CHAPTER NO. 590

HOUSE BILL NO. 811

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INTRODUCED BY PORTER, SPILKER, METCALF, MENAHAN, BURNETT

IN THE HOUSE

February 14, 1979 Introduced and referred to Committee on Education and Cultural Resources. February 19, 1979 Committee recommend bill do pass. Report adopted. February 21, 1979 Second reading, do pass. On motion, taken from engrossing and referred to Committee on Appropriations. March 19, 1979 Committee recommend bill do pass. Report adopted. March 20, 1979 Printed and placed on members' desks. March 21, 1979 Second reading, do pass. Considered correctly engrossed. March 22, 1979 Third reading, passed. Transmitted to second house. IN THE SENATE Introduced and referred to March 23, 1979 Committee on Finance and Claims. April 3, 1979 Committee recommend bill be concurred in. Report adopted. April 4, 1979 Second reading, concurred in. Third reading, concurred in. April 6, 1979

IN THE HOUSE

April 7, 1979

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Returned from second house. Concurred in. Sent to enrolling.

Reported correctly enrolled.

INTRODUCED BY Josta pilker Metcally Menahan 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE 4 REINBURSEMENT RATE FOR SCHOOL BUS AND INDIVIDUAL AND с; 6 ISDIATED TRANSPORTATION COSTS: AMENDING SECTIONS 20-10-141 7 AND 20-10-142, MCA." 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 20-10-141, MCA, is amended to read:

10 "20-10-141. Schedule of maximum reimbursement by bus 11 mileage rates. (1) The following bus mileage rates for 12 transportation constitute the maximum 13 school bus reimbursement to districts for school bus transportation 14 15 from state and county sources of transportation revenue under the provisions of 20-10-145 and 20-10-146. These rates 15 17 shall not limit the amount which a district may budget in its transportation fund budget in order to provide for the 18 estimated and necessary cost of school bus transportation 19 during the ensuing school fiscal year. Any vehicle, the 20 21 operation of which is reimbursed under the rate provisions of this schedule, shall be a school bus, as defined by this 22 23 title, driven by a qualified driver on a bus route approved the county transportation committee and the 24 bγ 25 superintendent of public instruction.

(2) The rate per bus mile traveled shall be determined 1 in accordance with the following schedule when the <u>bus_is</u> 2 used__for_transportation_of_eligible_transportees: number-of 3 eligible-ctransportees--boarding-such--school--bus--on---an - 6 approved--route--+s-net-less-then-l51-of-+ts-reted-copocity+ 5 (a) 40 50 cents in fiscal 1970 1980 and 45 55 cents in 6 7 fiscal 1979 1981 and each year thereafter per bus mile for a 8 school bus with a rated capacity of not less than 12 but not 9 more than 50 children; and (b) when the rated capacity is more than 50 children. 10 11 an additional 2 cents per bus mile for each additional child 12 in the rated capacity in excess of 50 shall be added to a base rate of 40 50 cents in fiscal 1970 1980 and 45 55 cents 13 14 in fiscal 1979 1981 and each year thereafter per bus mile. t3t--When--the-number-of-etigible-transportees-boarding 15 16 a-school-bus-on-an-approved-route-is-less-than--75%--of--its rated--copacityy--the--rate--per--bus-mile-traveled-shall-be 17 18 computed-as-follows+ 19 taj--determine--the--number--of--eligible--transportees 20 beerding-the-school-bus-on-such-routet 21 tb}--multiply---the--number--determined--in--subsection 22 t3)ta)-by-25%-and-round-off-to-the-nearest-whole-numbert 23 te}--add-the-amount-calculated-in-subsection-{3}{b}--to 24 the--number-deternined-in-subsection-(3)(0)-to-deternine-the 25 adjusted-rated-capacity-for-the-bust-and "HB 811 -2- INTRODUCED

 1
 tdi--usa-the--odjusted--rated--copacity--determined--in

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 3
 determine-the-rate-per--bus--mile--traveled--from--the--rate

 4
 schedulo-in-subsection-t2)-above

5 (4)(3) The rated capacity shall be the number of 6 riding positions of a school bus as determined under the 7 policy adopted by the board of public education."

