

HOUSE BILL NO. 811

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

March 23, 1979	Introduced and referred to Committee on Finance and Claims.
April 3, 1979	Committee recommend bill be concurred in. Report adopted.
April 4, 1979	Second reading, concurred in.
April 6, 1979	Third reading, concurred in.

IN THE HOUSE

April 7, 1979

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

Reported correctly enrolled.

1 House BILL NO. 811  
 2 INTRODUCED BY John Zepher Metcalf Menahan  
 3 Burnett

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE  
 5 REIMBURSEMENT RATE FOR SCHOOL BUS AND INDIVIDUAL AND  
 6 ISOLATED TRANSPORTATION COSTS; AMENDING SECTIONS 20-10-141  
 7 AND 20-10-142, MCA."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 20-10-141, MCA, is amended to read:

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

1 (2) The rate per bus mile traveled shall be determined  
 2 in accordance with the following schedule when the bus is  
 3 used for transportation of eligible transportees; number of  
 4 eligible transportees boarding such school bus on an  
 5 approved route is not less than 75% of its rated capacity:

6 (a) 40 50 cents in fiscal 1978 1980 and 45 55 cents in  
 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

10 (b) when the rated capacity is more than 50 children,  
 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  
 13 base rate of 40 50 cents in fiscal 1978 1980 and 45 55 cents  
 14 in fiscal 1979 1981 and each year thereafter per bus mile.

15 ~~(3) When the number of eligible transportees boarding~~  
 16 ~~a school bus on an approved route is less than 75% of its~~  
 17 ~~rated capacity, the rate per bus mile traveled shall be~~  
 18 ~~computed as follows:~~

19 ~~(a) determine the number of eligible transportees~~  
 20 ~~boarding the school bus on such route;~~

21 ~~(b) multiply the number determined in subsection~~  
 22 ~~(3)(a) by 25% and round off to the nearest whole number;~~

23 ~~(c) add the amount calculated in subsection (3)(b) to~~  
 24 ~~the number determined in subsection (3)(a) to determine the~~  
 25 ~~adjusted rated capacity for the bus; and~~

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 -2- INTRODUCED BILL

~~(d) use the adjusted rated capacity determined in subsection (3)(c) as the rated capacity of such bus to determine the rate per bus mile traveled from the rate schedule in subsection (2) above.~~

~~(4)(1)~~ The rated capacity shall be the number of riding positions of a school bus as determined under the policy adopted by the board of public education."

Section 2. 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 ~~12~~ 18 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;

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 time.

8 ~~(e) notwithstanding subsections (1)(a), (1)(b),~~  
 9 ~~(1)(c), or (1)(d), no reimbursement may be less than 25~~  
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 24 the eligible transportees to more than one bus, the parent  
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2 (3) Where, due to excessive distances, impassable  
 3 roads, or other special circumstances of isolation the rates  
 4 prescribed in subsection (1) or (2) would be an inadequate  
 5 reimbursement for the transportation costs or would result  
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 7 parent or guardian may request an increase in the  
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 11 school fiscal year by indicating the special facts and  
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 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  
 18 the trustees and when approval is given by the county  
 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.

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 ~~\$3~~ \$4 for one eligible transportee  
6 and ~~\$1-50~~ \$2 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 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-

## STATE OF MONTANA

Request No. 414-79

## FISCAL NOTE

Form BD-15

In compliance with a written request received February 22, 1979, there is hereby submitted a Fiscal Note for House Bill 811 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	FY 81
Under current law	\$3,824,704	\$3,824,704
Under proposed law	<u>4,411,051</u>	<u>4,838,304</u>
Increased reimbursements under proposed law	<u>\$ 586,347</u>	<u>\$1,013,600</u>

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.

*Richard J. Young*  
 BUDGET DIRECTOR  
 Office of Budget and Program Planning  
 Date: 3/1/79

Approved by Comm.  
on Appropriations

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~~House~~ BILL NO. 811  
INTRODUCED BY John Spiker Mitchee Menahan  
Burnett

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 20-10-141, MCA, is amended to read:  
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(2) The rate per bus mile traveled shall be determined in accordance with the following schedule when the bus is used for transportation of eligible transportees: number of eligible transportees boarding such school bus on an approved route is not less than 75% of its rated capacity:

(a) 40 50 cents in fiscal ~~1978~~ 1980 and 45 55 cents in fiscal ~~1979~~ 1981 and each year thereafter per bus mile for a school bus with a rated capacity of not less than 12 but not more than 50 children; and

(b) when the rated capacity is more than 50 children, an additional 2 cents per bus mile for each additional child in the rated capacity in excess of 50 shall be added to a base rate of 40 50 cents in fiscal ~~1978~~ 1980 and 45 55 cents in fiscal ~~1979~~ 1981 and each year thereafter per bus mile.

~~(3) When the number of eligible transportees boarding a school bus on an approved route is less than 75% of its rated capacity, the rate per bus mile traveled shall be computed as follows:~~

~~(a) determine the number of eligible transportees boarding the school bus on such route;~~

~~(b) multiply the number determined in subsection (a) by 25% and round off to the nearest whole number;~~

~~(c) add the amount calculated in subsection (b) to the number determined in subsection (a) to determine the adjusted rated capacity for the bus; and~~



~~(d) use the adjusted rated capacity determined in subsection (3)(a) as the rated capacity of such bus to determine the rate per bus mile traveled from the rate schedule in subsection (2) above.~~

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

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HE 811

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 25 adjusted rated capacity for the bus and



1       ~~(d)--use-the--adjusted--rated--capacity--determined--in~~  
 2       ~~subsection--(3)(c)--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       ~~(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."

8       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 maximum  
 12 reimbursement to districts for individual transportation  
 13 from state and county sources of transportation revenue  
 14 under the provisions of 20-10-145 and 20-10-146. These rates  
 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 or guardian of any eligible transportee to provide  
 21 individual transportation for each day of school attendance,  
 22 they shall reimburse 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

1       or guardian to a school or to schools located within 3 miles  
 2 of one another, the total reimbursement per day of  
 3 attendance shall be determined by multiplying the distance  
 4 in miles between the residence and the school, or the most  
 5 distant school if more than one, by 2, subtracting 6 miles  
 6 from the product so obtained, and multiplying the difference  
 7 by ~~22~~ 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 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 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;

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 time;

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.~~

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

2 (3) Where, due to excessive distances, impassable  
 3 roads, or other special circumstances of isolation the rates  
 4 prescribed in subsection (1) or (2) would be an inadequate  
 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  
 8 reimbursement rate. Such a request for increased rates due  
 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  
 18 the trustees and when approval is given by the county  
 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.

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 \$3 ~~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 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-