calls from perspective families looking at moving to the Big Sky area. It is a major deterrent when they learn that students are bussed an hour away to Bozeman for high school. Given this our enrollment has steadily been increasing the past five years. Since 1999 we have experienced a 32% enrollment increase. This school year alone we have experienced a 9% enrollment increase.

I have watched and listened to the struggles families face when their children get to high school age. The students who seem to fare the best are those whose families are able to have a second residence in Bozeman. These students are able to participate in extra curricular activities which help tremendously in the transition from Ophir School to Bozeman High School. Unfortunately this creates a disparity in education and in my opinion is not offering equal access to all students.

Ophir School is certainly not the norm compared to most Montana schools. Instead of dealing with declining enrollments we are faced with a K-8 population that is outgrowing its current space. We should not be prohibited from exploring a high school option because other Montana schools are facing consolidation issues. Lifting this moratorium would give local control back to the people who can make the best choices for the students they serve.

I would urge your support of this legislation.

Sincerely,

Tanya A. Roberts
District Clerk

February 15, 2005

Senator Jim Elliot
Montana Senate
P.O. Box 200500
Helena, MT 59620-0500

Dear Senator Elliot:

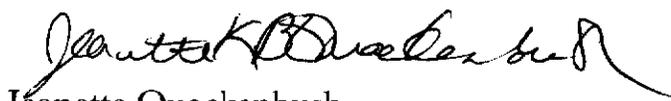
I am a mother of a five year old daughter and one year old son. I am a teacher by profession, have taught in both private and public schools from large middle schools to small one-room school houses, and am currently a school board trustee at Ophir School in Big Sky. My family and I moved to Big Sky four years ago onto eight acres of property with a creek running through it, a piece of property my family has owned for 25 years.

I strongly support Senate Bill 419. We moved to Big Sky to provide our children with a life connected to community, filled with family involvement with the school and community events, immersed in the environment of Big Sky and Yellowstone National Park. We are close to work, to skiing as a family, to our new playground in our community park, to dance classes, school events, volunteer opportunities in the classroom, to a rich after school program, to our growing town center.

We will face losing all of the benefits above for our children when our daughter rides one hour each way on the the third most dangerous two lane canyon road in Montana to arrive at school that is far from home and community. We will have to consider selling family property in order to afford a home in Bozeman or face splitting our efforts of involvement in school and after school activities between Big Sky and Bozeman as our son will continue to attend Ophir during his sister's high school years. We live in a community where school draws us all together, where the students feel the benefit of all the adults around them investing in their learning.....up until 8th grade. After that, school separates families, splits the community, forces fathers and mothers to live in two different towns, restricts children's choices of after school activities from sports to academic clubs due to lack of transportation for those activities.

Again, I strongly support Senate Bill 419. Please give us the option to continue to choose what is right for our children.

Sincerely,


Jeanette Quackenbush



BIG SKY RESORT

P.O. Box 160001
Big Sky, Montana
59716

(406) 995-5000

Fax (406) 995-5001

National Reservations
(800) 548-4486

Group/Convention Sales
(800) 548-4487
Fax (406) 995-5003

BOYNE USA RESORTS

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Boyne Mountain, MI
Boyne Highlands, MI
Bay Harbor Golf Club, MI
The Inn at Bay Harbor, MI
Brighton, UT
Crystal Mountain, WA
Gatlinburg, TN
Cypress Mountain, British Columbia

February 15, 2005

Senator Jim Elliot
Montana Senate
P.O. Box 200500
Helena, MT 59620-0500

Dear Senator Elliot,

My husband and I have made our home in Big Sky for fifteen years. We both work hard in our town, particularly in the winter ski season when my husband operates and owns an on-mountain restaurant and I manage all accommodations for Big Sky Resort. We are also the parents of two young boys, age three and seven.

As you might imagine, we look forward to the high school years with some trepidation, and not just because we'll have teenage boys. The idea of our family being separated by such a large distance and over such a dangerous road is very daunting. That's why we support SB#419, which would give our community the ability to discuss and plan our children's high school future.

Given the nature of the jobs we hold, it would be especially challenging for us to be able to be part of our boys' education and lives during ski season, when it would be virtually impossible for us to either set up a second residence in Bozeman (as so many Big Sky families are forced to do) or transport our boys to athletics and extra-curricular after school, since there is no extra-curricular bus.