Section 2. Section 20-10-142, MCA, is amended to read: 8 9 #20-10-142. Schedule of maximum reimbursement for 10 individual transportation. The following rates for 11 individual transportation constitute the maximum 12 reindursement to districts for individual transportation from state and county sources of transportation revenue 13 14 under the provisions of 20-10-145 and 20-10-146. These rates also shall constitute the limitation of the budgeted amounts 15 for individual transportation for the ensuing school fiscal 16 17 year. The schedules provided in this section shall not be 18 altered by any authority other than the legislature of the 19 state of Montana. When the trustees contract with the parent 20 or quardian of any eligible transportee to provide individual transportation for each day of school attendance. 21 they shall reimburse the parent or quardian on the basis of 22 23 the following schedule:

24 (1) When a parent or guardian transports an eligible
 25 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 12 18 cents provided that:

8 (a) if two or more eligible transportees are 9 transported by a parent or guardian to two or more schools 10 Focated within 3 miles of one another and if such schools 11 are operated by different school districts, the total amount 12 of the reimbursement shall be divided equally between the 13 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;

19 (c) if a parent transports two or more eligible 20 transportees to a school and a bus stop which school and bus 21 stop are located within 3 miles of one another, the total 22 reimbursement shall be determined under the provisions of 23 this subsection and shall be divided equally between the 24 district operating the school and the district operating the 25 bus;

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1 (d) (f a parent transporting two or more eligible 2 transportees to a school or bus stop must, because of 3 varying arrival and departure times, make more than one 4 round-trip journey to the bus stop or school, the total 5 reimbursement allowed by this section shall be limited to 6 one round trip per day for each scheduled arrival or 7 departure timewi

9 (e)_notwithstanding__subsections_(1)(a):___(1)(b):
 9 (1)(c): or (1)(d): no reimbursement_may_be_less_than_25
 10 cents_a_day.

11 (2) When the parent or quardian transports an eligible transportee or transportees from the residence to a bus stop 12 13 of a bus route approved by the trustees for the transportation of the transportee or transportees, the total 14 reimbursement per day of attendance shall be determined by 15 aultiplying the distance in miles between the residence and 16 the bus stop by 2, subtracting 3 miles from the product so 17 obtained, and multiplying the difference by 12 18 cents 18 provided that: 19

(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

1 transportation to each bus.

(3) Where, due to excessive distances, impassable 7 roads, or other special circumstances of isolation the rates 3 prescribed in subsection (1) or (2) would be an inadequate 4 reimbursement for the transportation costs or would result 5 in a physical hardship for the eligible transportee, his 6 7 parent or quardian say request an increase in the 3 reimbursement rate. Such a request for increased rates due to isolation shall be made by the parent or guardian on the 9 contract for individual transportation for the ensuing 10 11 school fiscal year by indicating the special facts and 12 circumstances which exist to justify the increase. Before 13 any increase rate due to isolation can be paid to the 14 requesting parent or quardian, such rate must be approved by 15 the county transportation committee and the superintendent 16 of public instruction after the trustees have indicated their approval or disapproval. Regardless of the action of 17 the trustees and when approval is given by the county 18 19 transportation committee and the superintendent of public 20 instruction, the trustees shall pay such increased rate due 21 to isolation. The increased rate shall be 1 1/2 times the 22 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

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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 #3 \$4 for one eligible transportee and #1#50 \$2 for each additional eligible transportee of the same household.

8 (5) When the individual transportation provision is to 9 be satisfied by supervised home study or supervised 10 correspondence study, the reimbursement rate shall be the 11 cost of such study, provided that the course of instruction 12 is approved by the trustees and supervised by the district."

-End-

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STATE OF MONTANA

Request No. 414-79

FISCAL NOTE

Form BD-15

In compliance with a written request received <u>February 22, 1979</u>, there is hereby submitted a Fiscal Note for <u>House Bill 811</u> 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:

House Bill 811 increases the amount school districts receive for pupil transportation five cents each year of the biennium and increases individual transportation reimbursements.

