

SENATE BILL NO. 440

INTRODUCED BY McCALLUM, B. BROWN

BY REQUEST OF
THE SENATE COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

IN THE SENATE

February 11, 1981	Introduced and referred to Committee on Education and Cultural Resources.
February 16, 1981	Committee recommend bill do pass as amended. Report adopted.
February 17, 1981	Bill printed and placed on members' desks.
February 18, 1981	Second reading, do pass.
February 19, 1981	Correctly engrossed.
February 20, 1981	Third reading, passed. Ayes, 48; Noes, 0. Transmitted to House.

IN THE HOUSE

February 21, 1981	Introduced and referred to Committee on Education.
March 7, 1981	Committee recommend bill be concurred in. Report adopted.
March 10, 1981	Second reading, concurred in.
March 12, 1981	Third reading, concurred in. Ayes, 88; Noes, 6.

IN THE SENATE

March 13, 1981	Returned from House. Concurred in. Sent to enrolling. Reported correctly enrolled.
----------------	---

1 *Senate* BILL NO. *440*
 2 INTRODUCED BY *McCallum* *Bob Brown*
 3 BY REQUEST OF

4 THE SENATE COMMITTEE ON EDUCATION AND CULTURAL RESOURCES
 5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAW
 7 GOVERNING THE TERMS OF A CONTRACT NEGOTIATED BETWEEN THE
 8 TRUSTEES OF A SCHOOL DISTRICT AND THE CURRENT SCHOOL BUS
 9 CONTRACTOR; AMENDING SECTION 20-10-125, MCA."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 20-10-125, MCA, is amended to read:

13 "20-10-125. Bid letting for contract bus -- payments
 14 under transportation contract. (1) Before any contract with
 15 a private party for the provision of school bus
 16 transportation is awarded, the trustees shall:

17 (a) secure bids by publishing during a period of 21
 18 days at least three calls for bids in a newspaper of the
 19 county that will give notice to the largest number of people
 20 of the district or in the official newspaper of the county;
 21 the trustees shall let the contract to the lowest
 22 responsible bidder, and the trustees shall have the right to
 23 reject any and all bids; or

24 (b) negotiate a new contract with the current school
 25 bus contractor, provided the negotiated contract costs do

1 not exceed by more than ~~8%~~ 12% per year the basic costs of
 2 the previous year's contract ~~and provided the duration of~~
 3 ~~the negotiated contract is no longer than the duration of~~
 4 ~~the previous contract.~~ Such a negotiated contract can be
 5 entered into only at a public meeting of the trustees at
 6 which meeting the patrons of the district may appear and be
 7 heard. Notice of the meeting must have been published in a
 8 newspaper of wide circulation within the district at least 1
 9 week prior to the meeting.

10 (2) The provisions of this section for awarding a
 11 contract for school bus transportation shall be subject to
 12 the provisions of 20-9-204.

13 (3) The trustees shall not expend any moneys of the
 14 district for school bus transportation by a private party or
 15 for individual transportation unless:

16 (a) a contract for such transportation services has
 17 been completed; and

18 (b) such contracted services for school bus
 19 transportation by a private party have been actually
 20 furnished except that the failure to perform may be excused
 21 by the trustees for reasons not under the control of the
 22 contractor; or

23 (c) such contracted services for individual
 24 transportation have been actually furnished as confirmed by
 25 the actual attendance of school by the eligible transportees

-2- INTRODUCED BILL
 SB 440

LC 1387/01

1 and recorded on the school attendance records or, in the
2 case of a supervised correspondence course or supervised
3 home study, as confirmed by the trustees; except that the
4 contracted services furnished one way on any school day
5 shall be reimbursed at one-half the daily contract amount.*

-End-

Approved by Committee
on Education

1 SENATE BILL NO. 440
 2 INTRODUCED BY McCALLUM, B. BROWN
 3 BY REQUEST OF
 4 THE SENATE COMMITTEE ON EDUCATION AND CULTURAL RESOURCES
 5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAW
 7 GOVERNING THE TERMS OF A CONTRACT NEGOTIATED BETWEEN THE
 8 TRUSTEES OF A SCHOOL DISTRICT AND THE CURRENT SCHOOL BUS
 9 CONTRACTOR; AMENDING SECTION 20-10-125, MCA; AND PROVIDING
 10 AN IMMEDIATE EFFECTIVE DATE."

