SENATE EDUCATION
EXHIBIT NO. 10
DATE 3-11-2009
BILL NO. HB 488

**HB 488 An Act to Revise Territory Transfer Laws Relating to K-12 School Districts**

As taxpayers of the Brady portion of the Dutton/Brady school district, we request your support for House Bill 488, an act to revise territory transfer laws relating to K-12 school districts.

At the time of the consolidation of the Dutton and Brady K-12 school districts in 2005, Montana law made it possible to transfer land from one school district to another if the petition process was followed and agreed upon by the county superintendents of schools for the counties involved.

Many in the Brady district opposed the consolidation because it meant consolidating with a school district in another county and tax dollars leaving the county. However, they knew a transfer of property out of the newly consolidated Dutton/Brady school districts would be possible after the consolidation as stated by law. These families had a history of sending their children to school in Conrad, but understood that many Brady people hoped a consolidation with Dutton would mean keeping the Brady school open at least as an elementary school. Since the consolidation, the school in Brady has been closed, the building is up for sale, and most of the area students attend school in Conrad.

Before any transfer of property could be pursued, the 2007 Montana Legislature changed the law in response to a high school being built at Big Sky, Montana, and an anticipated territory dispute between Madison and Gallatin counties. The 2007 law requires a written agreement between both school boards as well as the county superintendents.

We as taxpayers, entered into the Dutton/Brady consolidation knowing what the rules were to petition for transfer of property. In the middle of the process, the rules were changed, and we do not feel the 2007 Montana Legislature realized the unintended consequence it would have on our consolidation.

We ask for your support of HB 488 so we may consider land transfers as specified in the Montana law that was in place when the consolidation of the Dutton and Brady school districts took place. We realize HB 488 does not grant such a transfer, but is the procedure to be followed should a land transfer be pursued.

Respectfully submitted,

Judy Bergstrom
1001 Apple Dale Lane
Brady, MT 59416

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Howard Bergstrom
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