

HOUSE BILL NO. 655

INTRODUCED BY R. ANDERSON

IN THE HOUSE

February 6, 1981	Introduced and referred to Committee on Education.
February 18, 1981	Fiscal note requested.
February 23, 1981	Fiscal note returned.
	Rerferred to Committee on Appropriations.
	Committee recommend bill do pass. Report adopted.
	Motion to refer back to Committee on Appropriations.
March 24, 1981	Committee recommend bill do pass as amended. Report adopted.
March 25, 1981	Bill printed and placed on members' desks.
March 26, 1981	Second reading, do pass.
March 27, 1981	Correctly engrossed.
March 28, 1981	Third reading, passed. Ayes, 84; Noes, 2. Transmitted to Senate.

IN THE SENATE

March 30, 1981	Introduced and referred to Committee on Finance and claims.
April 1, 1981	Committee recommend bill be concurred in. Report adopted.
	On motion rules suspended. Bill referred to second and third reading for consideration this day.

April 1, 1981

Second reading, concurred in.

Third reading, concurred in.  
Ayes, 42; Noes, 4.

IN THE HOUSE

April 2, 1981

Returned from Senate, concurred in.  
Sent to enrolling.

IN THE SENATE

April 4, 1981

On motion Senate requests return  
of bill from House for further  
consideration.

IN THE HOUSE

April 4, 1981

On motion, request of Senate  
granted for return of bill for  
further consideration.

IN THE SENATE

April 6, 1981

Returned from House. On motion  
placed on second reading.

Second reading, concurred in as  
amended.

On motion rules suspended. Bill  
placed on calendar for third  
reading this day.

Third reading, concurred in as  
amended. Ayes, 47; Noes, 3.

IN THE HOUSE

April 7, 1981

Returned from Senate with  
amendments.

April 9, 1981

Second reading, amendments con-  
curred in.

April 9, 1981

On motion rules suspended and  
bill placed on third reading  
this day.

Third reading, amendments  
concurred in. Ayes, 91; Noes, 0.  
Sent to enrolling.

Reported correctly enrolled.

(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:

(a) 50 ~~70~~ cents in fiscal ~~1980~~ ~~1982~~ and 55 ~~85~~ cents in fiscal ~~1981~~ ~~1983~~ 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 50 ~~70~~ cents in fiscal ~~1980~~ ~~1982~~ and 55 ~~85~~ cents in fiscal ~~1981~~ ~~1983~~ and each year thereafter per bus mile.

(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."

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

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HB 655

1 altered by any authority other than the legislature of the  
2 state of Montana. When the trustees contract with the parent  
3 or guardian of any eligible transportee to provide  
4 individual transportation for each day of school attendance,  
5 they shall reimburse the parent or guardian on the basis of  
6 the following schedule:

7 (1) When a parent or guardian transports an eligible  
8 transportee or transportees from the residence of the parent  
9 or guardian to a school or to schools located within 3 miles  
10 of one another, the total reimbursement per day of  
11 attendance shall be determined by multiplying the distance  
12 in miles between the residence and the school, or the most  
13 distant school if more than one, by 2, subtracting 6 miles  
14 from the product so obtained, and multiplying the difference  
15 by 10 20 cents provided that:

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

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

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

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

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

18 (2) When the parent or guardian transports an eligible  
19 transportee or transportees from the residence to a bus stop  
20 of a bus route approved by the trustees for the  
21 transportation of the transportee or transportees, the total  
22 reimbursement per day of attendance shall be determined by  
23 multiplying the distance in miles between the residence and  
24 the bus stop by 2, subtracting 3 miles from the product so  
25 obtained, and multiplying the difference by 10 20 cents

1 provided that:

2 (a) if the eligible transportees transported attend  
3 schools in different districts but ride on one bus, the  
4 districts shall divide the total reimbursement equally; and  
5 (b) if the parent or guardian is required to transport  
6 the eligible transportees to more than one bus, the parent  
7 or guardian shall be separately reimbursed for  
8 transportation to each bus.

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

1 transportation committee and the superintendent of public  
2 instruction, the trustees shall pay such increased rate due  
3 to isolation. The increased rate shall be 1 1/2 times the  
4 rate prescribed in subsection (1) above.

5 (4) When the isolated conditions of the household  
6 where an eligible transportee resides require such eligible  
7 transportee to live away from the household in order to  
8 attend school, he shall be eligible for the room and board  
9 reimbursement. Approval to receive the room and board  
10 reimbursement shall be obtained in the same manner  
11 prescribed in subsection (3) above. The per diem rate for  
12 room and board shall be \$4 \$5 for one eligible transportee  
13 and \$2 \$3 for each additional eligible transportee of the  
14 same household.

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

-End-

## STATE OF MONTANA

REQUEST NO. 408-81

## FISCAL NOTE

Form BD-15

In compliance with a written request received February 18, 1981, there is hereby submitted a Fiscal Note for House Bill 655 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

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

A proposal to increase the pupil transportation reimbursement rate. This would lower local property tax an amount equivalent to the state increase in reimbursement.

Assumptions

1. The number of miles buses travel will increase 7.1% each year of the biennium. Based on this, buses will travel 98,883 miles per day in FY 1982 and 105,904 miles per day in FY 1983.
2. Buses will operate for 180 school days.
3. Individual and isolated contracts number 2,505 and will remain constant.
4. These contracts represent a total distance of 22,711.9 miles from school.