11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 13 Section 1. Section 20-10-125, MCA, is amended to read:
 14 "20-10-125. Bid letting for contract bus -- payments
 15 under transportation contract. (1) Before any contract with
 16 a private party for the provision of school bus
 17 transportation is awarded, the trustees shall:
 18 (a) secure bids by publishing during a period of 21
 19 days at least three calls for bids in a newspaper of the
 20 county that will give notice to the largest number of people
 21 of the district or in the official newspaper of the county;
 22 the trustees shall let the contract to the lowest
 23 responsible bidder, and the trustees shall have the right to
 24 reject any and all bids; or
 25 (b) negotiate a new contract with the current school

1 bus contractor, provided the negotiated contract costs do
 2 not exceed by more than 8% 12% per year the basic costs of
 3 the previous year's contract ~~and provided the duration of~~
 4 ~~the negotiated contract is no longer than the duration of~~
 5 ~~the previous contract.~~ Such a negotiated contract can be
 6 entered into only at a public meeting of the trustees at
 7 which meeting the patrons of the district may appear and be
 8 heard. Notice of the meeting must have been published in a
 9 newspaper of wide circulation within the district at least 1
 10 week prior to the meeting.

11 (2) The provisions of this section for awarding a
 12 contract for school bus transportation shall be subject to
 13 the provisions of 20-9-204.

14 (3) The trustees shall not expend any moneys of the
 15 district for school bus transportation by a private party or
 16 for individual transportation unless:

17 (a) a contract for such transportation services has
 18 been completed; and

19 (b) such contracted services for school bus
 20 transportation by a private party have been actually
 21 furnished except that the failure to perform may be excused
 22 by the trustees for reasons not under the control of the
 23 contractor; or

24 (c) such contracted services for individual
 25 transportation have been actually furnished as confirmed by

1 the actual attendance of school by the eligible transportees
2 and recorded on the school attendance records or, in the
3 case of a supervised correspondence course or supervised
4 home study, as confirmed by the trustees; except that the
5 contracted services furnished one way on any school day
6 shall be reimbursed at one-half the daily contract amount."

7 SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
8 PASSAGE AND APPROVAL.

-End-

1 SENATE BILL NO. 440

2 INTRODUCED BY McCALLUM, B. BROWN

3 BY REQUEST OF

4 THE SENATE COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAW
7 GOVERNING THE TERMS OF A CONTRACT NEGOTIATED BETWEEN THE
8 TRUSTEES OF A SCHOOL DISTRICT AND THE CURRENT SCHOOL BUS
9 CONTRACTOR; AMENDING SECTION 20-10-125, MCA; AND PROVIDING
10 AN IMMEDIATE EFFECTIVE DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 20-10-125, MCA, is amended to read:

14 "20-10-125. Bid letting for contract bus -- payments
15 under transportation contract. (1) Before any contract with
16 a private party for the provision of school bus
17 transportation is awarded, the trustees shall:

18 (a) secure bids by publishing during a period of 21
19 days at least three calls for bids in a newspaper of the
20 county that will give notice to the largest number of people
21 of the district or in the official newspaper of the county;
22 the trustees shall let the contract to the lowest
23 responsible bidder, and the trustees shall have the right to
24 reject any and all bids; or

25 (b) negotiate a new contract with the current school

1 bus contractor, provided the negotiated contract costs do
2 not exceed by more than 8% 12% per year the basic costs of
3 the previous year's contract ~~and provided the duration of~~
4 ~~the negotiated contract is no longer than the duration of~~
5 ~~the previous contract.~~ Such a negotiated contract can be
6 entered into only at a public meeting of the trustees at
7 which meeting the patrons of the district may appear and be
8 heard. Notice of the meeting must have been published in a
9 newspaper of wide circulation within the district at least 1
10 week prior to the meeting.

