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*Senate* BILL NO. 185  
Brown LYNCH

INTRODUCED BY \_\_\_\_\_  
A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE SCHOOL BUS  
TRANSPORTATION OR REIMBURSEMENT FOR THE TRANSPORTATION OF  
PUPILS LIVING MORE THAN ONE AND ONE-HALF (1 1/2) MILES FROM  
THEIR ASSIGNED SCHOOLS; AMENDING SECTIONS 75-7001 AND  
75-7019, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
Section 1. Section 75-7001, R.C.M. 1947, is amended to  
read as follows:  
"75-7001. Definitions. As used in this Title, unless  
the context clearly indicates otherwise:  
"Transportation" shall mean:  
(1) a district's conveyance of a pupil by a school bus  
between his legal residence and the school designated by the  
trustees for his attendance; or  
(2) "individual transportation" whereby a district is  
relieved of actually conveying a pupil. Such individual  
transportation may include paying the parent or guardian for  
conveying the pupil, reimbursing the parent or guardian for  
the pupil's board and room, or providing supervised  
correspondence study or supervised home study.  
An "eligible transportee" shall mean a public school

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pupil who:  
(1) is not less than five (5) years of age nor has  
attained his twenty-first (21st) birthday;  
(2) is a resident of the state of Montana;  
(3) regardless of district and county boundaries,  
resides at least ~~three-(3)~~ one and one-half (1 1/2) miles,  
over the shortest practical route, from the nearest  
operating public elementary school or public high school,  
whichever the case may be; and  
(4) is deemed by law to reside with his parent or  
guardian who maintains legal residence within the boundaries  
of the district furnishing the transportation regardless of  
where the eligible transportee actually lives when attending  
school."  
Section 2. Section 75-7019, R.C.M. 1947, is amended to  
read as follows:  
"75-7019. Schedule of maximum reimbursement for  
individual transportation including provisions for  
isolation, room and board, and supervised study programs.  
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 sections  
75-7022 and 75-7023. These rates also shall constitute the  
limitation of the budgeted amounts for individual

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1 transportation for the ensuing school fiscal year. When the  
2 trustees contract with the parent or guardian of any  
3 eligible transportee to provide individual transportation  
4 for each day of school attendance, they shall reimburse the  
5 parent or guardian on the basis of the following schedule:

6 (1) When the parent or guardian provides the  
7 transportation conveyance, the following per diem rates  
8 shall be used to determine the total reimbursable amount for  
9 all eligible transportees residing in one household,  
10 including both elementary and high school pupils; except  
11 that eligible transportees shall be considered as coming  
12 from separate households when such eligible transportees are  
13 required by the trustees to attend schools in entirely  
14 separate communities and cannot be transported by the same  
15 conveyance or cared for in the same community. When the  
16 distance from the eligible transportee's residence to his  
17 assigned school is:

18 (a) not less than ~~three-(3)~~ one and one-half (1 1/2)  
19 miles but less than five (5) miles, the rate shall be thirty  
20 cents (\$.30) for one (1) eligible transportee and twelve  
21 cents (\$.12) for each additional eligible transportee but  
22 shall not exceed sixty-six cents (\$.66) for all the eligible  
23 transportees of one household;

24 (b) not less than five (5) miles but less than seven  
25 (7) miles, the rate shall be thirty-six cents (\$.36) for one

1 (1) eligible transportee and twelve cents (\$.12) for each  
2 additional eligible transportee but shall not exceed  
3 eighty-four cents (\$.84) for all the eligible transportees  
4 of one household.

5 (c) not less than seven (7) miles but less than twelve  
6 (12) miles, the rate shall be forty-eight cents (\$.48) for  
7 one (1) eligible transportee and twelve cents (\$.12) for  
8 each additional eligible transportee but shall not exceed  
9 one dollar and eight cents (\$1.08) for all the eligible  
10 transportees of one household; or

11 (d) twelve (12) or more miles, the rate shall be sixty  
12 cents (\$.60) for one (1) eligible transportee and twelve  
13 cents (\$.12) for each additional eligible transportee but  
14 shall not exceed one dollar and twenty cents (\$1.20) for all  
15 the eligible transportees of one household.

16 (2) When the parent or guardian provides the  
17 transportation conveyance from the eligible transportee's  
18 residence to an approved route of the school bus designated  
19 by the trustees for the transportation of such eligible  
20 transportee, the per diem rates prescribed in subsection (1)  
21 shall be used to determine the reimbursable amount for such  
22 transportation on the basis of the distance from the child's  
23 residence to an established bus route stop. When the  
24 distance from the eligible transportee's residence to the  
25 approved bus route stop is not less than one and one-half (1

1 1/2) miles but less than three (3) miles, the reimbursement  
 2 rate shall be one-half (1/2) the rate prescribed in  
 3 subsection (1) (a) above. No transportation reimbursement  
 4 shall be paid to a parent or guardian when the distance from  
 5 the child's residence is less than one and one-half (1 1/2)  
 6 miles from an established bus route stop.