ASSUMPTIONS:

Total bus miles and individual miles will remain the same as in 1979 - 90,991 miles per day and 26,601 miles per day, respectively.

FISCAL IMPACT:

Transportation reimbursements	FY 80	<u>FY 81</u>
Under current law	\$3,824,704	\$3,824,704
Under proposed law	4,411,051	4,838,304
Increased reimbursements under proposed law	\$ 586,347	\$1,013,600

The additional cost must be funded approximately 63% from the General Fund and 37% from the Public School Foundation Program, which, for all practicable purposes as far as the above is concerned, is funded from the State General Fund.

LOCAL IMPACT:

Any increase in the state reimbursement level is an offset to local taxes.

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BUDGET DIRECTOR Office of Budget and Program Planning Date: 3///7?

46th Legislature

Approved by Comm. on Appropriations

LC 1603/01

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- 19 fo}--determine--the--number--of--ofigible--transportees
- 20 boarding-the-school-bus-on-such-routet
- 21 (b)--muittiply---the--number--determined--in--subsection
- 22 t3ttat-by-25%-and-round-off-to-the-nearest-whole-numbers
- 23 fet--add-the-amount-caleulated-in-subsection-f3;fbj--ta
- 24 the--number-detersined-in-subsection-f3+faj-to-determine-the
- 25 adjusted-rated-capacity-for-the-busg-and

-2- HB 811 SECOND READ READING

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 subsection--(3)(e)--as--the--roted--copacity--of-such-bus-to

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 determine-the-rate-per--bus--wite--traveled--from--the--rote

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14 (b) if two or more eligible transportees are 15 transported by a parent or guardian to two or more schools 16 located more than 3 miles from one another, the parent or 17 guardian shall be separately reimbursed for transporting the 18 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;

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s (e) notwithstanding subsections (1)(a): (1)(b):
(1)(c): or (1)(d): no reimbursement may be less than 25
cents a day:

11 (2) When the parent or guardian transports an eligible transportee or transportees from the residence to a bus stop 12 of a bus route approved by the trustees for the 13 transportation of the transportee or transportees, the total 14 reinbursement per day of attendance shall be determined by 15 "multiplying the distance in miles between the residence and 16 17 the bus stop by 2, subtracting 3 miles from the product so 18 abtained, and multiplying the difference by 12 18 cents 19 provided that:

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LC 1608/01

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- 24 the--number-determined-in-subsection-f3;f8;-t0-determine-the
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-2- HB 811 THIRD READING

 1
 {d}--use-the--odjusted--rated--copacity--determined--in

 2
 subsuction--{3}{c}-cas--the--rated--capacity--of-such-bus-to

 3
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-End-

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HB 0811/02

HOUSE BILL NO. 811
 INTRODUCED BY PORTER, SPILKER, METCALF, MENAHAN, BURNETT
 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE
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REFERENCE BILL

HB 811

H6 0811/02

 1
 fdf--use-the--adjusted--rated--capacity--determined--in

 2
 subsection--{3};cf--as--the--rated--capacity--of-such-bus-to

 3
 determine-the-rate-per--bus--mile--traveled--from--the--rate

 4
 schedule-in-subsection-{2}-above

 5
 fdf(2)

 1
 rated

 2
 subsection-fdf

 3
 determine-the-rate-per--bus--mile--traveled--from--the--rate

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 schedule-in-subsection-{2}-above

 5
 fdf(2)

 1
 the

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 schedule-in-subsection-{2}-above

6 riding positions of a school bus as determined under the 7 policy adopted by the board of public education."