11 (2) The provisions of this section for awarding a
12 contract for school bus transportation shall be subject to
13 the provisions of 20-9-204.

14 (3) The trustees shall not expend any moneys of the
15 district for school bus transportation by a private party or
16 for individual transportation unless:

17 (a) a contract for such transportation services has
18 been completed; and

19 (b) such contracted services for school bus
20 transportation by a private party have been actually
21 furnished except that the failure to perform may be excused
22 by the trustees for reasons not under the control of the
23 contractor; or

24 (c) such contracted services for individual
25 transportation have been actually furnished as confirmed by

1 the actual attendance of school by the eligible transportees
2 and recorded on the school attendance records or, in the
3 case of a supervised correspondence course or supervised
4 home study, as confirmed by the trustees; except that the
5 contracted services furnished one way on any school day
6 shall be reimbursed at one-half the daily contract amount."

7 SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
8 PASSAGE AND APPROVAL.

-End-

1 SENATE BILL NO. 440

2 INTRODUCED BY McCALLUM, B. BROWN

3 BY REQUEST OF

4 THE SENATE COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAW
7 GOVERNING THE TERMS OF A CONTRACT NEGOTIATED BETWEEN THE
8 TRUSTEES OF A SCHOOL DISTRICT AND THE CURRENT SCHOOL BUS
9 CONTRACTOR; AMENDING SECTION 20-10-125, MCA; AND PROVIDING
10 AN IMMEDIATE EFFECTIVE DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 20-10-125, MCA, is amended to read:

14 "20-10-125. Bid letting for contract bus -- payments
15 under transportation contract. (1) Before any contract with
16 a private party for the provision of school bus
17 transportation is awarded, the trustees shall:

18 (a) secure bids by publishing during a period of 21
19 days at least three calls for bids in a newspaper of the
20 county that will give notice to the largest number of people
21 of the district or in the official newspaper of the county;
22 the trustees shall let the contract to the lowest
23 responsible bidder, and the trustees shall have the right to
24 reject any and all bids; or

25 (b) negotiate a new contract with the current school

1 bus contractor, provided the negotiated contract costs do
2 not exceed by more than 8% 12% per year the basic costs of
3 the previous year's contract ~~and provided the duration of~~
4 ~~the negotiated contract is no longer than the duration of~~
5 ~~the previous contract.~~ Such a negotiated contract can be
6 entered into only at a public meeting of the trustees at
7 which meeting the patrons of the district may appear and be
8 heard. Notice of the meeting must have been published in a
9 newspaper of wide circulation within the district at least 1
10 week prior to the meeting.

11 (2) The provisions of this section for awarding a
12 contract for school bus transportation shall be subject to
13 the provisions of 20-9-204.

14 (3) The trustees shall not expend any moneys of the
15 district for school bus transportation by a private party or
16 for individual transportation unless:

17 (a) a contract for such transportation services has
18 been completed; and

19 (b) such contracted services for school bus
20 transportation by a private party have been actually
21 furnished except that the failure to perform may be excused
22 by the trustees for reasons not under the control of the
23 contractor; or

24 (c) such contracted services for individual
25 transportation have been actually furnished as confirmed by

1 the actual attendance of school by the eligible transportees
2 and recorded on the school attendance records or, in the
3 case of a supervised correspondence course or supervised
4 home study, as confirmed by the trustees; except that the
5 contracted services furnished one way on any school day
6 shall be reimbursed at one-half the daily contract amount."

7 SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
8 PASSAGE AND APPROVAL.

-End-