

MINUTES

**MONTANA SENATE
52nd LEGISLATURE - REGULAR SESSION**

COMMITTEE ON EDUCATION

Call to Order: By Chairman Chet Blaylock, on February 13, 1991,
at 3:00 p.m.

ROLL CALL

Members Present:

Chet Blaylock, Chairman (D)
Harry Fritz, Vice Chairman (D)
Robert Brown (R)
Bill Farrell (R)
H.W. Hammond (R)
Dennis Nathe (R)
Dick Pinsoneault (D)
Mignon Waterman (D)
Bill Yellowtail (D)

Members Excused: None

Staff Present: Eddy McClure (Legislative Council).

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Announcements/Discussion: None

EXECUTIVE ACTION ON SENATE JOINT RESOLUTION 13

Motion:

Senator Waterman moved to pass the amendments for SJR 13 and
add Fort Fisal.

Senator Waterman moved to do pass SJR 13 as amended.

Discussion:

None

Amendments, Discussion, and Votes:

The amendments for SJR 13 passed unanimously.

Recommendation and Vote:

SJR 13 passed unanimously with amendments.

EXECUTIVE ACTION ON SENATE BILL 82Motion:

Senator Waterman moved to pass the amendments for SB 82 (See Exhibit 1).

Senator Waterman moved to do pass SB 82 as amended.

Discussion:

Eddy McClure went over the amendments with the committee.

Senator Hammond asked what room and board applies to.

Greg Goepper replied that room and board only applies to isolated school districts, where they send their kids in for the week and then they do room and board rather than running them back and forth.

Senator Hammond asked why so much, five dollars seemed like a lot.

Greg Goepper replied that the way it is calculated with the existing statutes, they could pay five dollars now for one eligible transferee and three dollars for each additional transferee. These changes reflect the same increase to room and board that is in there for people that transfer their own kids.

Senator Hammond asked that there is a choice, which one costs less.

Greg Goepper replied that there are limits, there are not many isolated districts.

Senator Waterman commented that they didn't change anything but the amounts.

Senator Nathe asked how many schools do the room and board other than Jordan.

Greg Goepper replied that it has been declining in the past two years.

Senator Nathe asked if special education kids ride on the regular buses with the other kids.

Senator Waterman replied that some do, some don't. Depending on the severity.

Greg Goepper stated that the more severe cases ride on the shorter bus with wheel chair lifts.

Amendments, Discussion, and Votes:

The amendments for SB 82 passed unanimously.

Recommendation and Vote:

SB 82 passed unanimously with amendments.

ADJOURNMENT

Adjournment At: 3:40 p.m.



CHET BLAYLOCK, Chairman



DARA ANDERSON, Secretary

CB/da

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 14, 1991

MR. PRESIDENT:

We, your committee on Education and Cultural Resources having had under consideration Senate Joint Resolution No. 13 (first reading copy -- white), respectfully report that Senate Joint Resolution No. 13 be amended and as so amended do pass:

1. Title, line 8.

Following: "HOLE BATTLEFIELD,"

Insert: "FORT FIZZLE,"

2. Page 1, line 13.

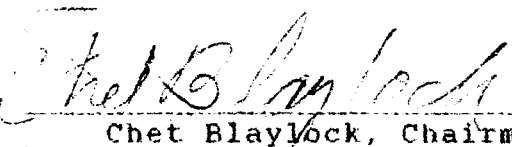
Page 2, line 8.

Page 3, line 1.

Following: "Battlefield,"

Insert: "Fort Fizzle,"

Signed:


Chet Blaylock, Chairman

11/20/91 2-14-91
And. Coord.

