

House Bill 660

In The House

February 6, 1981	Introduced and referred to Committee on Education.
February 10, 1981	Fiscal note requested.
February 16, 1981	Fiscal note returned.
April 23, 1981	Died in Committee.

1 HOUSE BILL NO. 660
2 INTRODUCED BY Anderson

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO DECREASE THE
5 DISTANCE AN "ELIGIBLE TRANSPORTEE" MUST RESIDE FROM A PUBLIC
6 SCHOOL TO RECEIVE TRANSPORTATION; AMENDING SECTIONS
7 20-10-101 AND 20-10-142, MCA."

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

10 Section 1. Section 20-10-101, MCA, is amended to read:
11 "20-10-101. Definitions. As used in this title, unless
12 the context clearly indicates otherwise, the following
13 definitions apply:

- 14 (1) "Transportation" shall mean:
 - 15 (a) a district's conveyance of a pupil by a school bus
 - 16 between his legal residence and the school designated by the
 - 17 trustees for his attendance;
 - 18 (b) a district's conveyance of a pupil by a school bus
 - 19 between his regular school of attendance and the
 - 20 vocational-technical secondary schools designated by the
 - 21 trustees for his attendance if the secondary school is
 - 22 located in some other school district; or
 - 23 (c) "individual transportation" whereby a district is
 - 24 relieved of actually conveying a pupil. Such individual
 - 25 transportation may include paying the parent or guardian for

1 conveying the pupil, reimbursing the parent or guardian for
2 the pupil's board and room, or providing supervised
3 correspondence study or supervised home study.

4 (2) An "eligible transportee" shall mean a public
5 school pupil who:

6 (a) is not less than 5 years of age nor has attained
7 his 21st birthday;

8 (b) is a resident of the state of Montana;

9 (c) regardless of district and county boundaries,
10 resides at least 3 ~~1.5~~ miles, over the shortest practical
11 route, from the nearest operating public elementary school
12 or public high school, whichever the case may be; and

13 (d) is deemed by law to reside with his parent or
14 guardian who maintains legal residence within the boundaries
15 of the district furnishing the transportation regardless of
16 where the eligible transportee actually lives when attending
17 school.

18 (3) A "school bus" shall mean any motor vehicle which
19 is owned by a district or other public agency or by a
20 carrier under contract with such a district or public agency
21 and which complies with the bus standards established by the
22 board of public education as determined by the Montana
23 division of motor vehicles' semiannual inspection of school
24 buses and the superintendent of public instruction."

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

-2- INTRODUCED BILL
HB 660

1 "20-10-142. Schedule of maximum reimbursement for
 2 individual transportation. The following rates for
 3 individual transportation constitute the maximum
 4 reimbursement to districts for individual transportation
 5 from state and county sources of transportation revenue
 6 under the provisions of 20-10-145 and 20-10-146. These rates
 7 also shall constitute the limitation of the budgeted amounts
 8 for individual transportation for the ensuing school fiscal
 9 year. The schedules provided in this section shall not be
 10 altered by any authority other than the legislature of the
 11 state of Montana. When the trustees contract with the parent
 12 or guardian of any eligible transportee to provide
 13 individual transportation for each day of school attendance,
 14 they shall reimburse the parent or guardian on the basis of
 15 the following schedule:

16 (1) When a parent or guardian transports an eligible
 17 transportee or transportees from the residence of the parent
 18 or guardian to a school or to schools located within 3 1/2
 19 miles of one another, the total reimbursement per day of
 20 attendance shall be determined by multiplying the distance
 21 in miles between the residence and the school, or the most
 22 distant school if more than one, by 2, subtracting 6 3/4 miles
 23 from the product so obtained, and multiplying the difference
 24 by 18 cents provided that:

25 (a) if two or more eligible transportees are

1 transported by a parent or guardian to two or more schools
 2 located within 3 1/2 miles of one another and if such
 3 schools are operated by different school districts, the
 4 total amount of the reimbursement shall be divided equally
 5 between the districts;

6 (b) if two or more eligible transportees are
 7 transported by a parent or guardian to two or more schools
 8 located more than 3 1/2 miles from one another, the parent
 9 or guardian shall be separately reimbursed for transporting
 10 the eligible transportee or transportees to each school;

11 (c) if a parent transports two or more eligible
 12 transportees to a school and a bus stop which school and bus
 13 stop are located within 3 1/2 miles of one another, the
 14 total reimbursement shall be determined under the provisions
 15 of this subsection and shall be divided equally between the
 16 district operating the school and the district operating the
 17 bus;

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

25 (e) notwithstanding subsection (1)(a), (1)(b), (1)(c),

1 or (1)(d), no reimbursement may be less than 25 cents a day.

