

HOUSE BILL NO. 305

1/21 Introduced
1/21 Referred to Education & Cultural Resources
1/22 Fiscal Note Requested
1/28 Hearing
1/28 Fiscal Note Received
2/09 Adverse Committee Report
2/11 Bill Killed

1 HOUSE BILL NO. 305
2 INTRODUCED BY Sen. Dave Brown

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE
5 REIMBURSEMENT FOR ANY PARENT OR GUARDIAN WHO MUST MAKE MORE
6 THAN ONE ROUND-TRIP JOURNEY PER DAY TO TRANSPORT AN ELIGIBLE
7 TRANSPORTEE TO AND FROM SCHOOL OR TO AND FROM A BUS STOP;
8 AMENDING SECTION 20-10-142, MCA."

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

11 Section 1. Section 20-10-142, MCA, is amended to read:

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

1 the following schedule:

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

11 (a) if the parent or guardian must make more than one
12 round-trip journey per day to transport an eligible
13 transportee to and from a school, the total reimbursement
14 per day of attendance is determined by multiplying the
15 distance in miles between the residence and the school by 4,
16 subtracting 12 miles from the product so obtained, and
17 multiplying the difference by 20 cents;

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

24 ~~(b)~~(c) if two or more eligible transportees are
25 transported by a parent or guardian to two or more schools

1 located more than 3 miles from one another, the parent or
2 guardian shall be separately reimbursed for transporting the
3 eligible transportee or transportees to each school;

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

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

18 ~~(e)~~(f) notwithstanding subsection subsections (1)(a)~~;~~
19 ~~(1)(b)~~~~;~~~~--(1)(c)~~~~;~~~~--or--(1)(d)~~ through (1)(e), no reimbursement
20 may be less than 25 cents a day.

21 (2) When the parent or guardian transports an eligible
22 transportee or transportees from the residence to a bus stop
23 of a bus route approved by the trustees for the
24 transportation of the transportee or transportees, the total
25 reimbursement per day of attendance shall be determined by

1 multiplying the distance in miles between the residence and
2 the bus stop by 2, subtracting 3 miles from the product so
3 obtained, and multiplying the difference by 20 cents
4 provided that:

5 (a) if the parent or guardian must make more than one
6 round-trip journey per day to transport an eligible
7 transportee to and from the bus stop, the total
8 reimbursement per day of attendance is determined by
9 multiplying the distance in miles between the residence and
10 the bus stop by 4, subtracting 6 miles from the product so
11 obtained, and multiplying the difference by 20 cents;

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

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

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

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

15 (4) When the isolated conditions of the household
 16 where an eligible transportee resides require such eligible
 17 transportee to live away from the household in order to
 18 attend school, he shall be eligible for the room and board
 19 reimbursement. Approval to receive the room and board
 20 reimbursement shall be obtained in the same manner
 21 prescribed in subsection (3) above. The per diem rate for
 22 room and board shall be \$5 for one eligible transportee and
 23 \$3 for each additional eligible transportee of the same
 24 household.

25 (5) When the individual transportation provision is to

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

-End-

STATE OF MONTANA

FISCAL NOTE

REQUEST NO. FNN 163-85

Form BD-15

In compliance with a written request received January 24, 19 85, there is hereby submitted a Fiscal Note for H. B. 305 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:

House Bill 305 is an act to provide reimbursement for any parent or guardian who must make more than one round-trip journey per day to transport an eligible transportee to and from school or to an from a bus stop.

ASSUMPTIONS:

1. All individual transportation contracts currently are reimbursed for one way transportation to school.
2. All holders of individual transportation contracts will claim round-trip reimbursement. The net effect is that present contract amounts will be doubled.
3. Reimbursement costs to contract holders for elementary school individual transportation will be subtracted from the county 45 mill levy amount.
4. The county pays one-third of the total elementary school transportation costs and two-thirds of the total high school transportation costs. The county high school transportation reimbursement is paid from the proceeds of the county tax for high school transportation.

FISCAL IMPACT:

Expenditures:

	<u>FY 86</u>	<u>State</u>	<u>FY 87</u>	<u>FY 86</u>	<u>County</u>	<u>FY 87</u>	<u>School District</u>	<u>FY 86</u>	<u>FY 87</u>
Present Law									
General Fund	\$ 85,609		\$ 85,609	\$ 111,978		\$ 111,978	\$ 26,371		\$ 26,371
Proposed Law	<u>171,218</u>		<u>171,218</u>	<u>223,956</u>		<u>223,956</u>	<u>52,742</u>		<u>52,742</u>
Change	\$ 85,609		\$ 85,609	\$ 111,978		\$ 111,978	\$ 26,371		\$ 26,371

The proposed law doubles the present payments made by state, county and school districts.

David L. Hunter

BUDGET DIRECTOR
Office of Budget and Program Planning

Date: JAN 28, 1985

Request No. FNN 163-85
Form BD-15 page 2

FISCAL IMPACT: (continued)

Revenues:

Present Law		
State Equalization Account	\$ 271,240,000	\$ 280,410,000
Proposed Law	<u>271,180,763</u>	<u>280,350,763</u>
Change	\$ (59,237)	\$ (59,237)

- 1) The state school equalization account would receive \$59,237 less revenue per year, because the elementary school transportation portion from the county's 1/3 portion of costs would be deducted from the basic 45 mill levy

	<u>FY 86</u>	<u>FY 87</u>
General Fund Impact		
Replace Equalization Revenue	\$ 59,237	\$ 59,237
Additional State Transportation Cost	85,609	85,609
Total Additional General Fund Needed	\$ <u>144,846</u>	\$ <u>144,846</u>

AFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

1. The county's portion of elementary school transportation will decrease the amount of revenue from the 45 mill county levy for the Foundation Program.
2. The county tax for high school transportation will increase two fold for the individual transportation contracts.
3. The local school district tax for elementary school transportation will increase two fold local individual transportation contracts.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

N/A

TECHNICAL OR MECHANICAL DEFECTS OR CONFLICTS WITH EXISTING LEGISLATION:

N/A