7 (3) Where, due to excessive distances, impassable roads  
 8 or other special circumstances of isolation, the rates  
 9 prescribed in subsections (1) or (2) would be an inadequate  
 10 reimbursement for the transportation costs or would result  
 11 in a physical hardship for the eligible transportee, his  
 12 parent or guardian may request an increase in the  
 13 reimbursement rate. Such a request for increased rates due  
 14 to isolation shall be made by the parent or guardian on the  
 15 contract for individual transportation for the ensuing  
 16 school fiscal year by indicating the special facts and  
 17 circumstances which exist to justify the increase. Before  
 18 any increase rate due to isolation can be paid to the  
 19 requesting parent or guardian, such rate must be approved by  
 20 the county transportation committee and the superintendent  
 21 of public instruction after the trustees have indicated  
 22 their approval or disapproval. Regardless of the action of  
 23 the trustees and when approval is given by the county  
 24 transportation committee and the superintendent of public  
 25 instruction, the trustees shall pay such increased rate due

1 to isolation. The percentage increases of the per-day  
 2 individual transportation rates prescribed in subsections  
 3 (1) and (2) in relation to the degree of isolation, except  
 4 that such increases shall not exceed one hundred per cent  
 5 (100%).

6 (4) When the isolated conditions of the household where  
 7 an eligible transportee resides require such eligible  
 8 transportee to live away from the household in order to  
 9 attend school, he shall be eligible for the room and board  
 10 reimbursement. Approval to receive the room and board  
 11 reimbursement shall be obtained in the same manner  
 12 prescribed in subsection (3) above. The per diem rate for  
 13 room and board shall be one dollar and fifty cents (\$1.50)  
 14 for one eligible transportee, sixty cents (\$.60) for a  
 15 second eligible transportee of the same household and thirty  
 16 cents (\$.30) for each additional eligible transportee of the  
 17 same household.

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

23 (6) The schedules provided in this section shall not be  
 24 altered by any authority other than the legislative assembly  
 25 of the state of Montana, except as provided in subsection

1 (3)."

-End-

## FISCAL NOTE

Form BD-15

In compliance with a written request received 1-24, 19 75, there is hereby submitted a Fiscal Note for Senate Bill 185 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

## DESCRIPTION OF PROPOSED LEGISLATION:

An act providing school bus transportation or transportation reimbursement for pupils living more than 1½ miles from their assigned school.

## ASSUMPTIONS:

1. All children not now receiving transportation live within the three-mile zone.
2. The density of population within the three mile-zone is not evenly dispersed. The density within the one and one-half mile zone is twice that of the area between one and one-half miles and three miles.
3. The school buses now operating are doing so at 75 percent capacity. Therefore, buses could carry another 25 percent at no extra cost.
4. The proportion of bus riders to individual transportees will remain the same.
5. An estimated 51,878 more bus riders and 4,738 individual transportees will be included under proposed law.
6. The cost per pupil will remain the same for bus transportees.
7. The present transportation schedules will remain in effect.
8. Of those children receiving individual transportation, three will be in each family.
9. State reimbursement for high school on schedule transportation costs is one-third of the on schedule amounts as established under Section 75-7018, R.C.M. 1947. The county reimbursement is 2/3 of the on schedule amount; a county-wide levy for transportation reimbursement is authorized for such purpose. Over schedule costs are borne by the district.
10. Reimbursement for elementary school on schedule costs is borne 1/3 by the state and 1/3 by the county. The remaining 1/3 plus any over schedule costs are borne by the district.
11. The county's obligation to districts for reimbursement for elementary transportation is paid from the revenue derived from the 25 mill basic county levy for elementary schools before county equalization funds are apportioned for the Foundation Program.
12. The estimate does not include cost of new school buses which would be an added cost to school districts.

## FISCAL IMPACT:

	FY76			FY77		
	State	County	District	State	County	District
Increased transportation cost for high school students	\$ 269,157	\$ 538,313	\$ 783,802	\$ 269,157	\$ 538,313	\$ 783,802
Increased transportation cost for elementary school students	561,450	*	2,192,486	561,450	*	2,192,486
Increased state equalization aid payments to fully fund Foundation Program	561,450*			561,450*		
<b>Total Increase</b>	<b>\$1,392,057</b>	<b>\$ 538,313</b>	<b>\$2,976,288</b>	<b>\$1,392,057</b>	<b>\$ 538,313</b>	<b>\$2,976,288</b>

\* See assumption no. 11; although the increased county cost for elementary students of \$561,450 is initially borne by the county, the cost is passed on to the State through reduction in county equalization funds which necessitates an increase in state equalization aid payments to fully fund the Foundation Program. The amount is not included in county costs in order not to overstate total cost.

*Michael S. Prillinger*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-31-75