Please give all your support to SB#419 for the sake of our family and families like ours, who face years of being separated from one another during the high school years.

Sincerely,

Barb Starz
Director of Resort Lodging

Jill Bough
3866 Andesite Road
Big Sky, MT 59716

Senator Jim Elliot
P.O. Box 200500
Helena, MT 59620-0500

Dear Senator Elliot-

I am a mother of two young children (and a third on the way). I have a daughter in Kindergarten at Ophir School in Big Sky and a son in the pre-school which is located in the school building.

I grew up in Great Falls, attended Eastern Montana College, and worked in other states and other countries before returning to my native Montana. My husband (also a Montana native) and I chose Big Sky as home because of its beautiful environment as well as its wholesome, family-oriented community.

If anything had prohibited us from making Big Sky, Montana our home it would have been the absence of a high school in the area. Quite honestly, had we understood the seriousness of this issue, we may not have returned to Montana to raise our children.

I am on the Ophir School Board and involved with our K-8 school on many levels. Through that involvement, I have seen the frustrations and contortions family members go through in order to get their children through high school in Bozeman. This frequently requires families to divide, one parent living in Bozeman with the high school student while the other remains in Big Sky working and accommodating the younger sibling(s). Other families have decided to send their children to private schools in other states. And still others have simply moved away when their oldest reached high school.

If Big Sky is unable to extend the school district to K-12, I am one parent who will simply not put my children's lives in danger on Highway 191. Nor am I a parent who would consider dividing the family. Our only choice would be to move away, which, unfortunately, has been the ultimate choice of many Montanans in our area.

I support Senate Bill #419 and hope that you consider our growing, productive and family-oriented community when reviewing the out-of-date moratorium bill. The problem with the moratorium is that it leaves no room for exception - and our community is most definitely an exception in need of attention.

Thank you,



Jill Bough



MOONLIGHT BASIN RANCH

To Senator Elliot:

I would like to express my support for Senate Bill number 419 sponsored by Bill Tash and Don Ryan. The current lack of higher education for residents of Big Sky is an unnecessary burden to the community. As children reach high school age, parents are forced to make a decision to either move to a community with adequate educational opportunities or send their children on an hour commute each day through one of the most unsafe roads in the state.

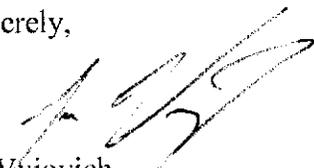
Without a high school in the area, potential employees of Moonlight Basin Ranch with children entering high school must move out of the area, maintain multiple residences, or offer their children substandard opportunities to grow both socially and educationally. Studies show that the added commute time and family burden diminishes the achievements of the students. The dropout rates are higher among students forced to commute or move such long distances.

Many good community leaders are at a point in life where their children are reaching high school age. With the nearest high school over an hour away, many of the community leaders feel forced to leave the area so that they can provide their children with the educational and social opportunities many other children take for granted.

At Moonlight Basin Ranch, we have worked to help Montana attract businesses requiring skilled employees, artists, musicians, and scholars. For those businesses to succeed, we need to be able to support the families that these educated employees will bring with them. If the state wishes to attract and retain businesses, white collar executives, and skilled employees we must be willing to adequately support and educate their families.

Since Big Sky is the fastest growing area in the state, it is only fair that it should be adequately supported. An exception to the state moratorium on new high school districts seems an appropriate first step. It would allow the residents of Big Sky to continue to contribute in the community they have come to know as home.

Sincerely,



Joe Vujovich
Moonlight Basin Ranch, L.P.

OPHIR SCHOOL DISTRICT #72



45465 Gallatin Road
Gallatin Gateway, MT 59730
406-995-4281
Fax 406-995-2161

February 15, 2005

The Honorable Jim Elliot
Education and Cultural Resources Committee
P.O. Box 200700
Helena, MT 59620-0500

Senator Elliot:

I am chairman of the Ophir School Board of Trustees (District #72). On behalf of the Board, I wanted you to know that at our last meeting we passed an action item supporting the effort to give District #72 residents the right to vote on expanding our current K-8 district to include a high school.

The exact language of your bill - SB 419 – wasn't available at the time of our meeting but we certainly support the idea of creating an exception to the moratorium on establishing new high school districts. It is not a given that District #72 voters would support a high school. But we believe they should have the opportunity to consider it.