Expenditure Impact

The pupil transportation requires a General Fund appropriation. The expenditures will show the amount needed to be appropriated under present law and under the proposed law.

	FY 1982			FY 1983		
	Under Present Law	Under Proposed Law	Increase (Decrease)	Under Present Law	Under Proposed Law	Increase (Decrease)
Trans. Approp. Increase in Found. Prog. Appropriation	\$4,417,655	\$5,435,880	\$1,018,225	\$4,649,347	\$6,683,898	\$2,034,551
	1,990,514	2,533,383	542,869	2,131,848	3,294,673	1,162,825
Totals	\$6,408,169	\$7,969,263	\$1,561,094	\$6,781,195	\$9,978,571	\$3,197,376

The General Fund requirement to fund these increases in reimbursement rates will amount to an increase of \$4,758,470 over the biennium.

*David M. Lewis*  
BUDGET DIRECTOR  
Office of Budget and Program Planning  
Date: 2/23/81

Approved by Comm.  
on Appropriations

### Rereferrals

1 HOUSE BILL NO. 655  
2 INTRODUCED BY R. ANDERSON

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."\*

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:

4 (a) 50 ~~70~~ 60 cents in fiscal ~~1980~~ 1982 and 55 ~~85~~ 65  
5 cents in fiscal ~~1981~~ 1983 and each year thereafter per bus  
6 mile for a school bus with a rated capacity of not less than  
7 12 but not more than 50 children; and

8 (b) when the rated capacity is more than 50 children,  
9 an additional 2 cents per bus mile for each additional child  
10 in the rated capacity in excess of 50 shall be added to a  
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7 AND 20-10-142, MCA."

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

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 13 in miles between the residence and the school, or the most  
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 15 from the product so obtained, and multiplying the difference  
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6 (b) if the parent or guardian is required to transport  
 7 the eligible transportees to more than one bus, the parent  
 8 or guardian shall be separately reimbursed for  
 9 transportation to each bus.

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

1 the trustees and when approval is given by the county  
 2 transportation committee and the superintendent of public  
 3 instruction, the trustees shall pay such increased rate due  
 4 to isolation. The increased rate shall be 1 1/2 times the  
 5 rate prescribed in subsection (1) above.

6 (4) When the isolated conditions of the household  
 7 where 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 ~~\$4~~ \$5 for one eligible transportee  
 14 and ~~\$2~~ \$3 for each additional eligible transportee of the  
 15 same household.

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

-End-

HOUSE BILL NO. 655  
INTRODUCED BY R. ANDERSON

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."

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

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:

4 (a) 50 ~~70~~ 60 cents in fiscal ~~1980~~ 1982 and 55 ~~85~~ 65  
5 cents in fiscal ~~1981~~ 1983 and each year thereafter per bus  
6 mile for a school bus with a rated capacity of not less than  
7 12 but not more than 50 children; and

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

17           Section 2. Section 20-10-142, MCA, is amended to read:

18           "20-10-142. Schedule of maximum reimbursement for

19        individual transportation. The following rates for

20        individual transportation constitute the maximum

21        reimbursement to districts for individual transportation

22        from state and county sources of transportation revenue

23        under the provisions of 20-10-145 and 20-10-146. These rates

24        also shall constitute the limitation of the budgeted amounts

25        for individual transportation for the ensuing school fiscal

1 year. The schedules provided in this section shall not be  
2 altered by any authority other than the legislature of the  
3 state of Montana. When the trustees contract with the parent  
4 or guardian of any eligible transportee to provide  
5 individual transportation for each day of school attendance,  
6 they shall reimburse the parent or guardian on the basis of  
7 the following schedule:

8 (1) When a parent or guardian transports an eligible  
9 transportee or transportees from the residence of the parent  
10 or guardian to a school or to schools located within 3 miles  
11 of one another, the total reimbursement per day of  
12 attendance shall be determined by multiplying the distance  
13 in miles between the residence and the school, or the most  
14 distant school if more than one, by 2, subtracting 6 miles  
15 from the product so obtained, and multiplying the difference  
16 by ~~10~~ 20 cents provided that:

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

23 (b) if two or more eligible transportees are  
24 transported by a parent or guardian to two or more schools  
25 located more than 3 miles from one another, the parent or

1 guardian shall be separately reimbursed for transporting the  
2 eligible transportee or transportees to each school;  
3 (c) if a parent transports two or more eligible  
4 transportees to a school and a bus stop which school and bus  
5 stop are located within 3 miles of one another, the total  
6 reimbursement shall be determined under the provisions of  
7 this subsection and shall be divided equally between the  
8 district operating the school and the district operating the  
9 bus;

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

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

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

1 obtained, and multiplying the difference by ~~10~~ 20 cents  
2 provided that:

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

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

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

1 the trustees and when approval is given by the county  
2 transportation committee and the superintendent of public  
3 instruction, the trustees shall pay such increased rate due  
4 to isolation. The increased rate shall be 1 1/2 times the  
5 rate prescribed in subsection (1) above.

6 (4) When the isolated conditions of the household  
7 where 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 ~~\$4~~ \$5 for one eligible transportee  
14 and ~~\$2~~ \$3 for each additional eligible transportee of the  
15 same household.

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

-End-

April 6, 1981

SENATE COMMITTEE OF THE WHOLE

Proposed amendment to House Bill 655, reference copy, as follows:

1. Page 2, line 9.  
Following: "an additional"  
Strike: "2"  
Insert: "2 1/2"