. Section 2. Section 20-10-142, MCA, is amended to read: 9 #20-10-142. Schedule of maximum reimbursement for 10 individual transportation. The following rates for 11 individual ' transportation constitute the naxiaua 12 reimbursement to districts for individual transportation from state and county sources of transportation revenue 13 under the provisions of 20-10-145 and 20-10-146. These rates 14 15 also shall constitute the limitation of the budgeted amounts 16 for individual transportation for the ensuing school fiscal 17 year. The schedules provided in this section shall not be 18 altered by any authority other than the legislature of the 19 state of Montana. When the trustees contract with the parent 20 guardian of any eligible transportee to provide OF 21 individual transportation for each day of school attendance. 22 they shall reinburse the parent or guardian on the basis of 23 the following schedule:

24 (1) When a parent or guardian transports an eligible
25 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 relabursement 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 then one: by 2: subtracting 6 miles from the product so obtained; and multiplying the difference by 11 16 cents provided that:

8 (a) if two or more eligible transportees are 9 transported by a parent or guardian to two or more schools 10 located within 3 miles of one another and if such schools 11 are operated by different school districts, the total amount 12 of the reimbursement shall be divided equally between the 13 districts:

14 (b) if two or more eligible transportees are 15 transported by a parent or guardian to two or more schools 16 located more than 3 miles from one another, the parent or 17 guardian shall be separately reimbursed for transporting the 18 eligible transportee or transportees to each school;

19 (c) if a parent transports two or more eligible 20 transportees to a school and a bus stop which school and bus 21 stop are located within 3 miles of one anotherv the total 22 reimbursement shall be determined under the provisions of 23 this subsection and shall be divided equally between the 24 district operating the school and the district operating the 25 bus;

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1 (d) if a parent transporting two or more eligible 2 transportees to a school or bus stop must, because of 3 varying arrival and departure times, make more than one 4 round-trip journey to the bus stop or school, the total 5 reimbursement allowed by this section shall be limited to 6 one round trip per day for each scheduled arrival or 7 departure timesi

8 (e)__notwithstanding___subsections__(1)(a):__(1)(b): 9 (1)(c): or_(1)(d): no_reimbursement_may_be_less_than__25 10 cents_a_day:

(2) When the parent or guardian transports an eligible 11 transportee or transportees from the residence to a bus stop 12 a bus route approved by the trustees for the 13 of transportation of the transportee or transportees, the total 14 reimbursement per day of attendance shall be determined by 15 sultiplying the distance is miles between the residence and 16 the bus stop by 2, subtracting 3 miles from the product so 17 obtained, and multiplying the difference by 12 18 cents 18 19 provided that:

20 (a) if the eligible transportees transported attend
21 schools in different districts but ride on one bus, the
22 districts shall divide the total reimbursement equally; and
23 (b) if the parent or guardian is required to transport
24 the eligible transportees to more than one bus, the parent
25 or guardian shall be separately reimbursed for

1 transportation to each bus.

z (3) Where, due to excessive distances, impassable 3 roads, or other special circumstances of isolation the rates prescribed in subsection (1) or (2) would be an inadequate 4 5 reimbursement for the transportation costs or would result 6 in a physical hardship for the eligible transportee, his 7 parent or guardian may request an increase in the reimbursement rate. Such a request for increased rates due 8 9 to isolation shall be made by the parent or guardian on the 10 contract for individual transportation for the ensuing 11 school fiscal year by indicating the special facts and 12 circumstances which exist to justify the increase. Before 13 any increase rate due to isolation can be paid to the 14 requesting parent or guardian, such rate must be approved by 15 the county transportation committee and the superintendent 16 of public instruction after the trustees have indicated 17 their approval or disapproval. Regardless of the action of the trustees and when approval is given by the county 18 19 transportation committee and the superintendent of public 20 instruction. the trustees shall pay such increased rate due to isolation. The increased rate shall be 1 1/2 times the 21 22 rate prescribed in subsection (1) above. 23 (4) When the isolated conditions of the household

24 where an eligible transportee resides require such eligible 25 transportee to live away from the household in order to

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1 attend school, he shall be eligible for the room and board 2 reimbursement. Approval to receive the room and board 3 reimbursement shall be obtained in the same manner 4 prescribed in subsection (3) above. The per diem rate for 5 room and board shall be 93 24 for one eligible transportee 6 and \$1+50 22 for each additional eligible transportee of the 7 same household.

8 (5) When the individual transportation provision is to 9 be satisfied by supervised home study or supervised 10 correspondence study, the relabursement rate shall be the 11 cost of such study, provided that the course of instruction 12 is approved by the trustees and supervised by the district."

-End-