A group of concerned citizens in Big Sky is currently conducting community-wide meetings to assess and evaluate public interest. They are working to raise awareness of issues involved with the current eighty mile round trip commutes for students and to gather information about the potential requirements and costs of a future high school. Should they find broad support, and I believe they will, it would be a shame if a legislative barrier prevented local citizens from even considering such a step.

Thank you for your leadership on this issue.

Jon C. Holtzman
Chair
Ophir Board of Trustees
District #72



MOONLIGHT BASIN
RANCH

February 16, 2005

Dear Senator Elliot,

We are writing to express our support for SB#419. As owners of the Moonlight Ski Resort in Big Sky, we have a strong interest in the development of our community's infrastructure. Clearly, a high school is a crucial piece of this infrastructure. We also support giving Big Sky residents the right to vote on this issue for the following reasons:

1. We are grandparents of young children who attend Ophir. We believe in the value of the small town education and the value of a high school to a small town (we raised our family in Ennis).
2. We think Big Sky deserves the right to determine its own destiny as a community and, as a separate town from Bozeman, should have its own school.
3. We think a high school could provide vital community center services that are currently lacking and would help us bring people to our area, and retain them once they arrive.

Please give this bill your support and help growing communities like Big Sky continue to grow.

Sincerely,

Lee Poole
Moonlight Basin Ranch, L.P.

Senator Jim Elliot
Montana Senate
PO Box 200500
Helena, MT 59620-0500

Re: Senate Bill 419

I moved to Big Sky, Montana with my wife and son three years ago. We have fallen in love with Montana and the Big Sky area. We feel extremely fortunate to have an opportunity to live and work in one of the greatest places in the country.

My son is currently in the 6th grade at Ophir School. I am the manager of the Property Owner's Association and Director of Public Safety at the Yellowstone Club. My wife, who has not worked outside the home in approximately 20 years, is working as an interior designer (received a degree in this field in 1977) for Woodland Design in Big Sky and loves every minute she is at work. Before coming to Big Sky I served 25 years in the US Army and move my family all over the world. We have found the place we want to call home.

The only problem we are face living here in paradise is no high school. This is a serious problem we will have to deal with in a few years. Our original plan was to buy a small condo in Bozeman where my wife and son would stay during the week while my son was in school.

Now that my wife has finally started the career she has always wanted, having her give it up to live part of the year in Bozeman is no longer the answer. Our only other options are to move to Bozeman and commute to work every day or to have my son ride on a school bus for 100 miles every day. Neither options appeals to us. Both would have a drastic impact on our quality of life.

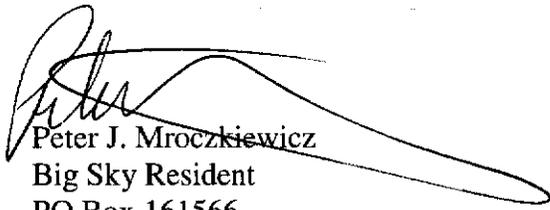
I know many children in Montana travel in school buses for long distances to get to and from school. Riding a bus is not the issue that concerns me. What does concern me will be my son's ability to participate in after school events without someone making the long trip to pick him up. When he gets old enough he will want to drive himself, especially when he makes friends with other Bozeman High School students not living in Big Sky who he will want to socialize with.

We have only lived in Big Sky for a few years but we already know of way too many deaths in the Gallatin Canyon that have added to the count of crosses along the road. My wife and I will do whatever we have to, and will make any sacrifice to ensure our son's life is not immortalized by one of these crosses. Even if this means leaving the home and jobs we have come to love.

My family sacrificed a lot during my Army career. I feel they have earned the right not to have to make any more sacrifices in their quality of life. If forced to choose between the options we are currently faced with we will seriously consider relocating to another part of the country. A place my wife and I can both pursue our chosen careers where we don't have the chose between long arduous commutes and the safety of our son.

My family and I respectfully request you give serious consideration to the lack of a high school in the Big Sky area. Being active members of the community we know there are a number of extremely smart and dedicated citizens researching and making recommendations on this issue. We support their efforts and endorse their recommendations.

Sincerely Yours,



Peter J. Mroczkiewicz
Big Sky Resident
PO Box 161566
Big Sky, MT 59716