2 (2) When the parent or guardian transports an eligible
3 transportee or transportees from the residence to a bus stop
4 of a bus route approved by the trustees for the
5 transportation of the transportee or transportees, the total
6 reimbursement per day of attendance shall be determined by
7 multiplying the distance in miles between the residence and
8 the bus stop by 2, subtracting ~~3~~ 1.25 miles from the product
9 so obtained, and multiplying the difference by 18 cents
10 provided that:

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

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

18 (3) Where, due to excessive distances, impassable
19 roads, or other special circumstances of isolation the rates
20 prescribed in subsection (1) or (2) would be an inadequate
21 reimbursement for the transportation costs or would result
22 in a physical hardship for the eligible transportee, his
23 parent or guardian may request an increase in the
24 reimbursement rate. Such a request for increased rates due
25 to isolation shall be made by the parent or guardian on the

1 contract for individual transportation for the ensuing
2 school fiscal year by indicating the special facts and
3 circumstances which exist to justify the increase. Before
4 any increase rate due to isolation can be paid to the
5 requesting parent or guardian, such rate must be approved by
6 the county transportation committee and the superintendent
7 of public instruction after the trustees have indicated
8 their approval or disapproval. Regardless of the action of
9 the trustees and when approval is given by the county
10 transportation committee and the superintendent of public
11 instruction, the trustees shall pay such increased rate due
12 to isolation. The increased rate shall be 1 1/2 times the
13 rate prescribed in subsection (1) above.

14 (4) When the isolated conditions of the household
15 where an eligible transportee resides require such eligible
16 transportee to live away from the household in order to
17 attend school, he shall be eligible for the room and board
18 reimbursement. Approval to receive the room and board
19 reimbursement shall be obtained in the same manner
20 prescribed in subsection (3) above. The per diem rate for
21 room and board shall be \$4 for one eligible transportee and
22 \$2 for each additional eligible transportee of the same
23 household.

24 (5) When the individual transportation provision is to
25 be satisfied by supervised home study or supervised

LC 0989/01

1 correspondence study, the reimbursement rate shall be the
2 cost of such study, provided that the course of instruction
3 is approved by the trustees and supervised by the district."

-End-

STATE OF MONTANA

REQUEST NO. 345-81

FISCAL NOTE

Form BD-15

In compliance with a written request received February 10, 19 81, there is hereby submitted a Fiscal Note for House Bill 660 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

An act to decrease the distance an "eligible transportee" must reside from a public school to receive transportation.

Assumptions

1. There are 166,000 children attending school.
2. Of these, 98,000 are not eligible for transportation.
3. The 98,000 are evenly distributed within the zone.
4. Of these, 73,500 live within the 3 mile zone, but over 1½ miles.
5. The average distance they will travel per day is 9.0 miles.
6. The schedule cost per mile is \$0.06 per child.
7. 66% are elementary but 34 are high school.
8. A 72 passenger bus will normally carry 54 passengers.
9. There are 4,000 individual and isolated contracts.

Fiscal Impact (to the State)

Revenue is not affected

Expenditures:

	FY 1982			FY 1983		
	Under	Under	Increase	Under	Under	Increase
	Current	Proposed		Current	Proposed	
	Law	Law		Law	Law	
Transportation Approp.	\$ 0	\$2,382,120	\$2,382,120	\$ 0	\$2,382,120	\$2,382,120
Transportation Equalization	0	1,572,199	1,572,199	0	1,572,199	1,572,199
Total State Cost (General Fund)	\$ 0	\$3,954,319	\$3,954,319	\$ 0	\$3,954,319	\$3,954,319

Local Impact

Revenues:

New County Levy	\$ 0	\$1,619,841	\$1,619,841	\$ 0	\$1,619,841	\$1,619,841
New District Levy	0	1,640,792	1,640,792	0	1,640,792	1,640,792
New Local Revenue	\$ 0	\$3,260,633	\$3,260,633	\$ 0	\$3,260,633	\$3,260,633

David M. Lewis
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-12-81

Local Impact (Continued)

Expenditures:

	FY 1982			FY 1983		
	Under Current <u>Law</u>	Under Proposed <u>Law</u>	<u>Increase</u>	Under Current <u>Law</u>	Under Proposed <u>Law</u>	<u>Increase</u>
County Transportation	\$ 0	\$1,619,841	\$1,619,841	\$ 0	\$1,619,841	\$1,619,841
District Transportation	<u>0</u>	<u>1,640,792</u>	<u>1,640,792</u>	<u>0</u>	<u>1,640,792</u>	<u>1,640,792</u>
Total Local Cost	\$ 0	\$3,260,633	\$3,260,633	\$ 0	\$3,260,633	\$3,260,633
Fund						
New Tax Levies	\$ 0	\$3,260,633	\$3,260,633			