SR 2-14 10:05
Sec. of Senate

EX.
2-13-91
5B82

Amendments to Senate Bill No. 82
First Reading Copy

Requested by Office of Public Instruction
For the Committee on Senate Education

Prepared by Eddy McClure
January 18, 1991

1. Title, lines 9 through 12.
Following: "COUNTY;" on line 9
Strike: remainder of line 9 through "COUNTIES;" on line 11
Insert: "REQUIRING A REPORT TO THE 1993 LEGISLATURE;"
Following: "17-2-213," on line 11
Insert: "20-7-422,"
Following: "20-10-141," on line 12
Insert: "20-10-142,"

2. Title, line 14.
Strike: "A DELAYED"
Insert: "AN"

3. Page 1, line 15.
Insert: "WHEREAS, the Legislature recognizes its responsibility to develop a more equalized system of funding school transportation. It is the intent of the Legislature that this bill, which allows the Office of Public Instruction to develop data not currently available to monitor current spending by the school, be considered simply the first step toward providing a long-term solution to school transportation equalization problems in Montana. The Legislature also intends, as provided in [section 16], that the Office of Public Instruction continue to collect school transportation data and that equitable funding methods for school transportation be addressed by the 53rd Legislature."

4. Page 4, line 2; page 5, line 12.
Following: "20-9-366"
Strike: "(1) and (3)"

5. Page 6, line 6.
Following: line 5
Insert: "Section 4. Section 20-7-442, MCA, is amended to read:
"20-7-442. State transportation reimbursement for special education children. Districts providing children with transportation to a special education class or program and complying with the special education transportation regulations promulgated by the superintendent of public instruction shall be eligible for a transportation reimbursement. The reimbursement shall be calculated from a schedule established by the superintendent of public instruction with the state providing ~~two-thirds~~ 100% of the reimbursement and ~~the county in which the~~

~~children reside providing the remainder."~~

Renumber: subsequent sections

6. Page 6, line 22.

Following: "school"

Strike: "elementary and high school"

7. Page 11, lines 8 through 15.

Following: line 7

Strike: subsection 2 in its entirety

Renumber: subsequent subsections

8. Page 12, line 18.

Following: "ANB"

Insert: ", for permissive and retirement guaranteed tax base purposes,"

9. Page 14, lines 8 through 16.

Following: line 7

Strike: subsection (3) in its entirety

10. Page 14, lines 21 and 22.

Following: "budgets" on line 21

Strike: the remainder of line 21 through "schedules" on line 22

11. Page 15, lines 1 and 2.

Following: "ef" on line 1

Strike: the remainder of line 1 through "obligation" on line 2

12. Page 15, lines 6 and 7.

Following: "budgets" on line 6

Strike: the remainder of line 6 through "schedules" on line 7

13. Page 15, lines 11 and 12.

Following: "ef" on line 11

Strike: the remainder of line 11 through "obligation" on line 12

14. Page 17, line 11.

Following: "and"

Strike: "80"

Insert: "90"

15. Page 17, line 16.

Following: "additional"

Strike: "2"

Insert: "2.25"

16. Page 17, line 18.

Following: "and"

Strike: "80"

Insert: "90"

17. Page 17, line 19.

Following: "mile"

Insert: "per bus mile"

Ex.
2-13-91
3B 82

18. Page 18, line 13.

Following: line 12

Insert: "Section 11. Section 20-10-142, MCA, is amended to read:

"20-10-142. Schedule of maximum reimbursement for individual transportation. The following rates for individual transportation constitute the maximum reimbursement to districts for individual transportation from state and county sources of transportation revenue under the provisions of 20-10-145 and 20-10-146. These rates also shall constitute the limitation of the budgeted amounts for individual transportation for the ensuing school fiscal year. The schedules provided in this section shall not be altered by any authority other than the legislature of the state of Montana. When the trustees contract with the parent or guardian of any eligible transportee to provide individual transportation for each day of school attendance, they shall reimburse the parent or guardian on the basis of the following schedule:

(1) When a parent or guardian transports an eligible transportee or transportees from the residence of the parent or guardian to a school or to schools located within 3 miles of one another, the total reimbursement per day of attendance shall be determined by multiplying the distance in miles between the residence and the school, or the most distant school if more than one, by 2, subtracting 6 miles from the product so obtained, and multiplying the difference by ~~20~~ 22.5 cents provided that:

(a) if two or more eligible transportees are transported by a parent or guardian to two or more schools located within 3 miles of one another and if such schools are operated by different school districts, the total amount of the reimbursement shall be divided equally between the districts;

(b) if two or more eligible transportees are transported by a parent or guardian to two or more schools located more than 3 miles from one another, the parent or guardian shall be separately reimbursed for transporting the eligible transportee or transportees to each school;

(c) if a parent transports two or more eligible transportees to a school and a bus stop which school and bus stop are located within 3 miles of one another, the total reimbursement shall be determined under the provisions of this subsection and shall be divided equally between the district operating the school and the district operating the bus;

(d) if a parent transporting two or more eligible transportees to a school or bus stop must, because of varying arrival and departure times, make more than one round-trip journey to the bus stop or school, the total reimbursement allowed by this section shall be limited to one round trip per day for each scheduled arrival or departure time;

(e) notwithstanding subsection (1)(a), (1)(b), (1)(c), or (1)(d), no reimbursement may be less than 25 cents a day.

(2) When the parent or guardian transports an eligible transportee or transportees from the residence to a bus stop of a bus route approved by the trustees for the transportation of the transportee or transportees, the total reimbursement per day of attendance shall be determined by multiplying the distance in miles between the residence and the bus stop by 2, subtracting 3

miles from the product so obtained, and multiplying the difference by ~~20~~ 22.5 cents provided that:

(a) if the eligible transportees transported attend schools in different districts but ride on one bus, the districts shall divide the total reimbursement equally; and

(b) if the parent or guardian is required to transport the eligible transportees to more than one bus, the parent or guardian shall be separately reimbursed for transportation to each bus.

(3) Where, due to excessive distances, impassable roads, or other special circumstances of isolation the rates prescribed in subsection (1) or (2) would be an inadequate reimbursement for the transportation costs or would result in a physical hardship for the eligible transportee, his parent or guardian may request an increase in the reimbursement rate. Such a request for increased rates due to isolation shall be made by the parent or guardian on the contract for individual transportation for the ensuing school fiscal year by indicating the special facts and circumstances which exist to justify the increase. Before any increased rate due to isolation can be paid to the requesting parent or guardian, such rate must be approved by the county transportation committee and the superintendent of public instruction after the trustees have indicated their approval or disapproval. Regardless of the action of the trustees and when approval is given by the county transportation committee and the superintendent of public instruction, the trustees shall pay such increased rate due to isolation. The increased rate shall be $1\frac{1}{2}$ times the rate prescribed in subsection (1) above.

(4) When the isolated conditions of the household where an eligible transportee resides require such eligible transportee to live away from the household in order to attend school, he shall be eligible for the room and board reimbursement. Approval to receive the room and board reimbursement shall be obtained in the same manner prescribed in subsection (3) above. The per diem rate for room and board shall be ~~\$5~~ \$5.62 for one eligible transportee and ~~\$3~~ \$3.38 for each additional eligible transportee of the same household.

(5) When the individual transportation provision is to be satisfied by supervised home study or supervised correspondence study, the reimbursement rate shall be the cost of such study, provided that the course of instruction is approved by the trustees and supervised by the district."

Renumber: subsequent sections

19. Page 23, line 4.

Following: "be"

Strike: "two-thirds"

Insert: "100%"

20. Page 23, lines 16 through 20.

Following: "20-10-146" on line 16

Strike: the remainder of line 16 through "pupils" on line 20

21. Page 30, lines 5 and 6.

Following: "requirement" on line 5

Strike: "separately"

Following: "all"

Strike: the remainder of line 5 through "school" on line 6

22. Page 30, lines 8 and 9.

Following: "joint" on line 8

Strike: the remainder of line 8 through "school" on line 9

23. Page 31, line 9.

Following: "year"

Strike: ", excluding" through "aid"

24. Page 31, line 14 through page 32, line 5.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

25. Page 32, line 20.

Following: line 19

Insert: "NEW SECTION. Section 16. Study of transportation funding. (1) During the 1991-92 interim, the office of public instruction is directed to collect data and to study methods for equalizing school transportation funding.

(2) The office of public instruction is further directed to report its findings and conclusions and make recommendations for improvements in school transportation funding to the 53rd legislature."

Renumber: subsequent section

26. Page 32, line 21.

Following: "July 1,"

Strike: "1992"

Insert: "1991"